

Manual of Practice

(Revised July 2016)

PPANI

Public Protection
Arrangements
Northern Ireland



Department of
Health, Social Services
and Public Safety
www.dhsspsni.gov.uk

AN ROINN
Sláinte, Seirbhísí Sóisialta
agus Sábháilteachta Poiblí
MINISTRE O
Poustie, Resydenter Heisin
an Fowk Siccar

NORTHERN IRELAND
PRISON  SERVICE



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Housing
Executive

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GLOSSARY OF TERMS

Child or young person

For the purpose of this guide the meaning of 'child' or 'young person' is that which is given in the Children (NI) Order 1995 and includes those under 18 years

Child Sexual Exploitation

Child Sexual Exploitation is a form of sexual abuse in which a person(s) exploits, coerces and/or manipulates a child or young person into engaging in some form of sexual activity in return for something the child needs or desires and/or for the gain of the person(s) perpetrating or facilitating the abuse.

Compelling Evidence

The word compelling means that the risk analysis evidences a high likelihood of serious harm being committed. The evidence refers to previous offending, and/or current behaviours, and/or current circumstances.

Government Security Classification (GSC) and Government Protective Marking Scheme (GPMS)

From 2nd April 2014 the wider Public sector in the UK including Northern Ireland started using the new Government Security Classification scheme. UK Police Forces have not adopted GSC yet and will continue to use the Government Protective Marking Scheme (GPMS). Detailed information regarding GCS and GPMS can be found in Appendix 8

CSOGP

Community Sex Offender Group Programme

Definition of Domestic Abuse

'Any incident of threatening behaviour, violence or abuse (psychological, physical, verbal, sexual, financial or emotional) inflicted on one person by another where they are or have been intimate partners or family members, irrespective of gender or sexual orientation'

DRM

Designated Risk Manager

Evidence

Evidence in its broadest sense includes everything that is used to determine or demonstrate the accuracy of an assertion.

FADA

Framework for the Assessment of Domestic Abuse

Held

Means remanded in custody or sentenced and in prison

Hospital

Means psychiatric hospital or unit or specialists hospital for people with a learning disability.

HSCT Senior Manager

The HSCT Senior Manager is the programme head, manager, senior social worker or equivalent responsible for child care matters in the Health and Social Services Trust.

In the process of being reported with a view to prosecution

Where a relevant crime has been alleged or discovered and is being investigated by police, a suspect has been charged, or informed they will be reported to the PPS with a view

to prosecution and police are in the process of submitting, or have submitted, a file to the PPS making recommendation for prosecution based on the evidence.

Joint Protocols

This refers to the Northern Ireland Protocols for Joint Investigation by Social Workers and Police Officers of Alleged and Suspected Cases of Child Abuse of March 1996 and for the investigation of Abuse of Vulnerable Adults 2003. The Joint Protocols aim to enhance co-operation between police and social workers in the assessment and, where necessary, investigation of abuse and to limit or avoid the need for interviewing or repeat interviewing and thereby reduce the trauma experienced by the child or vulnerable adult and the family.

LAPPP

Local Area Public Protection Panel

Paedophilia

Sexual attraction to persons who have not come through puberty (Note: Sexual activity with post-pubescent persons is not paedophilia)

PPANI

Public Protection Arrangements Northern Ireland

PPSA

Programme for the Prevention of Sexual Abuse

Pre-registration sex offender

An offender who has previous convictions or police cautions for an offence (s) that would have resulted in registration if the sex offenders' notification had been in force when the offence (s) was/were committed

Prisoner

Person in custody, whether convicted or awaiting trial.

Prison

For the purpose of this manual prison means all types of adult prisons, young offender centres and juvenile justice centres.

Registered Sex Offender

An offender who has been convicted or cautioned by the police since 1 September 1997 for an offence listed in Schedule 1 of the Sex Offenders Act 1997 or Schedule 3 of the Sexual Offences Act 2003 and was found not guilty by reason of insanity, or found unfit to plead in respect of a relevant offence; or who was at that point either serving a sentence for such an offence or was detained under a Hospital Order (with or without restrictions) or a patient subject to guardianship.

Risk

Behaviour which, on the basis of past and/or current evidence, is likely to be a significant contributory factor towards serious harm being caused to another person or persons.

Risk Assessment

The collection analysis and interpretation of the relevant available facts and information on a relevant sexual or violent offender in order to understand, assess and classify his/her behaviour with regard to his/her current likelihood to cause serious harm and the potential danger to victims should such harm be caused.

Risk Assessment – Category 1

(No requirement for multi-agency intervention)

Someone whose previous offending,

and/or current behaviour and/or current circumstances present little evidence that they could cause serious harm through carrying out a contact sexual or violent offence.

Risk Assessment – Category 2

(Requirement for local multi-agency intervention)

Someone whose previous offending and/or current behaviour and/or current circumstances present clear and identifiable evidence that they could cause serious harm through carrying out a contact sexual or violent offence.

Risk Assessment – Category 3

(Requirement for intense/focused multi-agency intervention)

Someone whose previous offending and/or current behaviour and/or current circumstances present clear and identifiable evidence that they are highly likely to cause serious harm through carrying out a contact sexual or violent offence.

Management of Risk

The action agreed and undertaken by agencies with the objective of protecting the public

Safeguarding Board Northern Ireland (SBNI)

The Safeguarding Board for Northern Ireland (SBNI) was established in September 2012 under the Safeguarding Board (Northern Ireland) Act 2011 (the Act).

The core purposes of the SBNI is to co-ordinate and ensure the effectiveness of what is done by each person or body represented on the Board for the purpose of safeguarding and promoting the welfare of children and young people.

Serious Harm

Harm (physical or psychological) which is life threatening and/or traumatic and from which recovery is usually difficult or incomplete.

Significant Concerns

Where an agency has current evidence of behaviour on the part of the offender that indicates the risk of his/her causing serious harm to another person has increased

Strengths

Factors that counteract the risk of serious harm being caused

Temporary Release

Any temporary discharge under Rule 27 of the Prison and Young Offenders Rules (NI) 1995.

Vulnerable Adult

A person aged 18 years or over, who is in receipt of, or may be in need of, Health and Social Care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation

1. Introduction and References

1.1 Introduction

1.2 Operating Principle for the Public Protection Arrangements Northern Ireland

1.3 References

1.1 Introduction

This manual should be read in conjunction with the Guidance to Agencies on the Public Protection Arrangements in Northern Ireland. The Criminal Justice Order (NI) 2008 created the Public Protection Arrangements for Northern Ireland (PPANI). The arrangements bring together a number of agencies and departments including the Police, Probation, Prison Service, Health & Social Care Boards and Health & Social Care Trusts, Northern Ireland Housing Executive, NSPCC and a number of other agencies to work together to provide effective assessment and management of the risks posed by certain sexual and violent offenders, including individuals who have committed violent offences within a domestic setting. The agencies listed above work together, within the Public Protection Arrangements, to decide how best to minimise the likelihood of offenders committing further offences or causing serious harm to the public.

Certain categories of offenders are identified through statutory guidance and information about individuals falling within those categories is gathered and shared across relevant agencies. The nature and level of the risk of harm they pose is assessed and, where necessary, a risk management plan is implemented to protect the public. In all cases, the offender will be managed under the statutory responsibilities of the relevant responsible agencies. However, a number of offenders will require multi-agency management and their risk management plans will be developed and monitored via multi-agency Local Area Public Protection Panels (LAPPPs).

The Manual of Practice aims to ensure the following:

1. Effective management of risk through rigorous risk assessment and defensible decision-making
2. Clarification of the roles and responsibilities of the individual agencies in relation to public protection and management of risk
3. Provision of operational guidelines that reflect best practice to Local Area Public Protection Panels (LAPPPs)
4. Creation of a working set of guidelines which will be subject to continuous review and will change as necessary in order to take account of developments in public protection

Uniformity of practice throughout Northern Ireland in compliance with Human Rights legislation and Section 75 Northern Ireland Act 1998 (Equity in service provision)

1.2 Operating principal for the Public Protection Arrangements Northern Ireland

The public protection arrangements are based on the following principal:

Effective public protection depends upon risk assessment which focuses on the likelihood of serious harm being caused and identifies specific risks which are then addressed through targeted management of risk plans.

The arrangements are solely about assessment and management of risk. In order to achieve a focus on risk assessment and the targeting of plans to reduce the risk of serious harm to the public, best use must be made of time and resources. Offender case management and offender management are the statutory responsibilities of agencies such as the Probation Board for Northern Ireland and the Northern Ireland Prison Service. The public protection arrangements should complement rather than attempt to replace these responsibilities.

1.3 References

It is appropriate to recognise written sources used in the development of the Manual. Some of the most frequently used were

'Assessing men who sexually abuse. A practice guide.' (1998) David Briggs, Paddy Doyle, Tess Gooch and Roger Kennington. Jessica Kingsley.

'Cognitive Behavioural Tactics: The Next Phase for Evidence-based Practices' (2008). Burrell, W. Community Corrections Report. 7(1): 19-22.

Hazel Kemshall Four Pillars Model

'Good practice in risk assessment and management of risk Vol 2' (1996) Eds Hazel Kemshall, Jacki Pritchard and Jessica Kingsley.

'Guidelines for the supervision of scheduled offenders in the community' (June 1997) South Area Child Protection Committee' Risk and dangerousness policy for Hereford and Worcester Probation Service' (1997)

Implementing Evidence-Based practices in Community Corrections: The principals of Effective Intervention. (2004) Bogue, B, Campbell, N, Carey, M, Clawson, E, Faust, D, Florio, K, Joplin, L, Keiser, G, Wasson, B, Woodward, W

'PBNI Risk of Serious Harm Policy'

Cooperating to Safeguard Children (DHSSPS 2003)

PBNI 'Best Practice Framework'

Framework Assessment Domestic Abuse

Re-Engineering probation Towards Greater Public Safety: A Framework for Recidivism Reduction through Evidence-based Practice (2005). White, T. Court Support Services Division, State of Connecticut, Judicial Branch. <http://www.nicic.org/Library/021046>

'Scoring Guide for Risk Matrix 2000 (2007) David Thornton PhD

'Stable Scoring Guide' (2006) Karl Hanson and Andrew Harris

'Acute Scoring Guide' (2003) Andrew Harris

'Sex Offender Recidivism: A Simple Question'
(2004) Andrew Harris and Karl Hudson

'The predictors of Sexual Recidivism: An Updated Meta-Analysis' (2004) Karl Hanson and Kelly Morton-Burgon

'Sex Crime and the Media' (2003) C Greer

2. OVERVIEW OF THE MULTI-AGENCY PUBLIC PROTECTION ARRANGEMENTS

- 2.1 Introduction
- 2.2 Principals Underpinning Multi-Agency Risk Assessment and Risk Management
- 2.3 Classification of Risk
- 2.4 Definition of Serious Harm
- 2.5 Risk Assessment
- 2.6 Management of Risk
- 2.7 Memorandum of Co-operation and Protocol for Information Sharing
- 2.8 Sharing Information with Offenders
- 2.9 Sharing Information with Victims

2.1 Introduction

The primary purpose of the assessment and management of risk from sex offenders and violent offender is to help protect the public from serious harm by reducing their opportunity and/or motivation to re-offend.

Concern for victims and the public in general should be at the centre of multi-agency assessment and management of risk.

The assessment and management of the risk posed by offenders is a key task for all agencies and is a legislative requirement under Articles 49-51, Criminal Justice (NI) Order 2008 and the accompanying guidance to agencies. Effective risk assessment and management requires planning and the employment of a positive and proactive multi-agency, multi-disciplinary approach. All the agencies having a duty under these arrangements have been fully involved in the production of both the guidance to agencies and this manual of practice.

The majority of the information held by the PPANI Links Team and shared at LAPPP Meetings contain personal or sensitive data and therefore require a level of Protective Marking (information that has been obtained from sources which are publicly available will not require a protective mark).

Information about offenders held on public protection arrangements risk assessment and management of risk documents and files must be treated as 'restricted' in accordance with Government Protective Guidelines unless the information is identified as meeting a requirement to be treated as 'confidential'. The information must be securely stored and accessed only by agreed persons and for purposes set out in this manual of practice, which accords with data protection legislation.

Agencies will work towards gaining consent and cooperation from offenders for risk assessment and management of risk actions, but even where there is no consent, assessments and management of risk will still be carried out.

2.2 Principals Underpinning Multi-Agency Assessment and Management of risk

Risk assessment is an ongoing process. As more relevant information becomes known or circumstances change it is vital that this information is immediately brought to the attention of the relevant agencies for the risk assessment to be modified and, when appropriate, action taken to manage the risk.

Good communication between workers in each agency is vital in the process of information gathering and exchange.

Risk assessment and management is a complex and dynamic process but it cannot eliminate risk. Agencies cannot be held responsible for the criminal actions of offenders. They do, however, carry a responsibility for acting professionally and making use of the best and most Up-to-date knowledge and information that they have available to assess and manage the risk presented by offenders.

The definition of risk assessment used in this manual is:

The collection, analysis and interpretation of the relevant available facts and information on a relevant sexual or violent offender in order to understand, assess and classify his/her behaviour with regard to his/her current likelihood to cause serious harm and the potential danger to victims should such harm be caused.

Risk assessment procedures require accurate and detailed information. This information will include previous convictions, previous assessments where these are available, progress reports from offender programmes, witness and victim statements and details of interviews with the offender.

2.3 Classification of Risk

The classification system used in this manual is as follows:

Category 1 (No requirement for multi-agency intervention)

'Someone whose previous offending and/or current behaviour and/or current circumstances present little evidence that they could cause serious harm through carrying out a contact sexual or violent offence.'

Category 2 (Requirement for multi-agency intervention)

'Someone whose previous offending, and/or current behaviour and/or current circumstances present clear and identifiable evidence that they could cause serious harm through carrying out a contact sexual or violent offence.'

Category 3 (Requirement for intense/focused multi-agency intervention)

'Someone whose previous offending, and/or current behaviour and/or current circumstances present clear and identifiable evidence that they are highly likely to cause serious harm through carrying out a contact sexual or violent offence.'

Note 1: The word 'current' should not be read as always meaning immediacy or immanency in terms of a timeframe but should be used in the context of overall behaviour and circumstances (for those who have committed sexual offences the Stable and Acute 2007 provides a good vehicle for gathering evidence of behaviour and circumstances). The risks identified in the assessed category of risk must always be aligned and addressed in the risk management plan.

2.4 Definition of Serious Harm

For the purpose of this manual 'serious harm' is defined as:

'Harm (physical or psychological) which is life threatening and/or traumatic and from which recovery is usually difficult or incomplete'

2.5 Risk Assessment

The risk assessment model used within PPANI is based upon research and evidence based practice in relation to risk assessment. The factors considered are:

1. Index offence(s) and/or current cause(s) for concern
2. Relevant offending history
3. Identified Risks to be managed
4. Strengths (Internal and External)
5. Risk Management

At each LAPPP meeting this systematic model of risk assessment should be consistently recorded.

Index offence(s) and/or current cause(s) for concern

This section should provide clear detail of the offence/s and/or the cause for concern, which have brought the individual into the public protection arrangements.

It may be, for example, because

- He/she has allegedly committed *a further PPANI eligible offence*
- He/she has started to express violent thoughts
- He/she has started to express violent sexual fantasies
- New information has come to light, such as a complaint
- Concerns that the individual may be targeting or grooming a child or children

This is not an exhaustive list.

Relevant offending history

This section should include reference/analysis of previous offending relevant to the offender's inclusion within PPANI.

Identified Risks to be managed

Risk Assessment should identify the specific behaviours that are likely to lead to serious harm being caused and include an assessment of who is at risk and in what circumstances. It must be demonstrated that a potential victim (or victims) is likely to be subjected to 'serious harm' as a result of the offender's behaviour.

This section should include an assessment of the following:

- Who is the offender likely to target or harm (e.g. women, men, boys or girls)?
- How is he/she likely to do it (e.g. sudden attack, prolonged grooming, targeting of organisations or families, evidence of Child Sexual Exploitation)?
- In what circumstances is he/she likely to offend or cause harm (e.g. after drinking, following relationship problems, after loss of employment)?
- What are the likely triggers to causing harm (e.g. sexual interest, negative mood state, alcohol relapse and/or opportunity to access vulnerable persons)?

Note: Agencies should be mindful of the potential risks posed by an individual who is living with or has access to his own or other children. (As per Recommendation 22 of the Independent Review Report (Toner, 2008))

Strengths (Internal and External)

Strengths are defined as:

'Factors that counteract the risk of serious harm being caused'

They can be divided into two broad categories:

(a) Internal Factors

Internal factors relate to positive responses to supervision where the offender acknowledged the nature of his/her behaviour and demonstrated a willingness to accept responsibility for offending behaviour and is motivated to change his/her behaviour now and in the future.

(b) External Factors

External factors include those that enhance stability such as appropriate employment and stable relationships. External factors may also include the involvement of other people, including family members, in constraining and or promoting community reintegration. An example of this could be the involvement of hostel staff in monitoring the offender's movements.

Note: Actions identified in a risk management plan **should not** be included as 'strengths' in the context of dynamic risk assessment.

Risk Management

The definition of a 'risk' for the purpose of preparing a risk management plan is as follows:

Behaviour which, on the basis of past and/or current evidence, is likely to be a significant contributory factor towards serious harm being caused to another person or persons.

Offender Role in Risk Management Process

The offender should be given an opportunity to work with agencies to reduce the risk that they currently present. There is no right of appeal against risk category, but offenders will have the opportunity to demonstrate that they can reduce the potential risk that they present by cooperating with their management of risk.

2.6 Management of risk

For the purposes of clarity, risk assessment and management of risk are described in this manual as two separate stages but it must be emphasised that they are part of one continuous process.

Definition of Management of Risk

Within the public protection arrangements management of risk is defined as:

'The action agreed and undertaken by members of the multi-agency LAPPP in relation to Category 2 and Category 3 sex offender/violent offenders with the objective of protecting the public'

The risk posed by those individuals who, following a LAPPP risk assessment, have been classified as category 1 risk of serious harm will not be addressed through multi-agency risk management within the public protection arrangements, but will be referred to the most appropriate agency for single agency-led management of risk, as that agency determines appropriate.

Elements of Risk Management

There are five main elements to management of risk:

- 1 To assess and coordinate actions required to reduce risk of serious harm
- 2 To identify strategies which will reduce the risk by identifying necessary safeguards for potential victims
- 3 To monitor the offender's behaviour and attitudes
- 4 To act immediately if it is likely that serious harm to others may be caused
- 5 To share information on a need-to-know-basis

The risk management plan should contain each of the following recommendations:

- Actions to be taken in order to minimise the identified risks
- Actions to be taken in order to enhance the strengths and
- Name and details of the Designated Risk Manager
- Review date.

Note: In order to justify intervention it must be obvious that the action is justified by the potential risk of serious harm and that it is reasonable in the circumstances. This is particularly the case when decisions are made which could have a serious effect on the offender, such as a decision to inform the public of his/her presence in a particular geographical area.

Action required to address the risks identified

These issues will have been identified in the risk assessment process. This section builds on that risk assessment by stating what actions could be taken to reduce the identified risks. In relation to offenders with a history of alcohol/drug addiction and where at the time of the LAPPP review the addiction issues are an acute stage, the LAPPP should not assess their category of risk downwards until they have seen sufficient evidence of stability in the offender's condition.

There is a wide range of potential action that can be taken to minimise risks:

- (a) Actions which are intended to impact on the offender directly in terms of producing positive change in how/she views the offence and his/her victims
- (b) Actions that are intended to impact on the offender directly in terms of predisposing factors that are linked to his/her offending (e.g. help to control alcohol abuse, finding suitable accommodation)
- (c) Actions which are intended to increase the surveillance and monitoring of the offender and inhibit his/her ability to offend
- (d) Actions which can make it more difficult for the offender to target a particular victim(s)

It is expected that action to minimise the risks will include several of these.

Action required to enhance the strengths

The strengths are those factors that counteract the risks and make it less likely to become a reality. It is important here to seek to build on identified strengths over a period of time (both internal factors and external factors). Risk factors and strengths should always be identified prior to the risk management plan to ensure that actions are aligned to each factor.

The Designated Risk Manager

A Designated Risk Manager (DRM) will be appointed for each case where a multi-agency management of risk plan is in place. The DRM's role is fully set out in Section 6 of this Manual.

LAPPP Review Meetings in the Community

In the community reviews for category 2 or category 3 cases will be held no later than every 16 weeks.

Reviews in Custody

Following referral to the PPANI Links Team by the NIPS those cases assessed as presenting a category 3 risk of serious harm at the first LAPPP will have the case reviewed at least four weeks prior to release. If an offender assessed as category 3 receives a custodial sentence of less than 16 weeks it may not be necessary to hold a further review four weeks prior to release if the current action plan is sufficient. In these circumstances the community based DRM should liaise with the relevant NIPS staff.

Following referral to the PPANI Links team by the NIPS those cases assessed as presenting a category 2 risk of serious harm at the first LAPPP will have the case, reviewed no later than 16 weeks following release.

There will be circumstances where it may be considered necessary to have a case reviewed immediately prior to release. Any of the agencies can ask for pre-release review in this context; the request should be made to the initial LAPPP chair through the PPANI Links Team.

LAPPPs in respect of Offenders Remanded in Custody

In particular circumstances, it is possible to request a LAPPP review for extant Category 2 or 3 cases, where the offender has been remanded in custody. This option should only be exercised in exceptional circumstances specifically where the DRM holds that the current risk management plan is insufficient to cover the contingency of the offender being released. A request for a LAPPP in such cases, should be made by the PPANI (1) referral form.

In the event of it not being possible to hold a LAPPP prior to release on bail, the PPANI manual of Practice allows for a community based LAPPP to be brought forward.

2.7 Memorandum of C-operation and Protocol for Information Sharing

The agencies have agreed a memorandum of co-operation and a protocol for sharing and disclosure of information. Both documents are available on the following website:

www.publicprotectionni.com

2.8 Sharing Information with Offenders

All offenders will be given a leaflet which explains the public protection arrangements for Northern Ireland.

Offenders will be informed of their assessed category of risk. The reasons for the category of risk will be explained to them. It will also be explained that it is expected that they co-operate in their management of risk.

It should be noted that data entered into computerised systems is regulated by the Data Protection Act and offenders will have a right to a copy of basic information from it to check for factual accuracy.

The offender must be informed, wherever reasonably possible, when a decision is taken to share information outside the LAPPP, and the reasons for this decision.

2.9 Sharing Information with Victims

The importance of protecting victims of crime and properly addressing their needs is fully recognised and supported by the Department of Justice and PPANI agencies. Victims of offenders whose risks are being managed by agencies within the public protection arrangements will be provided with a PPANI Victim Information Booklet outlining the PPANI process and providing contact details in respect of support services (including how victims can register with the PRVIS/PBNI Victim Information Schemes). The exceptions will be where the identified victim cannot be traced, e.g. has left the jurisdiction) or where a key professional working with the victim advises that to provide PPANI information would be detrimental to the victim. They will also be provided with the name and telephone number of a police officer who will act as the link between them and the LAPPP.

3. IDENTIFICATION OF RELEVANT OFFENDERS

- 3.1 Criteria for initial offenders
- 3.2 Referral process
- 3.3 Definition of vulnerable adult
- 3.4 Definition of serious sexual assault
- 3.5 Young offenders under 18 years

3.1 Criteria for initial assessment

The criteria for initial assessment to determine if management of risk through the public protection arrangements is required are as follows;

- (A) Persons who are subject to the notification requirements of Part 2 of the Sexual Offences Act 2003 or who have been convicted of a sexual offence or sexually motivated offence and are not subject to the notification requirements of Part 2 of the Sexual Offences Act 2003, but about whom an agency has current significant concerns.
- (B) Persons who have from 6 October 2008 been convicted of a violent offence (including homicide) against a child or vulnerable adult; or who have a previous conviction for a violent offence against a child or vulnerable adult and about whom an agency has current significant concerns.
- (C) Persons who have from 1 April 2010 been convicted of a violent offence (including homicide) in domestic or family circumstances; or who have a previous conviction for a violent offence in domestic or family circumstances and about whom an agency has current significant concerns. (See point F for specific reference to sentenced prisoners.

From 1st July 2013 new referrals into PPANI for violence in a domestic or family circumstance must have a minimum conviction of Assault Occasioning Actual Bodily Harm (AOABH).

In respect of all AOABH convictions after 1st July 2013; and for offenders currently serving a custodial sentence for AOABH, for violence in domestic or family circumstances, these cases are automatically eligible for a referral into PPANI.

For cases with AOABH convictions prior to 1st July 2013 (excluding those currently in prison) referrals or re-referrals must demonstrate a current significant concern. A significant concern is defined as "where an agency has current evidence of behaviour on the part of an offender that indicates the risk of his/her causing serious harm to another has increased". Serious harm is defined as 'harm (physical or psychological) which is life threatening and/or traumatic and from which recovery is usually difficult or incomplete.

With regard to current Category 2 or 3 cases where the conviction is below the AOABH threshold, they will remain within the arrangements until a LAPPP is satisfied they meet a Category 1 classification of risk.

Exceptions to the AOABH Threshold

Child and Vulnerable Adults

The minimal conviction threshold of AOABH does not impact on the referral criteria in respect of convictions for violence against children and vulnerable adults. All convictions for violence against children and vulnerable adults will remain eligible for a referral in PPANI

Exceptional Circumstances

In exceptional circumstances a referral into PPANI may be appropriate in respect of cases where the conviction for violence in domestic or family circumstances is below the AOABH threshold.

It is not possible to be prescriptive in relation to what constitutes exceptional circumstances. However exceptions could include; a verifiable pattern of on-going domestic violence; the nature of the domestic violence conviction; multiple victims; or a new charge for a serious assault in family or domestic circumstances. It is important to note that the exceptional circumstances must also evidence the current significant concern criteria.

When invoking the exceptional circumstances option the referring agency should also make clear on the PPANI 1 referral form why a LAPPP is necessary as opposed to using one of the other available for a (see below)

Alternative fora

For concerns involving sub-AOABH convictions staff are reminded that alternative fora in terms of risk management are available and should where appropriate be considered / utilised prior to any referral to PPANI .They include: MARAC; Child Protection Case Conferences; Vulnerable Adult Conferences; Risk Management Meetings (for PBNi cases) and NIPS Licensing Panels

- D) Persons who have been convicted on or after 1st September 2011 of a violent offence (including homicide) where the offence, in certain circumstances, has been aggravated by hostility, and the person has received an enhanced sentence; or who have a previous conviction for such an offence and about whom an agency has current significant concerns.

Where an offender received an enhanced sentence for a sectarian motivated offence the offender should not be referred for inclusion / assessment under PPANI. The basis for this decision is that agencies held that they could not assess or devise risk management plans for offences associated with sectarianism.

- E) Persons subject to a risk of Sexual Harm Order (RSHO)

- F) Prisoners sentenced prior to the date of implementation of criteria A to D above – on referral by the NIPS on the basis of current significant concerns and no later than three months prior to their Earliest Date of Release (EDR) or end of tariff. NIPS should make enquiries with relevant other agencies to ensure the necessary evidence of current significant concerns are available prior to referral. The seriousness of the behaviour that led to the conviction and whether it resulted in serious harm being caused, coupled with the impending release will be counted as current evidence of behaviour on the part of an offender that indicates the risk of him/her causing serious harm to others has increased.

*The offence for which the prisoner is currently serving sentence must be an offence highlighted as stated in either A, B, C or D.

Criteria for Pre-release LAPPPs: Sentenced Prisoners

If a prisoner currently serving a sentence for a PPANI eligible offence (violent Offences against children or vulnerable adults; violent offences in domestic circumstances; violent offences motivated by hate – in specific circumstances; and sexual offences) the prisoner is eligible for a pre-release assessment at a LAPPP.

The date of the offence is not relevant; the key criteria for the pre-release assessment at a LAPPP are that the offender is: (a) Currently serving a current sentence for a PPANI eligible offence and (b) Release from custody is pending. There is an exemption to this. If a (pre custody) community LAPPP has made an assessment in full knowledge of the offences which resulted in conviction/imprisonment, there is no automatic requirement for a pre-release LAPPP. However if it is the view of the prison DRM that the extant risk management plan requires updating, then a request for a pre-release LAPPP should be made on a PPANI (1) form (Appendix 1).

NB. In respect of prisoners who have previous convictions for PPANI eligible offences, but who are in prison for other offences, they are not to be automatically referred for a pre-release LAPPP. Rather for these cases the current significant concerns criteria must be met. Significant concern is defined in the Manual of Practice as "where an agency has current evidence of behaviour on the part of the offender that indicates the risk to him/her causing serious harm to another person has increased.

On occasions where it is not possible to hold an initial LAPPP review prior to a sentenced prisoner's date of release, the case should be listed for review at the earliest possible community LAPPP post release, arranged by PPANI Links. In such circumstances the community LAPPP must be held not more than four weeks post release.

Given that the role of Designated Risk manager (DRM) is allocated at the initial LAPPP, responsibility for the case on release from custody will rest with the allocated practitioner from the lead agency with responsibility for the offender post release. For example, in respect of

offenders subject to post release supervision on licence, the lead agency will be PBNI. Where there is no statutory post release supervision, the lead agency will be PSNI.

As with all initial LAPPP reviews there is the expectation that a briefing report will be prepared in advance of the LAPPP review. Responsibility for the completion of the briefing report will rest with the member of PBNI or NIPS staff allocated to the case during the custodial phase. This member of staff should liaise with the lead worker in the community to ensure that the briefing report includes relevant post release information.

The prison-based officer's attendance at the community LAPPP will be at the discretion of NIPS/PBNI. Video –link attendance is an option to facilitate attendance where this is available.

3.2; Referral Process

3: 2.1 all referrals must be forwarded securely to PPANI Links on PPANI 1 form. If the referrer does not receive an acknowledgement within 10 working days they must contact the PPANI Links team for confirmation of receipt of referral.

3: 2.2 The PPANI Links team are tasked with filtering all referrals to make sure they comply with the criteria set out above in 3.1.

The forms must be full completed and must provide detailed information and evidence that the referral meets the criteria set out at 3.1.

Referrers should note that the PPANI 1 forms contain the only information and evidence which the PPANI Links team can determine on eligibility for inclusion in PPANI. Referrers should also note that all referrals are potentially disclosable including in a court of law; therefore the eligibility threshold must be clearly evident in the PPANI 1 form (see section 4.4.for further information on defensible decision making).

3:2.3 in cases where the PPANI Links team have concluded that the referral does not meet the eligibility threshold and the referral source disagrees with this decision the following process should apply:

- In the first instance the line manager of the referrer will contact the PPANI Links team for clarification and resolution at that stage. If resolution is not reached, the referrer contacts the PPANI Coordination Unit and requests that a referral meeting be convened. Should any additional information become available prior to the Referral Meeting the Referral Agency should forward this information to the PPANI Links Team as this additional information may prevent the need to hold a Referral Meeting. The referral meeting is chaired by the PPANI Coordinator with all the information made available to all concerned by the referrer. In the event of the referral agency and the PPANI Links team not agreeing on the appropriateness of a referral, at the referral meeting, the PPANI Coordinator is to make the final decision on

the appropriateness of the referral. In these circumstances the Coordinator's decision is to be recorded in the minutes of the referral meeting. If the Coordinator is not in a position to make a decision at the meeting, the Coordinator is to confirm, in writing, a decision to the referral agency and to the Links team within 3 working days of the meeting.

3.3 Definition of Vulnerable Adult

For the purpose of this manual 'vulnerable adult' is defined as:

A person aged 18 years or over, who is in receipt of, or may be in need of, Health and Social Care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation

3.4 Definition of Serious Sexual Offence

For the purpose of this manual 'serious sexual offence' is defined as:

- Rape
- Sexual assault by penetration
- Sexual assault where the assault is particularly serious or features of the offence are aggravated
- Causing a person to engage in sexual activity without consent
- Any other offence of a sexual nature deemed especially serious by the Investigating officer
- An attempt to commit any of the above offences

2. The National Centre for Policing Excellence on the investigation of serious sexual offences
ACPO – 2005

3.5 Young Offenders Under 18 Years

As referred to in section 2.12 of the guidance to agencies:

Management of the risks posed by young persons under the age of 18 who fall within the definition of the relevant sexual or violent offender should not normally require multi-agency management of risk within the public protection arrangements. In the vast majority of cases those risks will be effectively managed under the present social services child protection and children in need arrangements as set out in current Area Child Protection Committees '(RCPC) Regional Policy and Procedures and Co-operating to Safeguard Guidance are multi agency processes (involving criminal justice as well as social care and education) and should implement a sufficient management plan. However, exceptionally when either a social services trust, the Youth Justice Agency, the Northern Ireland Prison Service or the Probation Board for Northern Ireland consider that multi-agency risk assessment and management of risk under the public protection arrangements is necessary in respect of the risks posed by a young person under 18, who would, if he/she were an adult, fit the criteria of relevant offender they should seek assistance by referring the case to the PPANI Links team for consideration by a LAPPP using PPANI 1 (Appendix 1).

Agencies referring the case of a young person under the age of 18 to the PPANI Links team must evidence the risk(s) of serious harm which cannot be adequately managed under the existing RCPC Regional Policy and Procedures and Co-operating to Safeguard Guidance or Youth Justice Agency intervention.

When the risk of serious harm which gave rise to the referral diminishes sufficiently to enable management of risk under PCPC Regional Policy and Procedures and Co-operating to Safeguard Guidance or Youth Justice Agency intervention, public protection arrangements management of risk assistance should no longer be required.

Contact with a young person under the age of 18, their appropriate adult/parent, about any public protection arrangements involvement in the management of risk of serious harm remains the responsibility of the referring agency. Agencies must make appropriate provision to address the specific needs of engaging with a young person on such matters.

Identifying the level of risk presented by a young person under the age of 18 can be particularly difficult given that they may have a limited criminal history and that patterns of behaviour can often change rapidly during adolescence.

Therefore managing the assessed risks posed by young people under 18 through the public protection arrangements should only occur on an exceptional basis. However, the agencies involved are aware that there are a very small number of young people who can present a very serious risk to others. The management of the exceptional risk may be more effectively addressed through liaison between the current normal child protection and children in need arrangements or Youth Justice Agency intervention and the public protection arrangements structure.

Where the risks presented by a person under the age of 18 years are managed through the public protection arrangements, care must be taken to ensure that the young person is fully aware of this fact and the implications of it. In such cases an appropriate adult should be sought to assist in providing information and seeking input from the young person.

4 RISK ASSESSMENT

4.1 Introduction

4.2 Evidence Based Practice

4.3 Risk Category Definitions

4.4 Defensible Decision Making

4.5 Risk Assessment Factors

4.6 The Risk Assessment Process

4.7 Other Available Risk Assessments

4.8 Risk Assessments in Relation to Persons Under 18 Years of Age

4.1 Introduction

Multi-agency risk assessment will be carried out on all relevant persons as set out in the guidance to agencies (Section 2.6) and categorised according to the likelihood of causing serious harm through carrying out a contact sexual or violent offence. This section presents the risk category definitions and the management of risk process.

Risk assessment, for the purpose of categorisation for management of risk, will only be carried out by agencies at a LAPPP.

4.2 Evidence Based Practice

For public protection practice to be effective and remain within the boundaries of law it must be based on the evidence available in each individual case. This 'evidence based practice' requires agencies at the LAPPP to integrate all the available information relating to a relevant offender with the best and most up to date scientific evidence from systematic research

Evidence based practice is an approach that helps people make well informed and defensible decisions about the risk of causing serious harm that an individual might pose and the interventions that are necessary to manage or reduce that risk.

The approach requires that every decision is based on best available evidence from research identifying factors relevant to risk of serious harm, and on the evidence presented to support the existence of specific factors in each case.

Evidence Based Practice - Principals

a. Target highest risk offenders

Agencies should target resources towards the highest risk offenders

b. Assess offender's needs

Agencies should assess the criminogenic needs (dynamic risk factors) of their offenders using research-based instruments. The goal of intervention should be to diminish these needs and thus reduce their risk of causing serious harm.

c. Encourage offender engagement / responsibilities

Risk management plans should account for individual offender characteristics that might interfere with or facilitate their ability and motivation to change

d. Deliver risk management plans using cognitive- based strategies

Research has consistently determined that cognitive –behavioural methods are more effective than any other form of correctional intervention because these methods address criminal thinking and behaviours

e. Motivate and shape offender behaviours

Management of risk planning should include structure or capacity for rewarding behaviour in addition to discouraging negative behaviour.

f. Engender the use of community as a protective factor against risk and use the community to support offender re-entry and reintegration

Agencies should consider appropriately involving the community as appropriate; family; friends; employers; or faith based groups as potential protective factors in the management of risk.

4.3 Risk Category Definitions

In order to ensure the integrity of the public protection arrangements process and to provide clarity of meaning, the risk category into which an individual is placed following a full and thorough risk assessment (including static and dynamic risk factors) must be consistent with the following definitions:

Category 1 (No requirement for multi-agency intervention)

"Someone whose previous offending and /or current behaviour and/or current circumstances present little evidence that they could cause serious harm through carrying out a contact sexual or violent offence"

Category 2 (Requirement for multi-agency intervention)

"Someone whose previous offending and/or current behaviour and/or circumstances present clear and identifiable evidence that they could cause serious harm through carrying out a contact sexual or violent offence"

Category 3 (Requirement for intense/focused multi-agency intervention)

"Someone whose previous offending and/or current behaviour and/or current circumstances present clear and identifiable evidence that they are highly likely to cause serious harm through carrying out a contact sexual or violent offence."

LAPPP's should apply the definitions consistently, always requiring evidence to support an individual being placed in the above categories.

4.4 Defensible Decision Making

The principal of defensible decision making is intended to ensure that the risk Assessment process and its outcomes comply with the law.

Kemshall suggests that defensible decision making can be demonstrated through:

1. Ensuring decisions are grounded in the evidence
2. Using reliable risk assessments tools
3. Collecting, verifying and evaluating information thoroughly
4. Recording and accounting for decisions
5. Communicating with relevant others and seeking additional information
6. Staying within agency policies and procedures
7. Taking all reasonable steps
8. Matching interventions for management of risk to risk factors
9. Maintaining contact with offenders at a level commensurate with the level of harm
10. Responding to escalating risk, deteriorating behaviour and non-compliance.

4.5 Risk Assessment Factors

In determining an individual's category of risk a number of factors must be taken into consideration:

(a) The nature of the person's previous offending and whether it resulted in serious harm being caused. For the purpose of this guidance previous offending involving the following characteristics will be viewed as having caused "serious harm":

- Homicide
- Serious physical injury
- Indecent assault involving an oral act (fellatio or cunnilingus)
- Vaginal or anal intrusion by the offender on the victim either digitally or with the use of a foreign object
- Coercion involving the use of a weapon or instrument.
- The use of intentional/expressive violence over and above that required to the victim or where the victim has been subjected to a level of violence, which has resulted in serious injuries requiring hospital treatment
- Sexual assaults in circumstances where the victim has been abducted or imprisoned
- The use of drugs or other substances by the offender on the victim during the commission of the assault (this should include the voluntary acceptance of alcohol by the victim – unless the drink is believed to have been spiked)
- Where the sexual assault is believed to have been committed by a person suspected of a number of sexual assaults

The above is not a definitive list and should be used only for guidance

- b. Whether there are identifiable indicators of the likelihood of serious harm being caused imminently
- c. Whether evidence indicates that physical harm caused by the risk would be life threatening or so serious that any potential victim's recovery would be difficult or incomplete
- d. Whether evidence indicates that psychological harm caused by the risk would be life threatening or so serious that any potential victim's recovery would be difficult or incomplete
- e. Unless the indicators at (b) and the evidence at (c) or (d) can be identified and recorded, the determined level of risk should be assessed as no higher than Category 2 risk of serious harm.

4.6 The Risk Assessment Process

Step 1 – Static Risk Assessment

A Static Risk Assessment, using Risk Matrix 2000 (RM2K) will be carried out by the PPANI Links team on all relevant sex offenders and violent offenders meeting the criteria set out at Section 3.

Relevant offenders already in custody serving a prison sentence or convicted and sentenced to imprisonment as and from 6th October 2008 will be subject to static risk assessment only if referred by the Northern Ireland Prison Service (NIPS) at least three months prior to consideration for release.

When an individual who has been subject of risk assessment by agencies at a LAPPP is convicted of a further relevant offence a new Static Risk Assessment (RM2K) will be completed by the PPANI Links team and brought to the attention of the next relevant LAPPP.

Step 2 – Dynamic Risk Assessment

Once PPANI Links team identify a new offender for official review on a LAPPP list they will forward all known details to the relevant agencies. On receipt of the LAPPP list there is an expectation on the agencies to check their data bases for information on the offender and victim(s) and bring the relevant information to the initial LAPPP.

A Multi-agency Dynamic Risk Assessment will be carried out by the LAPPP on all sex offenders and violent offenders referred to them by the PPANI Links team.

Where there is insufficient evidence available to carry out a full risk assessment and set an appropriate category of risk of serious harm, it is expected that the first LAPPP considering such a case will create four actions: (a) to have all the relevant agencies research and collate the information on the individual which is held by them (b) appoint a DRM (c) agree an interim risk management plan (d) set the date for a review LAPPP. Such cases will be designated as 'pending'.

- 1) Prisoners sentenced prior to 6th October 2008*(3.1) – on referral by the NIPS on the basis of current significant concerns and no later than three months prior to their Earliest Date of Release (EDR) or end of tariff. NIPS should make enquiries with relevant other agencies to ensure the necessary evidence of current significant concerns are available prior to referral. The seriousness of the behaviour that led to the conviction and whether it resulted in serious harm being caused, coupled with the impending release, will be counted as current evidence of behaviour on the part of an offender that indicates the risk of his/her causing serious harm to others has increased. * The offence for which the prisoner is currently serving sentence must be an offence highlighted as stated in either A,B,C or D in point 3.1
- 2) Prisoners sentenced after 6th October 2008 – no later than three months prior to their Earliest Date of release (EDR) or end of tariff.
- 3) Prisoners subject to (overnight) pre-release from prison, e.g. home leave or temporary release, at least three months prior to the release (Prisoners subject to compassionate leave will remain the sole responsibility of the NIPS and need not be considered).
- 4) Offenders in the community who have not received a custodial sentence – at the point of conviction.
- 5) Offenders in the community who have a previous relevant conviction and who have been referred to the PPANI Links team on the basis of current significant concerns – at the point of referral.

If a relevant offender (someone sentenced before 6th October 2008) is not referred by the NIPS on the basis of current significant concerns, agencies will treat such persons as Category 1 risk of serious harm, thus instigating single agency management of risk. Such cases can be brought back to a LAPPP for further risk assessment by any agency which has current significant concerns. Cases assessed as Category 1 in prison will not be reassessed in the community unless re-referred on the basis of significant concerns.

Step 3 – Stable and Acute 2007 Assessment (Sexual Cases)

All those who have, following Step 2, been assessed as presenting a Category 2 or Category 3 risk will be included in multi-agency risk management.

Those persons who have sexual offence convictions and who have been assessed as Category 2 or Category 3 will have their ongoing risk assessed through use of the Stable and Acute 2007 method of dynamic supervision. In each of these cases the person appointed to perform the role of Designated Risk Manager (DRM) will ensure a Stable Assessment is completed for presentation at the next relevant LAPPP meeting. This task will be undertaken only by practitioners who have received the required Stable and Acute 2007 training.

Note: Although the use of Stable and Acute 2007 is obligatory for all Category 2 and Category 3 Sex Offenders there is no expectation that it will be used by agencies in the case of sex offenders not included in multi-agency risk assessment and management of risk within the public protection arrangements (Category 1 cases).

The first Stable assessment should be carried out at the following points:

1. Sentenced prisoners – NIPS will provide a first Stable risk assessment for the LAPPP review prior to release or first community LAPPP, whichever is applicable.
2. Offenders in the community who have received a community- based sentence- following the dynamic risk assessment being carried out by agencies at the LAPPP and the case being allocated to a DRM.
3. Offenders in the community who have a previous conviction and who have been referred to the PPANI Links team on the basis of current significant concerns- following the dynamic risk assessment being carried out by agencies at the LAPPP and the case being allocated to a DRM.

A further Stable assessment will be carried out after one year or earlier if deemed necessary by agencies at the LAPPP.

Following **each** subsequent visit with the individual, the Designated Risk Manager will ensure an Acute Risk Assessment is completed.

The Stable and Acute 2007 Risk Management Assessments will be referred to in each Designated Risk Manager's report for consideration at each subsequent case review. Detailed information and the standards applicable to the Stable and Acute 2007 are set out in Appendix 2.

Framework Assessment Domestic Violence

The Framework for the Assessment of Domestic Abuse (FADA) is not a risk assessment tool. It does however provide assistance to the risk assessment process by providing a guide to identifying vulnerability and protective factors relevant to managing the individual offender's risk of perpetrating Domestic Abuse. The FADA has also been designed to assist DRMs in gathering/ presenting information in a consistent and standardised way.

Detailed information regarding the Framework Assessment for Domestic Violence can be found in Appendix 3.

4.7 Other Available Risk Assessments

Where the case involves a sex/violent offender whose risk has been assessed by an agency, such as the Probation Board for Northern Ireland or the Northern Ireland Prison Service, details of this risk assessment in the form of a summarised report will be made available for consideration at the LAPPP meeting. This includes any assessment carried out by any other professional.

4.8 Risk Assessments in Relation to Persons Under 18 Years of Age

Where a case involves a subject, with a relevant conviction, who has not attained the age of 18 years, the lead statutory agency will be asked to perform the risk assessment and to undertake the role of DRM. Risk assessments of persons under 18 years will be carried out using the relevant authorised risk assessment tools. On referral, agencies at the LAPPP will undertake a multi-agency risk assessment which will place the young person into a category of risk.

4.9 Review of Risk Assessments

Cases involving persons in the community, whose risk of serious harm has been assessed as Category 2 and Category 3 will be reviewed no later than every 16 weeks.

Following referral to the PPANI Links team by the NIPS, those cases assessed as presenting a Category 3 risk of serious harm at the first LAPPP Review Meeting will have the case reviewed at least four weeks prior to release. Following referral to the PPANI Links team by the NIPS those cases assessed as presenting a Category 2 risk of serious harm at the first LAPPP Review meeting will have the case reviewed no later than 16 weeks following release.

There will be circumstances where it may be considered necessary to have a LAPPP review of the case immediately prior to release. Any of the agencies can be asked for a pre-release LAPPP review in this context; the request should be made to the initial LAPPP chair through the PPANI Links Unit.

5. MANAGEMENT OF RISK

5.1 Introduction

5.2 Elements of Management of risk

5.3 Strategies to reduce Re-Offending

5.4 Category 1 Management of risk *(No requirements for multi-agency intervention)*

5.5 Category 2 Management of risk *(Requirement for multi-agency intervention)*

5.6 Category 3 Management of risk *(Requirement for intense/focused multi-agency intervention).*

5.7 Offenders Moving Domicile

5.8 Relevant offenders/long term in hospital

5.9 Transfers /MAPPA

5.10 Handling of Critical Incidents

5.1 Introduction

Effective management of risk is the core purpose of the public protection arrangements and requires that all agencies share relevant information to ensure that it can be achieved. Management of risk is the process of addressing the identified risks of serious harm being caused by putting appropriate risk management plans in place. It is critical that the decisions which are made defensible, that the risk management plan is implemented and monitored through regular reviews and that adjustments to the plan are made, as necessary.

Management of risk within the public protection arrangements will only apply where the assessed category of risk of serious harm is assessed as requiring multi-agency input to the delivery of the risk management plan (Category 2 or Category 3 risk of serious harm).

Where the assessed risk of serious harm is assessed as Category 2 or Category 3, a risk management plan which addresses the identified risk(s) will be put in place.

Management of risks begin with planning how the assessed risks are to be managed by matching each identified risk with lawful, necessary and proportionate responses to protect the public. The delivery of the risk management plan, like risk assessment, is dynamic; it must respond to changes in risk and in the circumstances likely to affect risk. This dynamic element of good practice in management of risk is supported by drawing up the plan using clear objectives for the offender and for those managing the risk.

The management of risk posed by offenders in the community will always be an easier task if the public are better educated about the nature of sex offending and sex offenders in general. Although education of the public through various points of influence is an on-going process, LAPPPs are also encouraged to consider the local requirements in relation to individual cases.

5.2 Elements of Management of risk

In general, management of risk should have two elements:

- (a) 'Enforcement' which will aim to manage the identified risks through putting requirements and restrictions on the individual and by monitoring changes in circumstances and behaviours. These measures will have been designed principally to constrain risk (sometimes referred to as the external controls)
- (b) 'Encouragement' which will seek to support and promote the offender's self management (sometimes referred to as internal controls)

These two elements are never mutually exclusive but should always be found together, for example while a Sexual Offences Prevention Order (SOPO) or a restrictive conditions on an offender's licence are constraints (external controls), they are also means by which boundaries are established; and the clarification of boundaries lies at the heart of rehabilitation. External controls can therefore be seen as a means of structuring the offender's expectations and encouraging this self-control, as well as protecting identified or potential victims.

5.3 Strategies to Reduce Re-offending

The strategies which are proven to be effective in achieving a reduction of re-offending behaviour or minimising the risk of serious harm were identified by Hazel Kemshall (2001) and may be summarised as:

- Cognitive-behavioural programmes, which address the causes of offending behaviours
- Interventions that emphasises and motivates self-management and which promote the use of internal controls over the longer term
- Appropriate external controls (as contained within licence conditions, Sexual Offences Prevention Orders, etc.
- Interventions which combine intensive supervision (including surveillance and electronic monitoring) with the appropriate use of sanctions and enforcement for non-compliance
- Contingency plans in case of management of risk failure and rapid response arrangements to changing situations or deterioration in the circumstances/behaviours
- Supportive and integrative approaches where risk assessments indicates their usefulness (such as family, views of victims and 'Circles of Support and Accountability')

Using the principals of 'defensible decision making' good management of risk will ensure that each case is managed at the appropriate category.

In respect of Category 3 the word compelling evidence means that the risk analysis evidences a high likelihood of serious harm being committed. The evidence refers to previous offending and/or current behaviours and/or current circumstances.

5.4 Category 1 Management of risk *(No requirement for multi-agency intervention)*

In respect of offenders with a history of chronic addiction/dependency, prior to recategorising downwards LAPPPs should satisfy themselves that they have sufficient evidence of stability/change which has been maintained over a longer period of time.

Management of the risk posed by offenders, who, following initial assessment or review are assessed as Category 1, will not be addressed within the public protection arrangements. Where the panel have reached a consensus regarding recategorising the case as Category 1, the LAPPP chair will summarise the risks to be managed by the single agency. The LAPPP Chair will ensure that the relevant agency representative on the LAPPP is aware that the case is now their responsibility. Agencies have individual statutory responsibilities for public protection, which will be performed outside of the public protection arrangements as follows:

1. Probation Board for Northern Ireland – where the offender is either subject to a statutory requirement or where the offender has voluntarily agreed to work with PBNI
2. Northern Ireland Prison Service – where the offender is in prison.
3. Youth Justice Agency – where the subject has not attained the age of 18 years and whose case is being dealt with by YJA.
4. Relevant Health and Social Trust – who have responsibility for a person under 18 years of age or where an individual is subject to a Hospital Order, a Guardianship Order, or a Supervision and Treatment Order, is a resident in a Residential Care Home, or is an inpatient receiving psychiatric treatment. Social Services might also take a lead responsibility in cases where a Trust is providing a service to persons with mental health problems or who have an identified learning disability.
5. Police Service of Northern Ireland – in relation to notification requirements and its general public protection duties.

If an agency has a concern about the behaviour of an offender that has been assessed as posing as a Category 1 risk of serious harm, it can refer the case to the PPANI Links team for further assessment. The criterion for such referral is 'significant concerns' (defined as where an agency has current evidence of behaviour on the part of the offender that indicates the risk of his/her causing serious harm to another person has increased)

The single agency responsible for Category 1 risk of serious harm management of risk must be fully aware of all child/vulnerable adult protection concerns and liaise with relevant Health and Social Care Trusts in this respect. This consideration must include assessment of risk posed to the individual's own children, or children within the household (this should not be considered a replacement for normal child protection policies and procedures).

5.5 Category 2 Management of risk *(Requirement for multi-agency intervention)*

The management of risk posed by offenders assessed as Category 2 risk of serious harm will be addressed within the public protection arrangements through an agreed risk management plan. Such cases will require the involvement of multi-agency co-operation, collaboration and support, within the bounds of each agency's statutory duty, to manage the risk.

In order to justify Category 2 risk of serious harm management of risk it will be necessary to evidence circumstances giving rise to the clear concern that the person has the capacity to cause serious harm through carrying out a contact sexual offence or violent offence.

As with any judicial process it is important that **all decisions are based on evidence coupled with defensible decision making**. The desired outcome of Category 2 risk of serious harm assessment must be effective management of risk, which incorporates the use of both external and internal controls.

5.6 Category 3 Management of risk *(Requirement for intensive/focused multi- agency intervention)*

Management of the risk posed by persons assessed as Category 3 risk of serious harm will require a risk management plan involving a wide range of inter- agency support and high levels of resourcing. The desired outcome of Category 3 risk of serious harm assessment must again be the effective management of risk incorporating the use of both external and internal controls.

When the risk posed by an individual is assessed as either Category 2 or Category 3 risk of serious harm then this decision must be coupled with the putting in place of a multi-agency management risk management plan that will address both the likelihood of the risk occurring and the reduction of its impact should it occur.

5.7 Offenders Moving Domicile

Where an offender whose risks are being addressed within the public protection arrangements, having been assessed as Category 2 or Category 3 risk of serious harm, has indicated his/her intention or has actually moved address, this information should be immediately be conveyed to the DRM by whichever agency receives the information.

This should be in advance of the move where possible. The suitability of the proposed accommodation should then be assessed by the DRM. Where the DRM is from an agency other than the PSNI the relevant PSNI Public Protection Unit should be consulted in order to ascertain their perspective regarding the suitability of the proposed accommodation (see Appendix 4 Guidance to agencies regarding suitability of accommodation). The DRM will contact the relevant Principal Officer PPANI. Where this involves social housing, or particular housing issues, consideration should be given to contacting the NIHE Housing Officer, PPANI. The DRM should advise the PPANI Links Team of the offender's change of address. Where the offender's location has resulted in a change in DRM an official handover should take place as per Section 6.4.9.

5.8 PPANI eligible offenders receiving hospital treatment as in-patients

Where a Category 2 or 3 PPANI offender has been admitted to Hospital, and has remained hospitalised since the date of the last review, there is no requirement to hold a further LAPPP Review until the offender has been discharged or a discharge date is known.

A further LAPPP Review can be held in exceptional circumstances in respect of an offender in hospital where an agency representative can evidence the need for review. This could include the situation where a hospital discharge has been planned to take place a short time after the scheduled LAPPP Review

This also applies to offenders admitted to long term residential care with the exception of those offenders who can independently leave the residential home, on a day release basis, to go into the local community. In such cases, they should be reviewed every 16 weeks.

In cases where the DRM becomes aware that a Category 2 or Category 3 offender has been admitted as an inpatient to hospital or admitted to residential care the DRM must contact the relevant Trust Principal Officer, PPANI. Similarly, should another PPANI agency become aware that an offender has been admitted as an inpatient to hospital or admitted to residential care, they should ensure that the DRM/relevant Trust Principal Officer PPANI is informed as soon as possible. The Trust Principal Officer PPANI will then consult the Hospital Social Work Team Leader or other relevant personnel in the case of residential care, in order to agree the level of information required to be disclosed to medical /residential staff and to establish a means of sharing key information , for example in relation to discharge/overnight leave.

In cases where a Category 2 or Category 3 offender has been admitted to and subsequently discharged from hospital within the 16 week review period, the next LAPPP Review will proceed as normal. In respect of longer term hospital patients (i.e. those who have spent more than 16 weeks continuously in hospital) where temporary overnight discharge has been approved, the Hospital Social Worker/Key Worker will notify the DRM and following consultation with the relevant Trust Principal Officer PPANI, will refer such cases to PPANI Links

In respect of cases involving Mental Health Tribunals or discharge of Hospital Orders, referral to PPANI Links will be made via the Trust Principal Officer PPANI immediately following the decision to permit the offender periods of overnight leave. Likewise where an offender admitted to a Mental Health Hospital/Unit on a voluntary basis either avails of overnight leave or decides to terminate their stay within the Hospital, the Hospital Social Worker /Key Worker will notify the DRM and following consultation with the relevant Trust Principal Officer PPANI, will refer such cases to PPANI Links. PPANI. (Also section 11.4 & Section 17.9 Operational Practice)

5.9 Offenders who cannot be located

All eligible offenders must be reviewed by a LAPPP. This will include cases where offenders cannot currently be located. In cases where it has been reported to a LAPPP meeting that an offender has not been located since the last LAPPP review, the LAPPP meeting will proceed and the attendant risk management plan will include actions to locate the offender. A further LAPPP meeting will not be held until such time as the offender has been located or, until a PPANI agency representative can evidence the need for a LAPPP meeting to be convened in respect of the offender.

5.10 Transfers/MAPPA

The PPANI Links team will only schedule a LAPPP for a MAPPA transfer if the lead receiving agency (usually PBNi or PSNI) formally agree to the transfer. If the transfer is agreed, the MAPPA Coordinator is to forward all the relevant documentation to the PPANI Links team.

The same process is to apply for the proposed transfers from LAPPPs to MAPPA. The receiving statutory agency must agree to transfer in the first instance. If agreed, the PPANI Links team forward relevant LAPPP papers to the MAPPA Coordinator.

5.11 Handling of Critical Incidents

Potential /Critical Incidents are incidents which are likely to have significant impact on the confidence of the victim, their family and or the community, which is beyond the relevant agencies role/responsibility and is likely to give concern at a local, regional, national or international level.

Should an event of this nature appear imminent/occur the Command Structure of Gold, Silver and Bronze will be initiated with a nominated PSNI ACC acting as Chair of the Gold Group.

The Gold Group will be representative of all agencies concerned and key risk management issues will be discussed and agreed therein.

Where agencies attending a LAPPP or an individual agency identifies a circumstance where a critical incident has arisen or may arise, the Chair of the LAPPP or the agency should refer the matter to the local police district command for consideration.

6 LOCAL AREA PUBLIC PROTECTION PANELS (LAPPPS)

6.1 Introduction

6.2 Responsibilities of Agencies

6.3 Roles and Responsibilities of the LAPPP Chairperson

6.4 The Designated Risk Manager

6.5 Complaint against LAPPP Procedures

6.1 Introduction

The strength of the public protection arrangements lies in co-ordinating how each agency fulfils its respective responsibilities and thereby makes the co-ordinated outcome greater than the sum of its parts. For the purpose of facilitating these procedures, Local Area Public Protection Panels (LAPPPs) have been established by the agencies involved in the arrangements.

6.2 Responsibilities of Agencies

1. On notification of LAPPP list each agency will check their respective records for all relevant information on offender and relevant others- including victims. This may also include direct contact with personnel from their agency who may have had or have contact with the offender or relevant other.
2. In advance of the initial LAPPP the allocated staff member from the lead agency will prepare a briefing paper for discussion at the LAPPP detailing all relevant information regarding the offender. This Briefing Report should be forwarded to PPANI Links and representatives from the core PPANI agencies at least two days in advance of the scheduled LAPPP.
3. Each agency will share this information on offenders to ensure accurate identification of risks and completion of targeted risk management plans in accordance with the 'Corporate Agreement for the sharing of personal data'
4. Each agency is responsible for co-ordinating all the elements of the risk management plan relevant to it and ensuring that they are delivered when and as agreed.
5. Each agency, having a role or interest in each individual case, will send an appropriate representative to the LAPPP meetings (Detail of individual agency involvement in LAPPP meetings is set out in sections 7-13 of the manual). Where an agency fails to send out a representative to a LAPPP meeting the chairperson will, in consultation with those who have attended, make a decision on whether or not the meeting should continue.

6.3 Roles and responsibilities of the LAPPP Chairperson

The Probation Board for Northern Ireland will provide a chairperson for each of the LAPPPs. This person will remind each attendee/agency of their accountability for the completion of risk management plan actions. The chairperson will also have the following roles and responsibilities:

6.3 Roles and responsibilities of the LAPPP Chairperson

The Probation Board for Northern Ireland will provide a chairperson for each of the LAPPPs. This person will remind each attendee/agency of their accountability for the completion of risk management plan actions. The chairperson will also have the following roles and responsibilities:

1. Before the LAPPP meeting, agree the agenda and venue with the PPANI Links Team and ensure a manageable list for each meeting.
2. Agree with the PPANI Links Team which other agency representatives should be invited.
3. Using the standard agenda, facilitate a full discussion of all relevant information, integrating the risk analysis presented by the DRM
4. Ensure that each item in the agenda is addressed in the order stipulated
5. Ensure time is managed effectively, on the basis of a standard agenda and ensure there are appropriate breaks
6. Ensure that decisions regarding the category of risk posed by each offender are agreed on the basis of available evidence.
7. Ensure that risk management plans are understood and agreed by all agencies.
8. Ensure that where there is an inconclusive debate between Category 1 and Category 2 or between Category 2 and Category 3, the decision is made on the basis of each agency having a single representative view in the decision making of the risk category.
9. Where it has not been possible to resolve a lack of consensus after all information has been considered at a LAPPP meeting in respect of risk category, the chairperson's decision on risk classification prevails. In such circumstances the decision will also be referred to the PPANI Coordinator for review. If the matter cannot be resolved by the PPANI Coordinator, it will be referred back for resolution to the senior management in respect of the agencies involved.
10. Ensure that in every case of contested issues where no resolution can be found a detailed and accurate record is made in the minutes
11. Ensure that where an offender does not have English as their first language and has difficulty understanding or communicating in English, arrangements are put in place to provide suitable interpretation/translation services.
12. Where agencies attending a LAPPP have assessed a case as fitting Category 1 risk of serious harm ensure that the case is referred to the relevant lead agency and that no further discussion takes place at the LAPPP meeting about the management of the case.
13. The Chairperson will check, amend and approve the minutes from each LAPPP meeting and return them to the PPANI Links team within 5 working days. To ensure accuracy of LAPPP minutes for all attendees and provide agency representatives opportunity to amend minutes the following process is to be followed LAPPP minutes are forwarded to the LAPPP Chair by the PPANI Links Team. Once the LAPPP minutes have been checked by the LAPPP Chair they are returned to the PPANI Links team for circulating to LAPPP agency representatives. On receipt of the LAPPP minutes, agency representatives have 7 days to forward to LAPPP Chair any amendments to the minutes. The LAPPP Chair will collate any amendments and onward the agreed minutes to the PPANI Links Team for recording.

The wording on the LAPPP Minutes Form is as follows:

"The LAPPP Chair would be grateful if you would please notify them of any omissions or inaccuracies within seven working days of receipt of the minute. If LAPPP Chair does not receive any comments within these seven days they shall assume they are an accurate account.

Please note that this is not a verbatim record of the LAPPP but a summary of information presented and discussed. Amendments will therefore only be circulated where the information recorded is factually incorrect, or where the meaning of what was actually said is substantially altered by the way it is recorded" (see also Section 17.4 N).

14. At any review of a case the LAPPP chairperson will ensure that the content of previous LAPPP minutes are agreed by those agency representatives who attended the previous LAPPP meeting.
15. In those cases where the risk of serious harm has been assessed as Category 1 the minutes will be forwarded to the LAPPP chairperson for approval and will then be circulated to the agency representatives at the LAPPP from PBNi, PSNI, NIPS and HSCT. Other agency representatives may have access to the minutes on request to the PPANI Links Team.
16. In cases previously assessed as Category 3 risk of serious harm and where the case has, following review, been reassessed as category 2 arrangements for transfer from the Public Protection Team will be agreed with the LAPPP Chairperson who chairs the LAPPP that set the new assessment of risk of serious harm categorisation.
17. It is a responsibility of the LAPPP Chairperson to check that the Stable and Acute 2007 risk assessments have been completed within relevant timeframe (in prison cases the SA07 will be available for the LAPPP prior to release in Cat.3 cases and available either for the LAPPP prior to release or for the first community LAPPP in Cat.2 cases).
18. The chairperson of the LAPPP will, in the course of carrying out the dynamic risk assessment or reviewing the dynamic risk assessment in each case, ensure the most up to date Stable and Acute assessments are available and their scoring, including the reason for the score, is fully taken into consideration (as evidence) in each case.
Where the Stable or Acute risk assessments are not made available to the LAPPP (in community cases) the LAPPP will develop a risk management plan based on information available and will in exceptional circumstances reconvene the meeting as soon as possible when the assessment is available.
19. Where specific learning points are identified in a specific case (e.g. non-compliance, known further offending) or where the LAPPP have identified examples of good practice, the detail of the case and the learning factors/example of good practice should, following discussion with the relevant members of the LAPPP and individual agency line management, be passed by the LAPPP chairperson to the PPANI Coordinator for dissemination to all the public protection arrangements practitioners.

6.4 The Designated Risk Manager

A Designated Risk Manager (DRM) will always be appointed by agencies attending the LAPPP for each Category 2 and Category 3 risk of serious harm case within the public protection

arrangements. The DRM may be appointed from any of the agencies attending a LAPPP. Transfer of DRM responsibilities will normally take place at the LAPPP. There may be circumstances however when these responsibilities will transfer outside of the LAPPP. Only in exceptional circumstances will this task be allocated to anyone outside of the statutory agencies.

The Designated Risk Manager's roles are as follows:

1. In consultation with other agencies provide relevant information by way of a written report (PPANI 3 – Appendix 1). This report should be submitted via secure email to; the chair, the relevant PSNI PPU representatives, HSCT Principal Officers PPANI and the PPANI Links Team at least two working days prior to the date of the scheduled LAPPP.

This report should also include:

- Dates of meetings with offender
 - Summary of the information provided to the offender arising from the previous LAPPP meeting
 - Analysis of the most recent Stable or Acute assessment with both score and reason for score (determining evidence)
 - An outline of the range of interventions (including addressing of the risk management plan) undertaken
2. To attend all LAPPP meetings including review meetings. When the DRM is unable to attend the LAPPP meetings or is unable to perform the necessary actions, **he/she** has responsibility for ensuring that a deputy is identified to attend the LAPPP and undertake these responsibilities. Note: In order to ensure consistent representation at meetings, deputies should only be used in exceptional circumstances. It is not appropriate for the LAPPP Chair to deputise for the DRM.
 3. The DRM must provide a report which includes an analysis of the risk presented by the offender integrating the risk assessment tools and knowledge of previous offending and current circumstances.
 4. To co-ordinate all the elements of the risk management plan and ensure that it is delivered when and as agreed. Where elements of the risk management plan fail to be implemented by any of the agencies involved, the DRM will immediately refer the issue for discussion to the LAPPP chairperson.
 5. The DRM must ensure that the Stable and Acute 2007 risk assessment is completed in all relevant cases and that those who are required to carry out this task (e.g. Visiting Officers) are fully accredited assessors. Where it is discovered that the person visiting with a relevant (sex) offender is not a trained assessor then the DRM will ensure that the SA07 is completed by another who is a fully trained and accredited assessor.
 6. To take an active interest in the offender's progress, to provide information to the offender and to bring to the LAPPP, any feedback from the offender
 7. To ensure offenders are provided with, an explanation of the public protection arrangements process; information relating to the risk assessment and risk management plan; and his/her role and contribution in the risk management process.

8. Notify all the relevant agencies if there is an immediate change in an offenders circumstances e.g. change of address, remand in custody, new relationship. These changes in circumstances must be reflected in the DRM report at the next LAPPP.
Where an offender subject to PPANI re-offends the Designated Risk Manager should ensure that they communicate information regarding the alleged offence with partner agencies. On a case by case basis and where relevant, the DRM should link with the Public Prosecution Service, the Court service and the Probation Board to arrange an adjournment for a Pre-sentence report.
9. Following a LAPPP review where a decision has been taken to assess an offender's risk downwards, the DRM should notify relevant professionals including GP's. This will be determined on a case by case basis' by the DRM.
10. On change of DRM there should be a recorded hand over discussion between the current and new DRM
11. Ensure that, where an offender does not have English as their first language and has difficulty understanding or communicating in English, arrangements are put in place for suitable interpretation/ translation services.
12. To ensure that any community concerns or media interest are brought to the attention of the LAPPP chairperson and agency line managers so that they can be addressed in accordance with the practice direction as provided in Sections 24 and 25 of the Manual of Practice.
13. In order to ensure effective communication when a DRM makes a UNOCINI referral to a HSCT Gateway Team referencing an offender subject to PPANI, the DRM should ensure that the HSCT PPANI Principal Officer is copied into the correspondence.

6.5 Complaint against LAPPP Procedures

When an offender makes a complaint that is based on the procedures of the LAPPP, the PPANI Coordinator must be informed. It will be the responsibility of the PPANI Coordinator to investigate the complaint on behalf of agencies and respond accordingly. The investigation of any complaint relating to an individual from an agency should still be dealt with on an individual agency basis or by Police Ombudsman for Northern Ireland, if the complaint refers specifically to a member of PSNI.

7. PPANI COORDINATION UNIT

7.1 PPANI Coordination Unit

Agencies represented on the Strategic management Board (SMB) have appointed a PPANI Coordinator. The Police service of Northern Ireland has undertaken to provide necessary employment contract arrangements for the post which has been included within the Police Staff establishment. The Coordinator is accommodated within the police estate and will be supported by an administrative team. Collectively this team is known as the PPANI Coordination Unit.

As the title suggests the Unit is established to provide strategic and policy development assistance. The office has no direct operational role in the delivery of the arrangements through LAPPP's but will be the means through which data is collated, the public protection arrangements annual report is produced, website maintained and audit processes carried out. The PPANI Coordination Unit also provides administrative support to the Strategic Management Board as well as its five Sub Group, Policy & Practice, Education & Training, Accommodation, Communications and Victims Advisory Sub Group.

Agencies represented on the SMB have tasked the PPANI Coordinator to communicate with other agencies and representatives, e.g. solicitors, interest groups, etc. on all matters relating to the public protection arrangements and which do not directly relate to any one of the constituent agencies.

8. POLICE SERVICE OF NORTHERN IRELAND

8.1 PPANI Links Team

8.2 PSNI District Representative

8.3 Other PSNI Personnel Attending LAPPP meetings

8.4 PSNI Central Process Office

8.5 Co-Located Public Protection Team (see section 14)

8.6 Investigating Officers

8.7 Child Protection Disclosure Arrangements

8.1 PPANI Links Team

The Police Service of Northern Ireland through the PPANI Links Team will be responsible for the administration of the LAPPP meetings. Those attached to the team have some considerable experience of sex and violent offending investigation and management of risk. They also provide a wide range of contacts and links with agencies with an input to risk assessment both in UK and further afield. This experience and knowledge provides a valuable source of advice for agencies attending LAPPP's. In addition to providing this facility the PPANI Links Team will fulfil the following roles:

1. Consider referrals to PPANI (both new and those previously set at category 1) against the criteria for inclusion (as at Sect 3) and act as a filter. (see 3.2 for referral process)
2. Completion of Risk Assessment in respect of each offender (Risk Matrix 2000) (see Appendix 1 – PPANI 1) and update same as per RM2000 scoring guidance.
3. Obtain up to date copies of relevant criminal records (as available)
4. Obtain relevant Summary of Case from prosecution papers (as available)
5. Collate other available information for inclusion in initial LAPPP papers and risk assessment
6. In consultation with the relevant LAPPP chairperson, arrange LAPPP meetings and agendas in line with guidance to agencies (date, time, venue and invitees)
7. Issue invitations and agendas to LAPPP members and invitees. Where an invitation has been sent and the agency cannot attend it is the responsibility of the agency to provide a replacement.
8. As single point of contact (SPOC) for Church and Faith Groups, provide information and contact details, and issue invites to LAPPP as required.
9. Provide minute recording facilities for LAPPP meetings and completion/updating of risk assessment forms. (See Appendix 1 PPANI 2)
10. To record, under the guidance of the LAPPP chairperson, a record of the LAPPP discussion following the set agenda using PPANI 2 (Appendix 1)
11. Supply data as required under section 23 to the office manager at the PPANI Coordination Unit

12. A draft of the minutes should be forwarded to the relevant LAPPP chairperson within 10 working days of the meeting for approval and returned to the PPANI Links Team within 5 working days for circulation to the agency representatives on the LAPPP
13. Have LAPPP minutes typed and distributed to LAPPP members
14. Provide the Northern Ireland Prison Service Offender Management Groups, on request, with copies of completed Risk Matrix 2000 in relevant cases.
15. Provide central storage for PPANI paperwork. This does not remove the responsibility on each agency to properly store and manage documentation and information within that agency.

8.2 PSNI District Representative

The PSNI District Commander will designate an appropriate officer to represent police within his/her district at LAPPP meetings. He/she will have the following roles and responsibilities:

- Perform role of Designated Risk Manager where applicable (The PSNI Designated Risk Manager will retain responsibility for all offenders remanded in custody)
- Ensure Police visits are conducted with offenders
- Make applications for Sexual Offences Prevention Orders (SOPOs), Risk of Sexual Harm Orders (ROSHOs), Foreign Travel Orders and Notification Orders (See Northern Ireland Guidance on Part 2 of the Sexual Offences Act 2003 for further details of these Orders)
- Ensure compliance with Sexual Offences Act (2003) notification requirements and follow up any breaches
- Carry out any task or action allocated by the LAPPP
- Have risk category and other information included in police records and on VISOR

8.3 Other PSNI personnel attending LAPPP Meetings

It will sometimes be necessary to have Investigating Officers, Intelligence Managers and other police officers attend and provide input to LAPPP meetings. Roles and responsibilities of these officers will depend on the circumstances of their attendance. They will however, be expected to carry out any task or action agreed by their agency at the LAPPP.

8.4 PSNI Legal Services

The PSNI is the agency tasked by legislation with making applications for Sexual Offences Prevention Orders (SOPOs) in cases where an application is considered by a LAPPP to be necessary on order to manage risk. Such applications will be made via PSNI Legal Services, under guidance which has been issued to police.

8.5 Co-located Public Protection Team

PSNI will provide staff for the Co-located Public Protection Team (see section 15)

8.6 Investigating Officers

When a police officer is aware that an investigation of a sexual offence or a violent offence against a child, or vulnerable adult, a violent offence in domestic circumstances and (from 1st September 2011), a violent offence aggravated by hostility, has resulted in a conviction for such an offence, the officer should make a referral to the PSNI PPANI Links Team to have the case brought to a LAPPP for risk assessment.

8.7 Child Protection Disclosure Arrangements

The PSNI are the initial point of contact for any individual making an application under Child Protection Disclosure Arrangements and will have the lead role in processing applications. This will include liaising with other PPANI agencies e.g. PBNI, HSCT & NIPS concerning applications made in respect of offenders assessed and currently managed either within the PPANI arrangements or where subject to single agency management as a Category 1 offender. PSNI will ensure that the outcomes of these discussions are documented. A flow chart and the operational guidance outlining the process to be followed in respect of applications are contained at Appendix 9.

9. PROBATION BOARD FOR NORTHERN IRELAND

9.1 Introduction

9.2 Responsibilities of Probation Officers in relation to LAPPPs

9.1 Introduction

Probation Board for Northern Ireland (PBNi) will provide chairpersons for all LAPPP meetings (see section 6) and staff for the Co-located Public Protection Team (PPT) (see section 15).

Probation Board for Northern Ireland will ensure relevant probation officers attend and/or provide appropriate information to their LAPPP.

9.2 Responsibilities of Probation Officers in relation to LAPPPs

They will have responsibility for the performance of the following roles:

On notification of LAPPP list each agency will check their respective records for all relevant information on offender and relevant others-including victims. This may also include direct contact with personnel from their agency who may have had or have contact with the offender or relevant other.

- Probation Officers will perform the role of DRM (see section 6) for those cases allocated by the LAPPP
- In completion of the above, Probation Officers will liaise with other relevant agencies and also with the offender, if he/she is under current supervision.
- Probation Officers or other relevant probation staff will attend the LAPPP in all cases where the offender is under current supervision and, as necessary, in other cases where they can make a relevant contribution.
- If an offender is attending a sex offender programme or other probation programme in the community, the supervising Probation Officer will have a progress report available for the meeting or ensure that programme staff are attending or have provided a written report. This report should also include other aspects of supervision e.g. monitoring, achievement of work plan, any child protection issues etc.

Prisoners sentenced prior to 6th October 2008 (Section) on referral by the Prison DRM on the basis of current significant concerns and no later than three months prior to their Earliest date of Release (EDR) or end of tariff, NIPS should make enquires with relevant other agencies to ensure the necessary evidence of current significant concerns is available prior to referral. The seriousness of the behaviour that led to the conviction and whether it resulted in serious harm being caused, coupled with the impending release, will be counted as current evidence of behaviour on the part of an offender that indicates the risk of his/her causing serious harm to other has increased.

The offence for which prisoner is currently serving sentence must be an offence highlighted as stated in either A,B,C or D at point 3.1.

10 NORTHERN IRELAND PRISON SERVICE

10.1 Introduction

10.2 Responsibilities of Prison Staff in relation to LAPPPs

10.1 Introduction

The Northern Ireland Prison Service has an important role to play in the assessment and management of offenders who are on remand, are serving Prison sentences or who have been, or are due to be, released from prison.

10.2 Responsibilities of Prison Staff in Relation to LAPPPs

In order to facilitate the LAPPPs, prison staff will fulfil the following roles and responsibilities:

- (a) On notification of a LAPPP list each agency will check their respective records for all relevant information on offender and relevant others-including victims. This may also include direct contact with personnel from their agency who may have had or have contact with the offender or relevant other.
- (b) Prisoners sentenced prior to 6th October 2008 on referral by the Prison DRM on the basis of current significant concerns and no later than three months prior to their Earliest Date of Release (EDR) or end of tariff. NIPS should make enquires with relevant other relevant other agencies to ensure the necessary evidence of current significant concerns is available prior to referral. The seriousness of the behaviour that led to the conviction and whether it resulted in serious harm being caused, coupled with the impending release, will be counted as current evidence of behaviour on the part of an offender that indicates the risk his/her causing serious harm to other has increased.
*The offence for which the prisoner is currently serving sentence must be an offence highlighted as stated in either A, B, C or D at point 3.1.

General Release Prisoners

The Governing Governor will refer all relevant cases to the PPANI Links Team no later than three months prior to any release into the community. This will apply to relevant cases of Time Served Release, Unaccompanied Temporary Release/Home Leave (commencing at overnight release phase only) including the pre-Release Scheme.

If a prisoner currently serving a sentence for a PPANI eligible offence (violent offences against children or vulnerable adults; violent offences in domestic circumstances; violent offences motivated by hate-in specific circumstances; and sexual offences) the prisoner is eligible for a pre-release assessment at a LAPPP.

The date of the offence is not relevant; the key criteria for the pre-release assessment at a LAPPP is that the offender is (a) Currently serving a current sentence for a PPANI eligible offence and (b) Release from custody is pending. There is an exception to this. If a (pre custody) community LAPPP has made an assessment in the full knowledge of the offences which resulted in conviction/imprisonment, there is no automatic requirement for a pre-release LAPPP. However if it is the view of the prison DRM and the extant risk management plan requires up dating, then a request for a pre-release LAPPP should be made on a PPANI (1) form.

NB: In respect of prisoners who have previous convictions for PPANI eligible offences, but who are in prison for another offence, they are not to be automatically referred for a pre-release LAPPP. Rather for these cases, the current significant concerns criteria must be met. Significant concern is defined in the Manual of Practice as where an agency has current evidence of behaviour on the part of the offender that indicates the risk to his/her causing serious harm to another person has increased.

LAPPP's for Offenders Remanded in Custody

- Arising from the recent recommendations of a recent review; the SMB has agreed that in particular circumstances, it is possible to request a LAPPP review for extant Category 2 or 3 cases, where the offender has been remanded in custody
- The option shall only be exercised in exceptional circumstances, specifically where the DRM holds that the current risk management plan is insufficient to cover the contingency of the offender being granted bail. A request for a LAPPP in such cases should be made by the PPANI (1) referral form. In the event if not being possible to hold a LAPPP prior to release on bail, staff are reminded that the existing Manual of Practice allows for community based LAPPP to be brought forward.

Cases involving the Parole Commissioners

- In respect of cases being considered by the Parole Commissioners (Life Sentence, Indeterminate Custodial Sentence, Extended Custodial Sentence and recalls) referral will be made to the PPANI Links Team by the Governing Governor immediately after the Parole Commissioners recommendation regarding overnight release into the community has been approved by the Home Leave Board.

Overnight Unaccompanied Temporary Release/Home Leave

- In respect of cases of overnight home leave the Governing Governor will refer all relevant cases to the PPANI Links Team following the decision by the Home Leave Board to approve overnight home leave. The commencement of overnight leave must commence within 16 weeks of the initial LAPPP. If the home leave has not commenced by the next LAPPP review date is due, the PPANI process is terminated and a re-referral to PPANI Links will be required.

- The Governing Governor will designate an appropriate person to perform the role of Designated Risk Manager for cases relating to prisoners as agreed by agencies at the LAPPP. In respect of prisoners who will be subject to statutory supervision by PBNI following the completion of their sentence this responsibility will be allocated to PBNI Case managers located within Prisoner Development Units. Where the prisoner has been sentenced under the Criminal Justice Order 2008 the PBNI Case Manager will retain the DRM role but will manage the case jointly with a NIPS Sentence Manager. In respect of prisoners who will not be subject to statutory supervision post release this responsibility will be allocated to NIPS Sentence Managers also located within Prisoner Development Units.
- The Prison DRM/prison staff will inform the prisoner of their pending assessment of risk of serious harm by agencies at a LAPPP and invite him/her to make any input to the assessment. This will apply regardless of whether the prisoner is subject to post custody supervision or not.
- The Governing Governor will agree who, within the prison, will complete the relevant PPANI forms and who will attend the LAPPP. This person will liaise with other agencies and with the offender in completing the assessment.
- If an offender is attending an offending behaviour programme the Case/Sentence Manager (DRM when appointed) will ensure that information regarding programme participation is included within the DRM report.
- A list of PPANI eligible offenders will be forwarded to Primary/Mental Healthcare Departments on a 6 monthly basis by the NIPS Senior Officer, Prisoner Development Unit. Health care staff will then complete the agreed template and return to the Case/Sentence Manager. This will ensure that relevant healthcare information is made available in advance of Prison LAPPPs. Where appropriate the named member of Health Care staff will be invited to attend the LAPPP.
- The Prison DRM will ensure relevant agencies are notified of all pending releases.
- The Governing Governor will ensure that the recommendation of the Parole Commissioners regarding unaccompanied release are made available to agencies attending the LAPPP when appropriate.
- Where an offender, whose risk of serious harm is being addressed through the public protection arrangements, is released from prison temporarily (other than overnight), e.g. compassionate release, the prison DRM will inform PSNI immediately. This will include details of the circumstances of release to enable management of risk in the community.

11 HEALTH AND SOCIAL CARE

11.1 Introduction

11.2 Responsibilities of Principal Officers; and Social Care Trusts' as LAPPP Members

11.3 Responsibilities of Other Health and Social Care Staff

11.1 Introduction

Health and Social Care Trusts have the primary role in relation to the protection of children and vulnerable adults. Their input to the assessment and management of the risk posed by offenders must affect this, and is therefore essential. Each Trust has an individual officer with lead responsibility for that Trust's involvement in the public protection arrangements who will act as the Health and Social Care LAPPP representative

11.2 Responsibilities of Principal Officers; Health and Social Care Trusts' as LAPPP Members

The responsibilities are to:

Ensure that cases requiring multi-agency risk assessment and management are referred to the PPANI Links Team using the referral form (Appendix 1 – PPANI 1). A copy of the Operational Guidance Document in respect of Trust Principal Officers (PPANI) can be found at Appendix 4.

- a. On notification of LAPPP list each agency will check their respective records for all relevant information on offender and relevant others – including victims. This may also include direct contact with personnel from their agency who may have had or have contact with the offender or relevant other.
- b. Attend LAPPP meetings. In respect of prison based LAPPP's participate in LAPPP reviews on a rotational basis. This will involve clear communication with the relevant Trust(s).
- c. Participate in the assessment and management of risk of the individual offender.
- d. Be adequately prepared for the meeting with all relevant information particularly in relation to children and vulnerable adults who may be at increased risk in the cases under consideration.
- e. Coordinate the social services role relevant to the action plan.
- f. Ensure that all matters relating to child or vulnerable adult protection are fed back to the relevant personnel (including Adult Safe guarding Officer(s) and are appropriately recorded within the Trust for both current and future reference both within and between the Trusts.
- g. Liaison with other Trusts' Principal Officers with relevant information pertaining to offenders including before and after LAPPP meetings.
- h. Act as the key Trust liaison point for the DRM if there are new or emerging concerns about the offender such as change of circumstances, residence, relationships and health.

11.3 Responsibilities of Other Health and Social Care Staff

Health and Social Care Trust staff, other than the LAPPP member, who have information about the offender or the offender's circumstances, will be involved, where appropriate, in the LAPPP meetings. The role of this person(s) is:

- To make relevant information available to agencies attending the LAPPP, either personally or via the Social LAPPP member.
- Where in attendance at the meeting, to contribute to the assessment process.
- To carry out actions agreed in the risk management plan and report back to the LAPPP.
- To perform the role of the Designated Risk Management in appropriate cases (see Section 6)
- It is important to ensure that there is a consistent approach to recording of public protection arrangements cases on the relevant Trust information system.
- When someone subject to PPANI is involved with a current client, HSCT staff should link with the Principal Officer (PPANI) as part of a multi-disciplinary assessment and keep the Principal Officer updated about any changes or developments.

11.4 Offenders Receiving Hospital Treatment as in-patients (Also Section 5.8)

Where a Category 2 or 3 PPANI offender has been admitted to Hospital, and has remained hospitalised since the date of the last review, there is no requirement to hold a further LAPPP Review until the offender has been discharged or a discharge date is known.

A further LAPPP review can be held in exceptional circumstances in respect of an offender in hospital where an agency representative can evidence the need for a review. This could include the situation where a hospital discharge has been planned to take place a short time after the scheduled LAPPP review.

This also applies to offenders admitted to long term residential care with the exception of those offenders who can independently leave the residential home, on a day release basis, to go into the local community. In such cases, they should be reviewed every 16 weeks.

In cases where the DRM becomes aware that a Category 2 or Category 3 offender has been admitted as an inpatient to hospital or admitted to residential care the DRM must contact the relevant Trust Principal Officer, PPANI. Similarly, should another PPANI agency become aware that an offender has been admitted as an inpatient to hospital or admitted to residential care, they should ensure that the DRM/relevant Trust Principal Officer PPANI is informed as soon as possible. The Trust Principal Officer PPANI will then consult the Hospital Social Work Team Leader or other relevant personnel in the case of residential care, in order to agree the level of information required to be disclosed to medical /residential staff and to establish a means of sharing key information , for example in relation to discharge/overnight leave.

In cases where a Category 2 or Category 3 offender has been admitted to and subsequently discharged from hospital within the 16 week review period, the next LAPPP Review will proceed as normal. In respect of longer term hospital patients (i.e. those who have spent more than 16 weeks continuously in hospital) where temporary overnight discharge has been approved, the Hospital Social Worker/Key Worker will notify the DRM and following consultation with the relevant Trust Principal Officer PPANI, will refer such cases to PPANI Links

In respect of cases involving Mental Health Tribunals or discharge of Hospital Orders, referral to PPANI Links will be made via the Trust Principal Officer PPANI immediately following the decision to permit the offender periods of overnight leave. Likewise where an offender admitted to a Mental Health Hospital/Unit on a voluntary basis either avails of overnight leave or decides to terminate their stay within the Hospital, the Hospital Social Worker /Key Worker will notify the DRM and following consultation with the relevant Trust Principal Officer PPANI, will refer such cases to PPANI Links. (Also section 5.8 & Section 17.9 Operational Practice)

12 THE YOUTH JUSTICE AGENCY

12.1 Introduction

12.2 Responsibilities of the Youth Justice Agency in relation to LAPPP

12.1 Introduction

The Youth Justice Agency (YJA) has statutory responsibility for the custody of and supervision of some persons under 18 year of age. YJA will carry out assessments in relation to these young persons and will supervise and manage them. The YJA is one of the agencies which may refer young people to the public protection arrangements for multi- agency risk management and where necessary management of risk.

12.2 Responsibilities of the Youth Justice Agency in relation to the LAPPP

As part of the process of participation in the public protection arrangements the Youth Justice Agency will:

On notification of LAPPP list each agency will check their respective records for all relevant information on offender and relevant others – including victims. This may also include direct contact with personnel from their agency who may have had or had contact with the offender or relevant other.

- Ensure that cases requiring multi- agency risk assessment and management are referred to PPANI Links Team using the referral form (Appendix 1 – PPANI 1).
- Appoint a representative to attend the LAPPP meetings in relevant cases.
- Perform the role of Designated Risk Manager in appropriate cases (see Section 6).
- Ensure relevant information is made available to agencies to attending the LAPPP.
- Ensure actions in the management of risk plan agreed at a LAPPP are fulfilled.

13 THE NORTHERN IRELAND HOUSING EXECUTIVE

13.1 Introduction

13.2 Responsibilities of the Northern Ireland Housing Executive in Relation to LAPPPs

13.3 NIHE Representation at Prison LAPPP's

13.1 Introduction

The Northern Ireland Housing Executive (NIHE) which has statutory responsibility for housing in Northern Ireland has an important role to play in the management of the risk posed by offenders. NIHE representatives should be invited to each prison pre-release LAPPP meeting. Additionally, a NIHE representative should be invited to any other LAPPP meeting in the community where an accommodation issue has been identified.

13.2 Responsibilities of the Northern Ireland Housing Executive in relation to LAPPPs

The NIHE representative will be expected to perform the following roles:

- On notification of LAPPP list each agency will check their respective records for all relevant information on offender and relevant others – including victims. This may also include direct contact with personnel from their agency who may have had or have contact with the offender or relevant other.
- To provide agencies attending the LAPPP with relevant housing and accommodation information concerning the subject of the meeting.
- To receive and act on information and advice from agencies attending the LAPPP in accordance with the agreed confidentially protocol.
- Carry out any actions agreed by the LAPPP which are within the statutory boundaries of responsibility of the NIHE.

13.3 NIHE Representation at Prison LAPPP's

A representative from the Northern Ireland Housing Executive will be invited to attend the initial LAPPP meeting which has been convened to carry out a risk assessment in respect of a relevant offender who has been referred by the Northern Ireland Prison Service because of their impending release. The NIHE representative will assist agencies attending the LAPPP explore accommodation options that fit with the risk management plan being developed.

14 OTHER ORGANISATIONS PROVIDING ACCOMMODATION AND/OR TRAINING FOR OFFENDERS

14.1 Introduction

14.2 Responsibilities of Representation of Other Organisations in Relation to LAPPP's

14.3 Responsibilities Approved Premises Staff in respect of risk management

14.4 Responsibilities in relation to keeping police and probation informed of Persons going missing from accommodation

14.1 Introduction

In a case where an offender is resident in a hostel, the hostel manager should be invited to attend the LAPPP meeting. On occasions there will also be circumstances where a representative of a voluntary organisation which provides support, training, accommodation or employment may be invited to the meeting.

14.2 Responsibilities of Representatives of Other Organisations in Relation to LAPPP's

The responsibilities are to:

- Make relevant information available to the DRM both on an on-going basis and at LAPPPS, either personally or via their agency representative.
- Contribute to the assessment process.
- Carry out tasks agreed in the action plan and report back to the DRM and/or LAPPP.
- Sign the relevant confidentiality protocol.

14.3 Responsibilities Approved Premises Staff in respect of risk management

The Staff within Approved Premises, where there are residents whose risk of serious harm is being addressed within the public protection arrangements, will ensure that all actions falling to them within the risk management plan will be carried out e.g. curfew arrangements.

14.4 Responsibilities in relation to keeping police and probation service informed of persons going missing from accommodation

Staff will ensure that Police and Probation are advised if any resident in a hostel, whose risk of serious harm is being addressed within the public protection arrangements, has not returned on a timely basis. The staff member passing on the information will ensure that PSNI/PBNI and HSCT staff if applicable are subsequently informed of any new information or if the subject returns to the hostel.

15 THE CO-LOCATED PUBLIC PROTECTION TEAM

15.1 Introduction

15.2 Core Membership of the PPT

15.3 Responsibilities of the Co-Located PPT

15.4 Relationship between LAPPP's and the PPT

15.1 Introduction

The Co-Located Public Protection Team (PPT), although centrally based, holds Designated Risk Management responsibility for all Category 3 risk of serious harm offenders in the community. The aim of the PPT is to provide for a consistent level of management of risk for those offenders in the community who represent the greatest cause for concern.

15.2 Core Membership of the PPT

The core membership of the Team is the PSNI, PBNi and Health & Social Care Trust. Where NIPS has a statutory responsibility for offenders in the community, it will work closely with the PPT.

15.3 Responsibilities of the Co-Located PPT

The key responsibilities of the PPT include:

- Holding DRM responsibility for Category 3 risk of serious harm offenders
- Implementation and development of risk management plans
- Coordination with local statutory and non-statutory agencies in the delivery of management of risk plans

15.4 Relationship between LAPPPs and the PPT

Agencies attending LAPPPs retain responsibility for the initial assessment and management of risk planning for all cases. If a case classified as Category 3 risk of serious harm by agencies at the LAPPP, the responsibility for delivery of the risk management plan will be transferred to the PPT. In certain cases, following reduction in category (from Category 3), the PPT can retain risk management responsibility until an agreed transfer plan has been actioned.

Agencies attending LAPPPs retain responsibility for the review of all Category 3 risk of serious harm cases, with the PPT DRMs providing reports to these meetings.

16 PLANNING AND PREPARATION

16.1 General

16.2 Completion of the Static Risk Assessment

16.3 Assessments on persons under 18 years

16.4 Completion of the Dynamic Risk Assessment

16.5 Representation at a LAPPP

16.6 Information Flow to Offenders

16.1 General

The PPANI Links Team will plan the schedule of cases for LAPPP meetings. Police Central Point of Contact (CPC) will provide the PPANI Links Team with updated information on cases involving those offenders who are required to notify under the Sexual Offences Act 2003.

16.2 Completion of the Static Risk Assessment (Risk Matrix 2000 (RM2K))

The PPANI Links Team will complete PPANI 1 – Static Risk Assessment on all adult male offenders

16.3 Assessments on persons under 18 years

When making a referral to the PPANI Link Team in a case relating to a person under 18 years, Social Services, the Youth Justice Agency and PBNi will attach a summary of the most recent risk assessment. The PPANI Links Team will have this summary attached to PPANI 1 (Appendix 1).

16.4 Completion of the Dynamic Risk Assessment

Dynamic risk assessment will be carried out by agencies attending the LAPPP on all cases within the public protection arrangements and the outcome will be recorded on the LAPPP minutes PPANI 2 (Appendix 1).

LAPPPs will meet as often as required according to the number offender cases to be assessed or reviewed. Category 2 & 3 risk of serious harm cases must be reviewed at least every sixteen weeks. Sufficient time must be allowed at each meeting to ensure professional decision making with regard to both risk assessment and management of risk.

16.5 Representation at a LAPPP

Each LAPPP must have representation from the Police Service of Northern Ireland, the Probation Board for Northern Ireland, Health and Social Care Trusts and, when the offender is in custody, the Northern Ireland Prison Service.

Where the agency fails to have representation at a prearranged LAPPP meeting the chairperson will, in consultation with those who have attended, have the discretion to make a decision on whether or not the meeting should proceed. This decision must be made on the basis of

public protection. If the meeting does proceed, the chairperson, in consultation with those in attendance, will determine what actions can/cannot be agreed in light of the absence of particular agencies.

In cases where an agency fails to send representation to the LAPPP, the chairperson will report, in writing, the failure to senior management of the relevant agency and copy the correspondence to the public protection arrangements Strategic Management Board via the PPANI Coordinator.

Representation from other agencies will be requested as agreed by agencies at the LAPPP and facilitated by the PPANI Links Team

16.6 Information Flow to Offenders

Convicted offenders should always be informed of their case being discussed at a LAPPP. A letter (Appendix 1- PPANI 5) informing him/her of the intention to discuss his/her case and of agencies wish to have his/her input will be delivered by hand to the offender before the initial meeting.

The designated risk manager will ensure that the offender fully understands the content of any written or oral communication and will, where necessary, seek assistance should the offender have difficulty with reading or understanding English.

In the case of an offender with a mental disorder or learning disability, their carer/appropriate adult should be included in the process of assessing and managing the risk they present. Similar provision for an appropriate adult/parent should be made for any young person under 18 whose case is referred into public protection arrangements on the exceptional need basis as set out in Section 2.12 of the guidance to agencies.

17 LOCAL AREA PUBLIC PROTECTION PANELS (LAPPPS) – OPERATIONAL PRACTICE

17.1 Purpose of LAPPPs

17.2 General Operating Principals

17.3 Preparation and Timings

17.4 Procedure for LAPPP Meetings

17.5 SMB Policy on Home Visits to Offenders

17.6 Information Sharing Outside of LAPPP Meetings

17.7 Freedom of Information and Data Protection Requests

17.8 Requests from Legal Advisors for copies of LAPPP Minutes

17.9 Offenders receiving Hospital Treatment as in-patients

17.1 Purpose of LAPPPs

The purpose of Local Area Public Protection Panel (LAPPP) is two fold:

- To facilitate multi-agency assessment of the risk posed in all cases fitting the criteria set out in the guidance to agencies and in this manual of practice. This assessment should focus on the identification of the factors that evidence a risk of “serious harm” to the public.
- To facilitate the development of a risk management plan to address the risks identified in the risk assessment

17.2 General Operating Principals

LAPPP meetings should concentrate on the two purposes identified above and should not duplicate statutory case management processes.

Where an individual is subject to a court order or other legal restrictions, the lead statutory will report to the LAPPP for inclusion of these details in the risk management plan.

17.3 Preparation and Timings

LAPPP meetings must be planned and managed to ensure efficient and effective use of time and resources. The public protection arrangements bring a considerable additional workload to each of the agencies involved, making it all the more essential to ensure that the resources from each agency are used to concentrate on assessing and identifying the risk factors and addressing these in targeted risk management plans.

Case discussion in each LAPPP meeting should last for no more than 5 hours on any day.

Meetings should be planned to include two tea breaks and one lunch break. The timing and duration of these to be agreed by participants.

Cases being discussed for the first time at a LAPPP, and where the first consideration is the identification of the category of risk of serious harm, should be allocated a time slot of no more than 60 minutes with the actual time allocation being decided by the PPANI Links Team in advance of the meeting, based on their knowledge of the case.

In preparing for the LAPPP review meeting, the PPANI Links Team will allocate each case a time slot of no more than 30 minutes. Although there may be circumstances when more time is required this must be kept to a minimum and should it occur, a record must be kept of the reason. If such circumstances arise, and it is not possible to complete the business within an additional 10 minutes, the chair may postpone discussion of that case and make arrangements to have it rescheduled either for later that day or for the next LAPPP scheduled for that area.

No more than 10 cases should be considered at any one meeting.

17.4 Procedure for LAPPP Meetings

The first LAPPP case discussion will start at the time stipulated in the schedule agreed between the chairperson and the PPANI Links Team.

The LAPPP chairperson and the PPANI Links Team will meet 10 minutes before the first case to be discussed. This pre-meeting will be used to finalise the arrangements for the day.

The LAPPP meeting will follow the set agenda in each case and the PPANI Links Team will record the discussion using PPANI 2 – Appendix 1. The set agenda is as follows:

A. Confidentiality

The Chair will remind the meeting of the confidentiality requirements agreed by the Strategic Management Board and ensure each person present understands and agrees to abide by it.

B. Attendees

A list of attendees will be recorded on the minute of each individual case.

C. Apologies

A note will be made of all apologies for non-attendance.

D. Case Summary and Static Risk Assessment

The PPANI Links Team will provide the LAPPP with a summary of the case and the outcome of the Static Risk Assessment using the information recorded on PPANI 1. In cases involving Domestic Violence the summary will include a record of whether the victim has been made subject to a MARAC.

E. Previous LAPPP minutes

The chairperson will ensure that all in attendance have received copies of the previous LAPPP

minutes and that they agree them to be a complete and accurate record of the meeting. Only in exceptional circumstances should a LAPPP review proceed without the previous minutes. The exceptional circumstances must be recorded.

F. Designated Risk Manager Report

The meeting will be made aware of the contents of the DRM report. This report should also include:

- Dates of meetings with offender
- Summary of the information provided to the offender arising from the previous LAPPP meeting
- Analysis of the most recent Stable or Acute assessment with both score and reason for score (determining evidence)
- An outline of the range of interventions (including addressing of the risk management plan) undertaken
- Provide recommendations regarding proposed amendments to the Risk Management Plan, including a recommendation regarding the Category of risk. Whilst the DRM is required to make recommendations regarding proposed amendments to the Risk Management Plan and in respect of the category of risk, all decisions in respect of the Risk Management Plan and Category of Risk will continue to be made at the LAPPP meeting.

The DRM must provide a report which includes an analysis of the risk presented by the offender integrating the risk assessment tools and knowledge of previous offending and current circumstances.

G. Dynamic Risk Assessment

Although agencies attending the LAPPP will want to take into account assessments carried out by other agencies and professionals i.e. prison psychologists, probation officers, youth justice officers and social workers, discussion at the LAPPP will focus attention on identifying evidence of risk of serious harm. Summaries of assessments carried out by other agencies and professionals will be provided in writing and will be the subject of discussion only where this is necessary for the purpose of clarification or to remove ambiguity.

Agencies attending the LAPPP will consider the information and evidence available and carry out a dynamic risk assessment as set out at Section 2.5 of this Manual.

H. Category of Risk

Agencies attending the LAPPP will agree on the basis of the evidence available from the static risk assessment, the dynamic risk assessment and, where applicable the outcome of any Stable and/or Acute assessment, the category of risk of serious harm that most closely fits the individual circumstances of the case.

I. Appointment of Designated Risk Manager

Where agencies attending the LAPPP agree that the evidence available meets the definition of Category 2 or Category 3 risk of serious harm a DRM will be appointed. The minute will include the full contact details for the DRM including: Name, telephone numbers - office & mobile, email address and office address.

J. Risk Management Plan

A separate record will be made of each risk factor identified and the action agreed to manage it.

K. Actions Outside Risk Management Plan

All actions allocated, other than those recorded as management of risk actions, will be recorded under this heading. These might include: enquiries reference child protection, gathering of other information, advice and information being given to the offender etc.

L. Other issues: (Disclosure, Victims Issues, Media and Community Interest)

In compliance with the policy and guidance set out in this manual the LAPPP chairperson will ensure that each of the following issues are addressed:

- Whether consideration should be given to a disclosure application
- Whether there any victim issues and whether it would be appropriate to provide information, in the form of the Victim Information Pack, to a victim or carer.
- Whether there has been any media or community interest in the case and whether any action needs to be taken to address these.

M. Date, time and venue for next meeting

A date and time and venue will be scheduled for those cases that have been assessed as Category 2 or Category 3 risk of serious harm.

N. Procedures for Distribution of LAPPP Minutes

- LAPPPs minutes will be sent by PPANI Links Team to PBNI LAPPP Mailbox (email address LAPPPMinutes@pbni.gsi.gov.uk) within 10 working days.
- PPT Admin will administer the receipt to PPANI via email.
- Within the PPT team under LAPPP Minutes are the following 3 folders – Draft copy/ Chair Approved copy/ Verified Copy.
- PPT Admin will save a copy of Minutes by Date, Location of meeting and Chair's initials within the "Draft copy" folder. These will then be sent out to relevant Chair for verification for return to the LAPPP Minutes mailbox within 4 working days.
- PPT Admin will save minutes under the "Chair Approval" folder and then forward to PPANI Links Team for verification on the 5th working day.
- PPANI Links Team will then confirm the minutes by return email and the final version will be saved under "verified copy" folder.
- PPT Admin will then distribute verified copy to LAPPP Chairs.

To ensure accuracy of LAPPP minutes for all attendees and provide agency representative's opportunity to amend minutes the following process is recommended. LAPPP minutes are forwarded to LAPPP Chair by PPANI Links. Once LAPPP minutes have been checked by LAPPP Chairs they are returned to PPANI Links for circulating to LAPPP agency representatives. On receipt of the LAPPP minutes agency representative have 7 days to forward to LAPPP Chair and amendments to the minutes. LAPPP Chair will collate and amendments and forward agreed minutes to PPANI Links for records.

The following wording will be placed on the LAPPP Minutes Form:

The LAPPP Chair would be grateful if you would please notify them of any Omissions of inaccuracies within seven working days of receipt of the minute. If LAPPP Chair does not receive any comments within these seven days then they shall assume they are an accurate account.

Please note that this is not a verbatim record of the LAPPP but a summary of information presented and discussed. Amendments will therefore only be circulated where the information recorded is factually incorrect, or where the meaning of what was actually said is substantially altered by the way it is recorded"

The LAPPP Chairperson and the PPANI Links Team representative will take care to ensure that the recording of the minutes, evidence supporting the assessment of risk, the specific identified risks and the actions in the management of risk plan are not driven by process but represent a clear reflection of discussions and decisions made by agencies attending the LAPPP.

At the end of the discussion on each individual case the minutes will be read aloud to all those present. Individuals who have actions to take forward are responsible for taking note of that action and for ensuring that it is carried out. The DRM will take note of all the elements of the action plan and will ensure that agencies not present are made aware of actions allocated to them. Each agency will make sure that the DRM is kept informed of progress or completion of actions. The DRM will ensure that he/she is kept up to date with the completion of all management of risk actions and will submit a written performance report covering each of these prior to the next LAPPP meeting.

In the case of initial pre-release LAPPP meeting, where the case relates to an individual who has sexual offence convictions, agencies attending the LAPPP will ensure that an action is raised to have a stable risk assessment (SA07) completed where initial assessment of risk indicates the individual poses a Category 2 or Category 3 risk of serious harm.

The PPANI forms and minutes will be typed after the meeting. A typed draft of the minutes should be forwarded to the relevant LAPPP chairperson within 10 working days of the meeting for approval and returned to the PPANI Links Team within 5 working days for circulation to the agency representatives at the LAPPP by the PPANI Links Team.

The original will be retained in the public protection arrangements PPANI Links Team.

Minutes will be circulated to agency representatives from PBNI, PSNI, NIPS & HSCT at the LAPPP. Other attendees may be provided with copies of the minutes on receipt of a request. The PPANI Links Team will keep a record of all papers copied to agency representatives. In each case, the receiving agency will be responsible for the security and use of the information contained therein. Where a LAPPP is convened to address current significant concerns about an individual not included in the LAPPP schedule, the agency which requested the meeting will complete the PPANI referral form (Appendix 1 - PPANI 1) and the agency representative will bring relevant information e.g. case records, previous reports etc. to the meeting.

Within 7 days following a LAPPP meeting, the DRM will take steps (Appendix 1 – PPANI 5) to meet with and discuss the assessed level of risk and the multi-agency risk management plan with the offender. Where immediate actions are required to manage risk, the DRM will communicate them to the offender or other relevant parties as a matter of urgency.

The agreed information leaflet will be given to each offender, on the initial contact for the public protection arrangements purposes, with PSNI, PBNI, HSCT or NIPS.

Further copies of the leaflet should be supplied, if requested or considered necessary, by the DRM.

17.5 SMB Policy on Home Visits to Offenders

The Strategic Management Board's policy on home visits to offenders is as follows:

- Timing of visits should be coordinated by the LAPPP representatives to ensure that a number of visits do not occur on the same day by different agencies, or that not all visits occur within short periods with longer periods in between.
- Times of visits should be varied but at a reasonable time.
- Visits by police officer should where possible be carried out in civilian clothes.
- A record should be made of every visit indicating whether face-to-face contact for the purpose of public protection arrangements risk assessment took place.
- Where contact has been made with the offender, the record should accurately reflect any discussion that has taken place.
- Where an additional issue arises from a visit i.e. a child/vulnerable adult protection concerns, these will be communicated to the local Social Services office immediately.
- It is acknowledged that situations may arise where a DRM is unable to complete a home visit, for example, a violent offender not subject to licence/notification requirements refuses to permit the DRM to enter his home. Efforts should be made to motivate the offender to engage, however where visits cannot be made to the offenders home the DRM should consider arranging meetings with the offender at alternative venues, e.g. at an appropriate venue in the local community.

17.6 Information Sharing Outside of LAPPP Meetings

On occasions where information concerning an offender, which could have a bearing on the risk of serious harm posed by that individual, comes to the attention of any agency outside of a LAPPP meeting, it should be accurately and immediately communicated to the DRM.

The DRM should consider what if any actions are required and that those deemed necessary are appropriately implemented. If necessary the DRM can consult with the PPANI Links Team and the LAPPP chairperson and decide whether an earlier LAPPP meeting is required, or whether the matter can be left for consideration at the next scheduled LAPPP meeting.

The lawful authority and necessity requirements in Section 3 of the guidance to agencies (Information Sharing) will clearly be met when disclosure is to the courts when considering dangerousness prior to sentence or Parole Commissioners when considering suitability for release back into the community. The confidentially agreement which will be signed by agencies who participate in the LAPPP process clearly states that the information shared for the purpose of contributing to the assessment and management of risk posed by a particular offender will be made available to the courts or Parole Commissioners on request.

Where the court or Parole Commissioners are asking for agency-specific information, for example, specific information which fed into the risk assessment process, then the request should generally be sent to that agency. Most, if not all of the information provided to LAPPP meetings is derived from information stored on the individual agency's database(s) and the provision of that information to third parties is the responsibility of that agency and not the Chair of the LAPPP meeting.

17.7 Freedom of Information and Data Protection Requests

Since the implementation of the Freedom of Information and Data Protection Acts agencies should not expect to hold data in confidence. Freedom of Information requests should in the first instance be referred to the agency with lead responsibility for holding the information requested and processed in line with that agencies procedures for dealing with such requests.

17.8 Requests from Legal Advisors for Copies of LAPPP Minutes

In working with offenders, victims and other members of the public, all agencies have agreed boundaries of confidentiality. The information contained in the LAPPP meeting minutes respects those boundaries of confidentiality and is distributed under a shared understanding that a meeting is called in such circumstances where it is felt that the risk posed by the offender is such that issues of public or individual safety outweigh those rights of confidentiality.

Minutes of LAPPP meetings are likely to include personal, confidential third party (including victim) and operationally sensitive information and are, therefore, not suitable for disclosure under one or more of the exemptions of the Freedom of Information Act (2000).

There may also be restrictions on disclosing this information to others under the Data Protection Act 1998 and the Human Rights Act 1998 and related European case law.

It is envisaged that there may be increased requests for copies of LAPPP meeting minutes from offenders and other third parties including legal advisors.

A full copy of the LAPPP meeting should not be provided. Instead redacted minutes should be completed by the LAPPP chairperson.

The redacted version of the minutes will include:

- The offenders name and personal details
- The reason the case was referred for consideration under the public protection arrangements
- The assessed category of risk of serious harm and index offence
- The risk management plan, which will include:
 - (1) How agencies attending the LAPPP reached their decision on the category of risk of serious harm.
 - (2) What information this was based on.
 - (3) Where it does not jeopardise an individual's safety, identification of specific risks to others and what those risks are.
 - (4) The appointed Designated Risk Manager.

Each request for disclosure must be referred to the PPANI Coordinator in the first instance. The PPANI Coordinator will then liaise with the PPANI Links Team and the relevant LAPPP Chairperson and formulate a response to the request.

All requests from offenders or other third parties, including legal advisors, for LAPPP meeting minutes must be responded to. All requests and decisions relating to the disclosure of the LAPPP meeting minutes must be recorded on case management of risk records and VISOR.

18. THE OFFENDER'S ROLE

18.1 Introduction

18.2 Information flow between the public protection arrangements and Offenders

18.3 Positive engagement of offenders in Risk Management

18.4 Handling Correspondence sent on behalf of offenders

18.1 Introduction

It is important to recognise the critical contribution that offenders make to change their behaviour. Measures which impose external controls and prohibitions such as: conditions in licences, including residence requirements; Sexual Offences Act (2003) civil order provisions such as Sexual Offences Prevention Orders and Risk of Sexual Harm Orders can provide the offender with a clear and partly self-policed set of behaviour boundaries. These boundaries can increase therapeutic benefits and enhance public protection practice, for example, police and probation undertaking joint visits to offenders and working closely with prisons to establish suitable licence conditions for offenders prior to release.

18.2 Information flow between the public protection arrangements and Offenders

Offenders and, in the case of offenders with a mental disorder or learning disability, their carer/ appropriate adult, should where available be provided with an opportunity of informing the process of assessing and managing the risks they present. Similar provision for an appropriate adult/parent should be made for any young person under 18 whose management of risk is addressed through the public protection arrangements on the exceptional need basis set out in section 2.12.

It is good practice for offenders to know that the assessed risks they present are being managed through the public protection arrangements, what the arrangements are and what this means for them. This responsibility should be discharged by the Designated Risk Manager who should ensure that the offender fully understands the content of any written or oral communication.

Agencies are not required to include offenders at LAPPP meetings. However, offenders, whose risks are being managed through the public protection arrangements, following initial assessment of risk, should be allowed the opportunity to present information relevant to the management and on-going assessment of their risk of serious harm to agencies attending the LAPPP meeting through their Designated Risk Manager.

Agencies attending the LAPPP must only consider information provided by the offender which is relevant to the management and on-going assessment of the risk of serious harm posed by the offender in the community.

There are some cases where information about the risk management plan should be withheld from the offender on the grounds that it may increase their risk or compromise the effectiveness of the measures involved.

Confidential information will not be disclosed to the offender. Information from victims, some third parties and details of police operations are highly confidential and must be adequately protected by all agencies involved in the arrangements. The decision to withhold information from the offender must be agreed by agencies at a LAPPP meeting and the reasons clearly recorded in the minutes and the case record.

18.3 Positive engagement of offenders in Risk Management

Engaging the offender in the reality of management of risk can be very productive, although it will not be appropriate for every individual. Similar to the experience of child protection case conferences and the involvement of abusive family members, offenders can make a positive contribution to their own management of risk and should not be viewed only as part of the problem. Agencies should ensure that there is a clearly stated mechanism for informing offenders and that the information to be shared is fully recorded in minutes and case records.

18.4 Handling Correspondence sent on behalf of offenders

Correspondence from legal advisors on behalf of offenders requesting information or copies of LAPPP papers should be forwarded to the PPANI Coordinator.

The PPANI Coordinator will:

1. Respond to the request providing explanation of the process that will be followed
2. Pass the request to the PPANI Links Team to have the matter brought to the attention of the relevant LAPPP chairperson for redaction of any sensitive information from the papers
3. Relevant papers, with or without reaction, will then be forwarded to the PPANI Coordinator for forwarding to the relevant legal advisor
4. A record of all papers being released to legal advisors will be retained by the PPANI Coordination Unit

19 LINKS WITH VICTIMS AND CARERS

19.1 Principal

19.2 Responsibilities of the PSNI Representative

19.3 Links with Multi Agency Risk Assessment Conferencing (MARAC)

19.1 Principal

Each consideration by agencies at a LAPPP of a new Category 2 or Category 3 risk of serious harm case, or review of an existing Category 2 or Category 3 risk of serious harm case, will consider as a standing agenda item, any issues relating to previous victims and the delivery of the Victim Information booklet (and what it should contain). It is envisaged that there will be few cases where such contact and delivery will not be appropriate on at least one occasion. A record will be made, in the minutes of every LAPPP meeting, of the decision and the required action, if appropriate.

19.2 Responsibilities of the PSNI Representative

The PSNI representative on the LAPPP will:

1. Identify from police records, name and address details of the victim or, in the case of children or vulnerable adults, the parent or carer of the victim of each offender
2. Make arrangements to have a copy of the Victim Information Pack 'Our Link with You' containing the Victim Booklet 'Our Link with you', and any other relevant material, provided to the victim and, in case of the children or vulnerable adults, the parent or carer of the victim of each offender
3. Include his/her contact details on the booklet 'Our Link with You' in the space provided at the back
4. Report the completion of the action to the Designated Risk Manager and provide a report on any contacts made or questions raised by the person/s to whom the pack is provided

19.3 Links with Multi Agency Risk Assessment Conference (MARAC)

In all cases involving new referrals from 1st April 2010 the PPANI Links Team will make enquires to identify whether the victim is subject to MARAC and will advise the LAPPP accordingly.

SECTION 20. CASE REVIEWS

- 20.1 Context to PPANI SMB Serious Case Review Guidance
- 20.2 PPANI Eligible Offender
- 20.3 Referral Process for Case Review
- 20.4 Assessment criteria for decision of Internal Multi-agency Review or External Case Review
- 20.5 Objectives of Case Review
- 20.6 Procedure for internal Multi-Agency Case Review
- 20.7 Procedure for External Case Review
- 20.8 Appointment of Independent Chairperson
- 20.9 Communications Strategy
- 20.10 Dissemination of Learning from Case Reviews

20.1 Context to PPANI Serious Case Review Guidance

Public Protection Arrangements in Northern Ireland were established in order to provide a structure within which those agencies who are tasked with risk assessment and management of sexual and certain violent offenders, to work together in order to protect the public from the risk posed by these offenders. The assessment and management of the risk posed by offenders is a key task for all agencies and is a legislative requirement under Articles 49-51, Criminal Justice (NI) Order 2008 and the accompanying guidance to agencies. Effective risk assessment and management requires planning and the employment of a positive and proactive multi-agency, multi-disciplinary approach. It is acknowledged risk assessment and risk management is a complex and dynamic process and the agencies cannot eliminate risk but work together in order to minimise risk.

20.1.2

However, it is recognised that offenders who are within the public protection arrangements, may commit or attempt to commit further serious offences. When this happens, it is appropriate the arrangements are reviewed to identify whether there were any deficits in the procedures or practice undertaken by the agencies involved. Critically any learning for the future must be highlighted.

20.1.3

PPANI SMB will, on the basis of the evidence provided, make a decision as to whether the Serious (thereafter known as Case Review) Case Review will be an Internal Multi Agency Review or an External Case Review, convened by an independent chair.

20.2 PPANI Eligible Offender

Those offenders about whom a Case Review may be undertaken must be within the public protection arrangements:

- A) Persons who are subject to the notification requirements of Part 2 of the Sexual Offences Act 2003 or who have been convicted of a sexual offence or sexually motivated offence and are not subject to the notification requirements of Part 2 of the
- (B) Persons who have from 6th October 2008 been convicted of a violent offence (including homicide) against a child or vulnerable adult; or who have a previous conviction for a violent offence against a child or vulnerable adult and about whom an agency has current significant concerns.
- (C) Persons subject to PPANI for violence in domestic or family circumstances
- (D) Persons who have been convicted on or after 1st September 2011 of a violent offence (including homicide) where the offence, in certain circumstances, has been aggravated by hostility, and the person has received an enhanced sentence; or who have a previous conviction for such an offence and about whom an agency has current significant concerns
- (E) Persons subject to a Risk of Sexual Harm order (RSHO)

20.3 Referral process for Case Review

20.3.1

If an offender whose risk of serious harm is being addressed within the public protection arrangements is charged with a serious sexual offence or serious violent PPANI eligible offence (includes any assault involving GBH or above) or where a significant failure occurs in the management of risk of any Category 2 or Category 3 risk of serious harm case, the relevant LAPPP chairperson or any agency involved with the offender should request, in writing, to the Chair of the Strategic Management Board (SMB) via the PPANI Coordinator, a Case Review. In exceptional circumstances the SMB can consider review requests for Category 1 offenders.

20.3.2

The request for consideration for Case Review must include the following:

- Brief summary of the offender's background within PPANI
- Context of alleged/committed offence
- Current status of the offender/case
- Victim Information

The request will be forwarded to PPANI Coordinator who will inform the Chair SMB PPANI of the request. PPANI SMB, on the basis of the information, will decide which (if any) type of Case Review will be undertaken. There are two types of Case Review:

- Internal Multi Agency Case Review
- External Case Review

20.4 Assessment criteria for decision of Internal Multi Agency Review or External Case Review

All requests for a Case review will be considered by SMB individually, however criteria which may warrant External case Review include:

- Seriousness of the offence

- Significant failure occurs in the offender's risk management
- Victim is a Child or Vulnerable Adult
- Organised Abuse

20.5 Objectives of Case Review

The objectives of undertaking a Case Review are:

- (A) To look at whether agencies involved in the management of risk posed by an individual did all that could reasonably be expected of them to manage the assessed risks; and
- (B) Whether there are lessons to be learned about the effectiveness of the current public protection arrangements.

20.6 Procedure for Internal Multi Agency Case Review

20.6.1

Where the decision is made to conduct an Internal Multi Agency Case Review, The PPANI Coordinator will inform the referral agency/person in writing of the decision. The PPANI SMB will determine the Terms of Reference for the Internal Multi Agency Review.

20.6.2

PPANI Coordinator will write to each relevant agency to appoint a person to undertake an internal agency review of involvement in the offender's case. The Internal agency report must be restricted to the review of their agency's involvement and practice and not review the involvement or practice of another agency.

20.6.3

The appointed person to undertake the internal agency review must:

- Not have had any operational involvement in the case
- Have a working knowledge of PPANI
- Be of sufficient managerial level to represent their organisation
- Attend the Internal Multi Agency Review Panel meeting
- Contribute to practice recommendations which are not already existing in the Manual of Practice
- Forward completed report to PPANI Coordination for circulation to the Internal Multi Agency Review panel members for consideration prior to panel meeting

Internal agency reports will adhere to the following structure;

- 1 Terms of Reference
- 2 Methodology
- 3 Chronology of Events
- 4 Analysis of Events
- 5 Summary of Key Findings

20.6.4

An Internal case Review panel meeting will be held to consider the internal agencies reports. The Chair of this panel will be appointed by PPANI SMB. The panel will consist of:

- Chair of the SMB Policy and Practice Sub group
- Authors of the internal agency reports
- Senior representatives of the core PPANI agencies i.e. PBNI Area Manager, PSNI Inspector, HSCT 8A, NIHE Principal Officer, NIPS Governor

20.6.5

The Internal Multi Agency Review Panel will consider all agency reports, have opportunity to discuss these with the authors and agree a composite report with recommendations.

20.6.6

The PPANI Coordinator will complete a draft composite report and recommendations, circulate to all Panel members for comment, prior to forwarding to PPANI SMB.

20.6.7

Following consideration of the composite Internal Multi Agency Review, the SMB will accept and/ or make further recommendations to the relevant agencies. An update on the action plan of the recommendation will be tabled at subsequent SMB quarterly meetings for ongoing review of the case.

20.6.8

SMB policy and Practice subgroup will hold responsibility for overseeing the implementation of the recommendations agreed from the Internal Multi Agency Review.

20.6.9

After consideration of the Internal Multi Agency Review report and its findings, SMB may direct an External Serious Case Review takes place.

20.7 Procedure for External Case Review

When decision is taken by PPANI SMB that a request meets the criteria for an External Case Review, PPANI Coordinator will inform the referral agency of the decision taken. PPANI SMB will agree the Terms of Reference for the External Serious Case Review.

20.7.2

Following the decision to commission an External Case Review the PPANI Coordinator will arrange to meet with the Victim/family members to explain the process concerning the completion of an External case Review.

20.7.3

PPANI Coordinator will write to each agency which has had or currently has an involvement with the offender. Each agency will appoint a representative to conduct an internal agency review and to forward this report to Independent Chair of the External case Review Panel.

The appointed person must:

- Be of appropriate senior level and have had no line management involvement in the case.
- Have a working knowledge of PPANI
- Attend the External Case Review panel meeting/s if requested

20.7.4

The agency must also appoint a person to represent his/her agency on the External case Review Panel i.e. PBNI Assistant Director, PSNI Superintendent, NIHE Assistant Director of Housing, NIPS Governor, HSCT head of Service or Assistant Director.

20.7.5

The Independent Chairperson will review all internal agency reports and can interview any of the authors of the internal agency reports or any other person whom they deem necessary. If the documentation or interviews raises questions or gaps are identified in the reports, which cannot be clarified sufficiently with the author of the report, the Chairperson may:

- Convene an External case Review panel which will consist of senior agency representatives as outlined in 7.3

20.7.6

The Independent Chairperson will provide a draft report with recommendations which will be circulated to the senior agency representatives for comment, prior to forwarding the final draft to PPANI Coordinator who will forward to PPANI SMB Chair.

The draft report will adhere to the following structure:

- 1 Terms of Reference
- 2 Methodology
- 3 Chronology of Events
- 4 Analysis of Events
- 5 Summary of Key Findings
- 6 Learning from Case Review
- 7 Recommendations

20.7.7

Following consideration of the Independent Chairperson's report, the SMB may accept and/or make further recommendations to the relevant agencies. An action plan will be implemented for the agreed recommendations. An update on the action plan of the recommendations will be tabled at subsequent SMB quarterly meetings for ongoing review of the case. Responsibility

for overseeing the implementation of the recommendations will rest with the PPANI SMB Policy and Practice Subgroup.

20.7.8

Where the death or serious harm of a child has occurred the SMB must work in conjunction with any case management review or child death review initiated by the Safeguarding Board for Northern Ireland.

20.8.1 Appointment of Independent Chairperson

The SMB via the PPANI Coordination Unit will commission an Independent Chairperson to undertake any External Case Reviews after undertaking a tender procedure from a list of PPANI, Coordination Unit approved case reviewers. These approved case reviewers will have:

- To be currently independent of any PPANI agency
- Track record of undertaking case reviews in either their own agency or external to their agency
- Apply the SCIE/Munroe(i) standards of case reviews (See Appendix 5)
- Have experience working within the criminal justice/PPANI agencies
- Approved Data Controller: a case reviewer will be required to provide assurance to SMB that appropriate safeguards are in place for the security of documentation and have Professional Indemnity Insurance providing a minimum cover of £1,000,000.
- Current on PPANI Coordination Approved Case Reviewers list

20.8.2

The Independent Chairperson may be requested to engage in any communication strategy relating to the External Case Review, this may include meeting with the victim and/or their family to explain the findings of the review; and media interviews in respect of the report.

20.9.1 Communications Strategy

In some cases information may already be widely known because of the nature of the case (e.g. where the media have released information before the review process has been commenced/ completed). It also be noted that once information is shared with members of the public domain (including victims/relatives) that information is then in the public domain.

20.9.2

Following the conclusion of all judicial processes, Executive Summaries of PPANI Case Reviews, including the recommendations and agreed action plan will be placed on the PPANI website. The data included within the Executive Summary will be in line with Information Commissioners decision dated June 2012 which states personal data should not be disclosed in an Executive Summary. (ii). All information contained in the Executive Summaries will be assessed on a case by case basis by PPANI SMB in terms of the degree of personal and historical information included in the report whilst still aiming to meet the need for transparency in the report. As the report will be shared with victims, abbreviations will not be used.

20.9.3

Active consideration must be given to victim engagement in the communication of findings from any PPANI Case Review. The PPANI Coordinator will arrange to meet with the Victim/ family members after all judicial processes have been completed to communicate the findings contained in the Executive Summary.

20.9.4

Prior to executive summary being placed on the website; copy of draft executive summary will be shown to offender/s.

20.9.5

In the event of a parallel criminal investigation process taking place alongside the case review, the PSNI SMB representative will advise on impact of a case review on criminal investigation.

20.9.6

PPANI SMB Communications subgroup will keep Department of Justice fully informed of the progress and outcome of all case reviews.

20.10.1 Dissemination of Learning from Case Reviews

The SMB Policy and Practice sub group, on completion of a Case Review will as soon as possible disseminate any learning to all agency representatives for further dissemination to all relevant staff working within PPANI.

20.10.2

The SMB Policy and Practice Subgroup will produce an annual summary of the learning identified through all PPANI SMB Case Reviews for dissemination to agencies and PPANI Designated Risk Managers to improve multi-agency learning and development. A summary of learning from case reviews will be delivered at the annual Special Interest Seminar.

20.10.3

Following Case Reviews it may be necessary for PPANI SMB to review the PPANI Guidance to Agencies and Manual of Practice in light of the findings and recommendations. This will be overseen by PPANI SMB Policy and Practice Subgroup.

21 DISCLOSURE OF PERSONAL DATA

21.1 Introduction

21.2 Definition of Disclosure

21.3 Reasons for Disclosure

21.4 Making the Decision to Disclose Information

21.5 Record Keeping in Relation to Disclosure

21.6 Disclosure of LAPPP papers to Legal Advisors

21.1 Introduction

The need to exchange information between agencies is fundamental to the sex offender and violent offender risk assessment and management of risk process. The way in which information is handled must comply with the legislative safeguards that are in place to prevent the inappropriate disclosure of information. The agencies involved in management of risk have entered into corporate agreement to share and use information only where it is in accordance with current legislation such as the Data Protection Act and the Human Rights Act.

When necessary, representatives from other agencies and from outside the Northern Ireland jurisdiction will be invited to participate in the assessment and management of risk posed by offenders. Such representatives will be required to sign a confidentiality agreement prior to the meeting and will be required only to share such information as is required for the purpose of the meeting and is in compliance with current legislation. It is against this background of information sharing that the issue of disclosing information by agencies to the public arises.

There may be some cases where, in the opinion of agencies at a LAPPP, the management of an offenders risk of serious harm in the community cannot be carried out without the disclosure of some information to a third party. For example, management of risk may be improved through disclosure to an employer, voluntary group organiser or church leader who has a position of responsibility/control over the offender or to other persons who may be at risk from the offender. Such disclosures must be made on the basis of clear justification and must be supported by all agencies involved. Police, at Assistant Chief Constable level hold responsibility for making the final decision.

Agencies involved in the public protection arrangements currently work to individual disclosure guidelines and to an agreed Corporate Agreement in Information Sharing and Confidentiality. The purpose of the document is to provide a clear process for making application to the PSNI Assistant Chief Constable, Service Improvement Department for authority to disclose personal and confidential information and to create a formal audit trail and record of decisions. It is hoped that the existence of an identified process will lead to clarity as to when disclosure is justifiable and will also provide evidence of objectivity and proportionality in the event that the decision is challenged.

21.2 Definition of Disclosure

The communication to any part outside the public protection arrangements of any information that relates to an individual, whose risk is being managed through public protection arrangements, for the purpose of assisting the management of risk. The disclosure will be a component of the management plan for that identified individual.

21.3 Reasons for Disclosure

Agencies involved in the public protection arrangements are responsible for maintaining confidentiality in respect of all cases. Occasionally that duty to maintain confidentiality will be over ridden where there is a greater need to protect the public or any individual or section of the community. This situation may arise when intelligence or information indicates that an individual could cause serious harm to another person.

Disclosure may become justifiable where it is not possible to reduce the risk through other means. It will be necessary to demonstrate how disclosure is likely to assist the containment or removal of the identified risk. There can be no general rule for disclosure; each case must be decided on its own merits. The following points must be considered:

- The nature and the extent of the information to be disclosed
- The person receiving the information
- How the receiver will utilise the information

Disclosure of information will not abrogate the LAPPP or any of the partner agencies of their responsibilities. Disclosure of information to a third party must be viewed as only one component of a full management of risk plan.

Additionally, an amendment to Section 48 of the Criminal Justice (NI) Order 2008 makes provision for the introduction of a Child Protection Disclosure Arrangements in N Ireland. Under Article 50 (2A) Criminal Justice (NI) Order 2008 a member of the public can make an application for disclosure of information concerning convictions relating to sexual and violent offenders who meet the PPANI eligibility criteria, as per the criteria in Section 3.6 of the PPANI Manual of Practice. Disclosure in these circumstances can only take place where it is deemed necessary to protect a particular child from serious harm caused by that person. Additionally, disclosure will only take place to the person who has responsibility for the child and / or is best placed to safeguard the child, e.g. a parent, carer or guardian.

21.4 Making the Decision to Disclose Information

Outside of the Child Protection Disclosure Arrangements, for all Category 1 cases the decision to disclose information will rest with the managing agency with advice available from the relevant PSNI PPU as required. As the Police Service of Northern Ireland holds responsibility for the retention of all information considered by agencies at LAPPPs, on offenders assessed as Categories 2 and 3 risk of serious harm, the decision to disclose personal or confidential

information about an individual will, in these cases, be made as soon as possible, by a senior police officer (Superintendent Public Protection Branch), following consultation with relevant LAPPP representatives.

Any decision to disclose information has wide ranging implications. Where possible, a full discussion will usually take place at a regular LAPPP meeting or at an extraordinary LAPPP meeting. If, following this discussion, agencies agree that disclosure of information is both necessary and appropriate, an application will be made to the Assistant Chief Constable, Criminal Justice Department, via the PPANI Links Team. The full rationale for the application for disclosure, influencing factors, the extent of the disclosure and any other relevant conditions will be clearly recorded and is auditable (Appendix 1-PPANI 4)

As per Section 21.3 under the Child Protection Disclosure Arrangements, a member of the public can make an application for disclosure of information concerning convictions relating to sexual and violent offenders who meet the PPANI eligibility criteria, as per the criteria in Section 3.6 of the PPANI Manual of Practice. A flow chart detailing the process to be followed in respect of applications for disclosure under this arrangement is contained at Appendix 9.

The PSNI are the initial point of contact for any individual making an application under the Child Protection Disclosure Arrangements and will process all applications. In respect of current PPANI managed offenders and Category One offenders currently subject to single agency management, the assigned PSNI Officer, from the PPANI Links Team, will notify the relevant DRM that a request has been made, following the receipt of a disclosure application.

Contact will also be made with representatives of the other core agencies who may hold information in respect of the offender. Where it has not been practical or possible to convene a full LAPPP meeting to consider the issue of disclosure, communication between LAPPP representatives should take place via telephone contact and e-mail where there is a need to share information urgently. The assigned PSNI officer from the PPANI Links Team will ensure that the outcomes of these discussions are documented.

It is important to note that the Child Protection Disclosure Arrangements are not designed to respond to immediate concerns regarding the risk of serious harm posed to children and such child protection concerns should continue to be addressed through existing child protection protocols / procedures. Consequently, where the information provided in the disclosure application suggests that there is a potential immediate risk to a child, the DRM should notify the relevant HSCT Gateway Team of their concerns via telephone. Telephone notification should then be followed up via a completed UNOCINI referral. The offender should be informed by their DRM that a request for disclosure has been made under the Child Protection Disclosure Arrangements unless it is considered that advising the offender of the request could place others at risk of harm.

Where there is a need to act to protect an identified child, the DRM, in conjunction with other relevant PPANI representatives, will make the disclosure to the identified child's parent, carer or guardian as a matter of urgency. When making the disclosure, the DRM will advise the child's parent, carer or guardian that the information shared is being disclosed under the Child Protection Disclosure Arrangements and advise them of the potential consequences should they further share this information with any other parties. Following disclosure the DRM should update the assigned PSNI officer from the PPANI Links Team as soon as practicably possible. Following disclosure the agency DRM will update the assigned PSNI Officer from the PPANI Links Team, who will respond formally to the individual who has made the disclosure application. The assigned PSNI Officer will ensure that the Superintendent, Public Protection Branch is notified regarding all disclosures.

In respect of those offenders subject to supervision by PBNi, where the disclosure application reveals that an offender has breached a condition of their court order / licence, consideration should be given to appropriate enforcement action. Likewise should it become apparent that an offender has breached a condition of a SOPO then PSNI will take enforcement action.

21.5 Record Keeping in Relation to Disclosure

A full record must be made of all discussions, actions and decisions taken. In cases where a decision to make application for disclosure has been taken outside of a full LAPPP meeting, the case will be referred to the next meeting for endorsement. The SMB, through the PPANI Coordinator, will monitor all applications for and decisions to disclose to ensure consistency and good practice.

21.6 Disclosure of LAPPP papers to Legal Advisors

Correspondence from legal advisors on behalf of offenders requesting information or copies of LAPPP papers should be forwarded to the PPANI Coordinator. The PPANI Coordinator will:

1. Respond to the request providing explanation of the process that will be followed.
2. Pass the request to the PPANI Links Team to have the matter brought to the attention of the relevant LAPPP chairperson for redaction of any sensitive information from the papers.
3. Relevant papers, with or without redaction, will then be forwarded to the PPANI Coordinator for forwarding to the relevant legal advisor.
4. A record of all papers being released to legal advisors will be retained by the PPANI Links Team in the relevant case file

22 STRATEGIC MANAGEMENT BOARD SUB GROUPS

22.1 Introduction

22.2 Policy and Practice Sub Group

22.3 Accommodation Sub Group

22.4 Education & Training Sub Group

22.5 Communications Sub Group

22.6 Victims Advisory Sub Group

22.1 Introduction

The Strategic Management Board (SMB) is made up of senior managers of all the lead agencies as well as two lay advisers, who provide an independent view point. The Board is chaired alternately, on a rotational basis, by either, PSNI, PBNI, or NIPS. It meets quarterly to review practice, implementation and strategic delivery of the arrangements. The SMB develops an annual business plan and sets objectives for the year ahead.

The public protection arrangements Strategic Management Board will have five working sub groups, each responsible for a specific area of work and with membership covering a range of professionals with specialists skills.

Each sub group will be chaired by a member of the Strategic Management Board or by their nominated representative who will attend the SMB meetings for the purpose of reporting on the work of the sub-group. Sub-groups will meet formally at least four times per year and administrative support will be provided by the PPANI Links Team. Each Sub group will produce an annual business plan which will include activities/objectives, outcome and costs.

The Board may also decide to invite organisations with an interest in the public protection arrangements to participate in Stakeholders Sub Groups. In the event that the Board do have a need to set up Stakeholder Sub Groups it will draw up the terms of reference and invite appropriate organisations to nominate representatives. The groups will meet to discuss specific issues referred to them for consideration by the Strategic Management Board.

22.2 Policy & Practice Sub Group

The Policy & practice Sub Group will be made up of representatives from each of the agencies and organisations delivering the public protection arrangements.

Terms of Reference

- To review policy and practice guidelines in relation to the public protection arrangements in order to ensure policy and procedures reflect up-to-date legislation and best practice.

- To provide oversight of the auditing processes in relation to public protection arrangements operational practice
- To identify any research necessary in relation to the continuing development of the Public protection Arrangements and on approval by the Strategic Management Board to commission such research
- To identify learning from incidents such as noncompliance with management of risk plans and/or further known offending. In light of such learning take steps to amend practice through revision Manual of Practice or by disseminating the learning points to practitioners.

2.3 Accommodation Sub Group

Terms of Reference

- To co-ordinate the implementation of the accommodation strategy addressing the issues relating to the housing of sex and violent offenders and in response to the recognition that access to sustainable and suitable accommodation is a significant factor in preventing re-offending.

22.4 Education & Training Sub Group

Terms of Reference

- To review, plan for and deliver multi-agency training requirements in relation to the Public Protection Arrangements
- Evaluate and report on the effectiveness of training provided

22.5 Communications Sub Group

Terms of Reference

- To review the public protection arrangements Communications Strategy and assist in its development
- To assist the public protection arrangement Agency Press and Media departments in the delivery of the Communications Strategy where necessary
- To facilitate effective working relationships between the various press office functions within agencies and associated organisations
- To assist in the development of publications and the website in order to provide a range of audiences with information on the public protection arrangements

22.6 Victim's Advisory Sub Group

Terms of reference

- To ensure that victim issues are reflected in the strategies, policies, guidelines and training developed for sex/violent offender risk assessment and management of risk purposes.

23 DATA COLLATION AND MONITORING

23.1 Introduction

23.2 Quantitative Data

23.3 Qualitative Data

23.4 The Case Audit Process

23.5 Serious Case Reviews

23.6 Policy Reviews

23.7 Inspections

23.8 Annual Report

23.1 Introduction

PPANI Links teams and each of the PPANI agencies will forward relevant data to the PPANI Coordination Unit.

23.2 Quantitative Data

Information recorded through LAPPP meeting returns

23.2.1 LAPPP Data

The following data will be recorded on a LAPPP Meeting Return and forwarded to the Coordination Unit for collation on the public protection arrangements database (all data will be collated by category and offence type):

1. Breakdown of Sexual Offenders and Violent Offenders within each category
2. Numbers of new (initial) LAPPP referrals
3. Number in prison
4. Number in community by Police District
5. DRM by agency
6. Number of increased in category
7. Number of decreased in category
8. Number of Cat 2 reassessed as Cat 1
9. Number of Cat 2 reassessed as Cat 3
10. Number of Cat 3 reassessed as Cat 2
11. Number of Cat 3 reassessed as Cat 1
12. Number of Cat 1 reassessed as Cat 2
13. Number of Cat 1 reassessed as Cat 3
14. Number of sexual cases that relate to child victims
15. Number of violent cases that relate to child victims
16. Number of violent cases that relate to vulnerable adult victims
17. Number of sexual cases that relate to vulnerable adult victims
18. Number of violent cases that relate to domestic violence
19. Number of cases; aggravated by hostility (enhanced sentencing)

A report on this information will be made available, through the Policy and Practice Sub group, for each meeting of the public protection arrangements Strategic Management Board.

23.2.2 Annual Report Data

The following data will be recorded on an annual basis and included in the Annual report produced for the Secretary of State.

- Risk Assessment
- Total number of new cases for risk convicted of a sexual/violent offence
- Risk Management
- Number of new cases assessed as requiring multi-agency risk management
- Number of new cases made subject to sexual offences prevention orders
- Number of new cases subject to release on Article 26 licence
- Number of sexual/violent offender who failed to comply with licence conditions
- Number of high risk sexual/violent cases in the period managed by the co located public protection team
- Total number of persons in the community (in the period) whose risk is managed under the multi-agency public protection arrangements by Council Area

Further relevant offences

The number of person within the public protection arrangements who are alleged to have reoffended and where a serious case review has been initiated by the SMB.

23.3 Qualitative Data

The PPANI Coordinator will provide a report against the following on a quarterly basis to the public protection arrangements Strategic Management Board.

LAPPP risk assessment/management of risk plans and reviews

- All community category 3 cases reviewed at least every 16 weeks
- All community category 2 cases reviewed at least every 16 weeks

SMB meetings

- 100% agency representation at each meeting of the public protection arrangements SMB
- 75% attendance at all meetings of the public protection arrangements SMB by the designated representatives of each agency within each twelve-month period.

23.4 The Case Audit Process

All Category 3 cases, 5% of Category 2 cases and 5% of those cases categorised from Category 2 to Category 1 will be subject to audit, against a template developed and reviewed by the SMB Policy & Practice Sub-Group. The audit will be carried out on a quarterly basis by the PPANI Coordinator and the two agency managers from the Co-located Public Protection team and a

Principal Officer from a HSCT, a Lay Adviser will also be in attendance observing the process. A full report on the areas inspected and the relevant findings will be presented to the relevant LAPPP and to the quarterly meeting of the Policy & Practice Sub-Group for inclusion in its report to the Strategic Management Board.

The PPANI Coordinator will review a sample of cases, previously assessed as category 1, which are referred to the public protection arrangements for further risk assessment and will provide an annual report on these to the Strategic Management Board.

23.5 Serious Case Reviews

The PPANI Coordinator will develop an action plan to address any recommendation arising from either an Internal Agency Review or an Independent Serious case Review commissioned by the Strategic Management Board.

23.6 Policy Reviews

The public protection arrangements Manual of Practice will be subject to an annual review by the Policy & Practice Sub Group of the public protection arrangements Strategic Management Board.

23.7 Inspections

The public protection arrangements Strategic Management Board will periodically commission inspection of the arrangements and its policy by either inviting an independent inspection by agencies such as Criminal Justice Inspection Northern Ireland or by facilitating internal inspections as and when they deem necessary.

23.8 Annual Report

The public protection arrangements Strategic management Board will produce an annual report on the delivery of the public protection arrangements in each 12 month period and submit the report for the consideration of the Minister of Justice by 31st October of each year.

24 HANDLING MEDIA REQUESTS

24.1 Introduction

24.2 Memorandum of Understanding

24.3 Procedure in Relation to Press and Media Enquiries

24.1 Introduction

A successful working relationship between the agencies involved in public protection and the media is vital. It is important to recognise the considerable impact that the press and media can have on public perception. The media represent an important vehicle for engaging with the public including demonstrating how agencies work to protect the public, providing reassurance to the public, educating families and the wider public about risks, assisting in providing information and helping solving crimes and aiding effective resettlement. Therefore it is essential that there is in place a communications strategy to effectively engage with the media in an open and transparent manner while having regard to legislative obligations including data protection and human rights legislation.

How the media report the news has changed radically in recent years with the onset of citizen journalists, mobile phone technology and the use of social media. The immediacy of these forms of communication can be challenging for agencies to respond effectively, particularly during a period of crisis management. There is a need for all agencies to consider these forms of communication as well as the more traditional in developing communication techniques and strategies.

24.2 Memorandum of Understanding

The Press and Media departments of the agencies and organisations associated with the public protection arrangements have signed up to a Memorandum of Understanding regarding the press and media. This emphasises the need for the sharing of information and development of lines in response to press and media enquiries, which are accurate and consistent.

24.3 Procedure in Relation to Press and Media Enquiries

All requests from the press and media in relation to public protection arrangements- related cases and activity should be channelled to the Press and Media department of the agency which has lead responsibility for that specific case. In accordance with the agreed communications Engagement Protocol, that agency Press and Media departments have agreed, will ensure that the Press and media department of the other relevant agencies are informed of the request. Agency Press and Media departments should collectively consider and determine the appropriate course of action. On some occasions, requests can be made direct to staff. It is important that such requests are not facilitated by the recipient but are instead referred immediately to their agency Press and Media Office. Good practice would dictate that senior operational management in the relevant agency should also be informed.

25 HANDLING COMMUNITY CONCERNS AND PUBLIC MEETINGS

25.1 Introduction

25.2 Key Principles

25.3 Procedure

25.4 Requests to Attend Public Meetings

25.1 Introduction

Community concerns about an offender, or about an individual, can be expressed in a number of ways and to a range of individual organisations. Such concerns will often come to light, and indeed will often be exacerbated, through media attention and subsequent reporting. They may also be expressed through contacts made by members of the public or public representatives to individual agencies or direct to the public protection arrangements Administration. It is important to recognise that community concerns are legitimate. They are usually driven by fear or the perception of risk of harm. All the agencies involved in both the public protection arrangements Strategic Management Board and the LAPPPs have a duty to ensure that concerns are dealt with in an appropriate and timely fashion that maximises public confidence in the arrangements.

Effective and timely interaction with public representatives can pay dividends in terms of the stance which is subsequently taken and also in terms of the influence which they may have in allaying community concerns.

25.2 Key Principles

The following principles cover community concerns:

1. Procedures for dealing with community concerns need to allow local agencies, and particularly LAPPPs, to deal with problems while providing a clear process to seek advice and remit problems to the public protection arrangements PPANI Coordination Unit.
2. Proactivity in terms of anticipating possible public concerns is important and in all cases, the PPANI Coordinator should be informed at an early stage and advice sought. Seeking this advice is related to the concerns or perceived concerns of the public or media and the potential problems these may create in relation to wider community understanding about offending and offenders.
3. Information on individual offenders can only be disclosed to the wider community in one of the following ways:
 - In accordance with child protection/vulnerable adult guidance, or
 - Where a recommendation has been made by a LAPPP, as being necessary for the protection of the public as part of a management of risk plan and authorised by the Assistant Chief Constable PSNI (See Section 21).

Information disclosure must comply with the requirements of the Data Protection Act 1998 and the Human Rights Act 1998.

25.3 Procedure

Where approaches are made to any agency by the general public, public representatives (or the media) about the details of an offender or to express concerns about an individual, this information should be conveyed immediately to the Designated Risk Manager, or, when he/she is not available, to the Chairperson of the relevant LAPPP.

In all cases, the DRM should consult with the LAPPP Chairperson and with the public protection arrangements PPANI Coordinator (good practice would dictate that senior operational management in the relevant agency should also be informed) to agree an approach and method of responding to these concerns.

Consideration should be given to:

- Which agencies should be involved in any discussions with individuals/community groups
- How and where these discussions will take place
- Whether to seek advice or input from members of the Strategic Management Board

If considered necessary, the Chair of the LAPPP can convene an extraordinary LAPPP meeting with the relevant agencies represented. In such cases, consideration should be given to inviting the PPANI Coordinator to be present.

In exceptional circumstances, the PPANI Coordinator may consider it necessary to convene an emergency meeting of the Strategic Management Board to examine how best to deal with the situation. This should be attended by the Chair of the LAPPP and relevant personnel.

25.4 Requests to Attend Public meetings

There will be occasions when concerns about an offender or the arrangements generally cannot be managed within the procedures outlined above and will become the focus of community meetings which will invariably be attended by political representatives and the press and media.

Experience has shown that large public meetings can prove difficult to keep focused and there is a potential for inaccurate information and misunderstandings to arise in the context of legitimate community concerns and heightened emotions. The recommended approach is to seek to facilitate an alternative structured session with a small group of community representatives and preferably opinion formers within the community.

Requests for multi-agency representation at community meetings should always be channelled via the PPANI Coordinator and or the Communications Sub Group in order to agree an appropriate approach from the Agencies. This will include consideration of the following:

- Agreement on whether the Agencies should attend such a meeting
- Meeting format and venue

- Which agencies should attend the meeting
- The appropriate seniority of agency staff

It is important that the formulated response be communicated to the relevant agencies involved at each point in the process.

Prior to any meeting taking place, those agency representatives who it has been agreed will attend the meeting and community representative or organisers should agree the format of the meeting, chairing arrangements and ground rules.

It is important that agencies involved meet in advance and agree a management strategy as well as what information will and will not be provided at the meeting. In all such meetings, experience has shown that it is important to seek agreement at the start of the meeting on the important principal that all present accept the boundaries of the law during the discussion and in relation to any actions considered and/or agreed.

Consideration should be given to the issuing of an agreed press release on behalf of the agencies represented on the LAPPP. In such circumstances it will be drafted and distributed by the Press and Media department of the agency from which the Designated Risk Manager has been appointed and shared with each of the other agency Press and Media departments prior to release.

Following public meetings, an internal minute should be taken on behalf of the agencies and forwarded to the relevant Agencies.

APPENDIX 1

PPANI Referral Form

PPANI 1

This form is to be used when referring an Offender, not already in the PPANI, to the PPANI Links Team. All relevant information must be included on this form in order for PPANI eligibility to be assessed.

Offender Details: (Mark relevant box/boxes)			
Type:	Sex Offender	<input type="checkbox"/>	
	Violent Offender	<input type="checkbox"/>	
	Domestic Violence	<input type="checkbox"/>	
	Hate Crime (from 1/9/11)	<input type="checkbox"/>	
	Under 18 years	<input type="checkbox"/>	
Surname		First name(s)	
Alias		Date of birth	
Current Address			
Person referring:			
Name		Title	
Contact Details		Agency	
Telephone		Mobile	
Email Address			
Address			
Date of Referral			
Reason for referral:			
This section must outline in detail the reasons why you are referring the person to PPANI			
(a) Convicted of an offence as outlined in Sec. 3.1 PPANI Manual of Practice. (include details below) or			<input type="checkbox"/>
(b) Significant concerns (include evidence below)			<input type="checkbox"/>

Details

This section must include information regarding:

1. What is the relevant offence and against whom including DOB and address of victim
2. Why you are referring the offender to PPANI
3. What are the current concerns and how these affect the risk assessment and management of the offender.
4. Include relevant information such as SA07 analysis, treatment programmes, Trust involvement, Vulnerable Adult status or complex needs

Reason for inclusion in PPANI (To be completed by PPANI Links Team)

PPANI Static Risk Assessment (To be completed by PPANI Links Team)

1. Risk Matrix 2000 level
Scale: S = Sexual; V = Violent
C = Combined Violent Sexual

S	
V	
C	

2. Index Offence/Offence Charged or Reported (include brief summary below)

3. Previous Relevant Offences (include brief summary)

4. Has the victim been subject to a MARAC

YES

☐

NO

☐

LAPPP RECORD OF MEETING

PPANI 2

THIS FORM CONTAINS THIRD PARTY INFORMATION AND IS NOT TO BE FURTHER REPRODUCED OR DISCLOSED WITHOUT CONSENT. IT IS TO BE KEPT IN THE RESTRICTED SECTION OF AGENCY FILES.

THESE MINUTES MAY BE DISCLOSED UPON ORDER OF A COURT.

Subject Details:					
Surname		First name(s)			
Date of birth					
Address					
Category of Risk (at end of review)		Sexual <input type="checkbox"/> Violent (Child/Vulnerable Adult) <input type="checkbox"/> Domestic Violence <input type="checkbox"/> "Hate Crime" <input type="checkbox"/>			
Date of previous LAPPP					
LAPPP Details:					
Date		Time: Start		End	
Venue					
Chairperson					
Person Recording					
Designated Risk Manager (at end of review)	Name:				
	Agency:				
	Contact Details:				

1. Confidentiality Protocol

The purpose of this meeting is to share information for the prevention and detection of crime. This information will contribute to the accurate assessment and management of risk of serious harm to the public.

The information that is disclosed is to be considered confidential to those in attendance at the meeting and their agencies. This information should be stringently safeguarded within agencies and should not be disclosed generally.

to any other individual or other agency. It should be used only for the purposes of the agreed risk management plan, as information to be shared with the Courts or Parole Commissioners (where applicable) or as part of normal line management accountability.

The decisions of the meeting take account of Article 8.2 ECHR, with particular reference to:

- Public Safety
- The prevention of crime and disorder
- The protection of health and morals
- The protection of the rights and freedom of others

The LAPPP Chair would be grateful if Social Services Principal Officer would please notify them of any omissions or inaccuracies within seven working days of receipt of the minute. If LAPPP Chair does not receive any comments within these seven days they shall assume they are an accurate account.

Please note that this is not a verbatim record of the LAPPP but a summary of information presented and discussed. Amendments will therefore only be circulated where the information recorded is factually incorrect, or where the meaning of what was actually said is substantially altered by the way it is recorded.

The above statement was read aloud by the Chairperson and all those in attendance agreed to abide by its provisions. Yes/No if No include short explanation

2. Attendees:			
Name	Agency	Role	Address/Contact details

3. Apologies:**4. Case Summary:**

(full case summary only required at first review, subsequent reviews should have case updates recorded here)

First Review must have index offence details which should then be copied to the start of the DRM report

This section must include the following details:

1. RM2000 relevant factors scored and dated
2. Detail of conviction and sentencing
3. Notification period
4. Orders granted and conditions
5. Summary of the offence
6. Relevant previous cautions, convictions and summary
7. Offences since index offence
8. Current concerns
9. Domestic Violence History/MARAC
10. Mental Health and status

5. Previous LAPPP Meeting record of discussion:

Previous record of discussion agreed?
if NO please give explanation

YES

☐

NO

☐

6. Designated Risk Manager Report:

7. Summary of Multiagency Discussion (to include reasons for Category of Risk and Issues arising from the DRM report including analysis of SA07), if the consensus of the LAPPP is reduction in category of risk to Category 1, a summary of risks posed/concerns regarding the offender should be provided for the single agency to manage)

8. Discussion of Victim Issues (this section must include discussion regarding the Victim Information Booklet, who delivered this and any feedback from the victim. Within this section it is important to include whether the victim is registered with the Victim Information Scheme, the victim's age at the time of offence and currently and address)

9. Summary of Risk Posed by Offender (this must be individualised to the offender based on previous and current offences and recent behaviour)

9a. Identified Risks to be managed (this section must define the specific risk to be managed)

1.

2.

3.

10. Category of Risk:

--

11. Appointment of Designated Risk Manager:

--

12. Risk Management Plan: *this section must identify each risk and how this risk is to be managed and/or co-ordinated, within the RMP, by the DRM)*

Risk 1 Actions:

--

Risk 2 Actions:

--

Risk 3 Actions:

--

13. Actions Outside Risk Management Plan:

--

14. Other issues: (Disclosure, Media and Community Interest)

PPANI 4 Disclosure required? include explanation	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>

15. Date, time and venue for next meeting:

Date		Time:	
Venue			

Signature of LAPPP Chair (Not required until circulated and checked)

Date LAPPP minutes signed

PPANI DESIGNATED RISK MANAGER'S REPORT

PPANI 3

This report provides the LAPPP with the summary of the risk the offender presents, to whom, under what conditions and how as DRM the risk is being assessed and managed.

Please note this report must be securely emailed to LAPPP Chair, PPANI Links and Trust Principal Officer no later than 2 days prior to the LAPPP.

Offender Details:			
Surname		First name(s)	
Alias		Date of birth	
Current Address			
Currently residing with (this will provide details of who the offender is residing with and any potential vulnerabilities of those persons, DOB and relationship to offender)			
<p>Case and offending summary as of Initial Review in Section 4 of PPANI 2 form. This section must include what orders the offender is subject to, including dates, updates and conditions RM2000 scores, factors scored and date</p> <p>Category of Risk : Sexual Violent Domestic Violence</p> <p>Bail Conditions NMO Conditions SOPO Conditions Licence Conditions Offending History</p> <p>This section must also include any significant details such as health diagnosis including mental and physical health as well as significant periods of hospitalisation</p>			

Report to LAPPP on completion of actions raised on:		Date:	
Person Completing:			
Risk Factors; These must be individualised to the offender, detail what is the risk and the evidence of this risk		Action and Response: This section must detail the action taken, by whom and on what date	
Risk Factor 1			
Actions and response			
Risk Factor 2			
Actions and response			
Risk Factor 3			
Actions and response			
Risk Factor 4			
Actions and response			
Risk Factor 5			
Actions and response			
Risk Factor 6			
Actions and response			

Report on Stable/Acute 2007 Assessments (Sexual cases)

This section should include detail of the last Stable Assessment and Acute Assessments with reference being made to the evidence arising from the various factors and their subsequent requirement for inclusion in the risk management plan. This section must include an analysis by DRM of the SA07 factors scored and their impact on the offender's Risk Management Plan as well as how the DRM is enabling the offender to address the factors identified within the SA07. It is important to remember the effectiveness of the Acute tool is the collation of several Acute scores to observe changes

NICHE information or PSNI documents must not be cut and pasted but can be summarised as part of this section

Report on Framework for Assessment of Domestic Abuse (FADA) for Domestic Violent Cases

This section must include an analysis of how the offender has been assessed utilising the FADA and the known risk factors within the framework.

This section records the details of the contacts with the offender and must include:

- Nature and details of contact with the offender and their level of engagement
(To include compliance with home visits, Licence/SOPO/ROSHOs/NMO etc. sentence plan, programmes undertaken, adjudications, drug testing, SPARs, general health issues, Mental Health Issues, telephone contacts.)
- Information pertaining to family/relationship
(To include details of current relationship, previous relationships, children, grandchildren, contacts while in custody, Social Services involvement.)
- Information pertaining to victim
(To include any concerns re specific targeting of victims, victim whereabouts, if victim registered, any contact with victim while in custody, proximity concerns on release, MARAC involvement.)
- Information pertaining to victim
(To include any concerns re specific targeting of victims, victim whereabouts, if victim registered, any contact with victim while in custody, proximity concerns on release, MARAC involvement.)

- Information pertaining to accommodation
(To include proposed changes of residence, residence prior to custody, proposed residence on release, who they were living with previously, who they will be living with on release.)
- Positive/negative social influences
- Risk Assessments
(To include ACE/SROSH, if previously known to PBNi - compliance with supervision, previous relevant offending.)
- Relevant information following Interception Risk Assessment (NIPS) can also be included here

Proposed amendments to Risk Management Plan (including proposed category of risk) based on the offender's engagement with DRM and the RMP agreed at the last LAPPP.

Category 3 (Requirement for intense/focused multi-agency intervention)

'Someone whose previous offending, and/or current behaviour and/or current circumstances present clear and identifiable evidence that they are highly likely to cause serious harm through carrying out a contact sexual or violent offence.'

Category 2 (Requirement for multi-agency intervention)

'Someone whose previous offending, and/or current behaviour and/or current circumstances present clear and identifiable evidence that they could cause serious harm through carrying out a contact sexual or violent offence.'

Category 1 (No requirement for multi-agency intervention)

'Someone whose previous offending and/or current behaviour and/or current circumstances present little evidence that they could cause serious harm through carrying out a contact sexual or violent offence.'

Any disclosures considered, undertaken or requested for consideration at the LAPPP

Name		Position		Agency	
Signature				Date	

PPANI 4 Disclosure Form

PPANI 4

Multi-Agency Offender Risk Assessment and Management Process for the Disclosure of Personal and Confidential Information

Subject Details:			
Surname		First name(s)	
Date of Birth			
Address			
LAPPP Making Application			
Members:			
Chairperson			
Police			
Prison Service			
Social Services			
Other			
Specific details of the information to be disclosed			
To whom will the information be disclosed, and why is the person the most appropriate individual to receive the information?			
What is the likelihood of sexual assault or serious harm if no disclosure is made?			

What specific risks exist (to the subject, another individual, the community or to PPANI)? (Include HRA/DPA)

How will those risks be managed?

How will disclosure assist management of risk?

What alternatives have been considered/discarded?

Has the subject been consulted about the disclosure?

Yes

☐

No

☐

Where legal advice has been sought, outline details of advice obtained

Additional grounds for application/additional information

What guidance is to be given to the individual to whom disclosure is to be made in respect of utilising the information, and what subsequent support will he/she receive from the LAPPP?

Signature

Date

Application made following:

LAPPP meeting ☐

Outside LAPPP Meeting? ☐

Explanation:

How will the disclosure be made (by whom, where, when)?

Decision

Has the disclosure been authorised?

Yes ☐No ☐

Exact information to be disclosed

Decision

Date of decision

Time

Signature

Position

DRAFT PANI LETTER**PPANI 5**

Format for letter to sex/violent offender /PDP informing him /her of LAPPP meeting having been convened and offering opportunity for discussion.

Name of Responsible Agency – PSNI, PBNI or Social Services Headed Paper

Designated Risk Manager:		
Surname		First name(s)
Name		
Address		
Other Contact Details		

Dear,

The Local Area Public Protection Panel met on to discuss/review your risk assessment, to agree a level of risk and to produce a risk management plan. The outcome of this meeting will be explained to you by your designated risk manager (DRM) or his/her representative.

The DRM will contact you to discuss the identified level of risk and the implementation of the risk management plan. He/she will also want to discuss with you any actions you can take to reduce the identified risk.

Your risk will be reviewed again in 12 weeks and the committee invites you to provide any information you feel is relevant or important. You can do this in writing or request the DRM to give a verbal input on your behalf.

The planned date of your next review is:			
Address written correspondence to the DRM named on this letter:			
Signature		Date	

PPANI INITIAL LAPPP BRIEFING REPORT

PPANI 7

This report provides the LAPPP with the summary of the risk the offender presents, to whom, under what conditions and how the risk is being assessed and managed.

Please note this report must be securely emailed to LAPPP Chair, PPANI Links and Trust Principal Officer no later than 2 days prior to the LAPPP.

Offender Details:			
Surname		First name(s)	
Alias		Date of birth	
Current Address			
Currently residing with (this will provide details of who the offender is residing with and any potential vulnerabilities of those persons, DOB and relationship to offender)			

Case and offending summary.

This section must include what orders the offender is subject to, including dates, updates and conditions.

Where applicable RM2000 scores, factors scored and date

Reason for inclusion: Sexual

Violent

Domestic Violence

Where applicable:

Bail Conditions

NMO Conditions

SOPO Conditions

Licence Conditions

Offending History

This section must also include any significant details such as health diagnosis including mental and physical health as well as significant periods of hospitalisation

Report on Stable/Acute 2007 Assessments (where applicable for sexual cases)

This section should include detail of the last Stable Assessment and Acute Assessments with reference being made to the evidence arising from the various factors and their subsequent requirement for inclusion in the risk management plan. This section must include an analysis by DRM of the SA07 factors scored and their implications for the offender's Risk Management Plan as well as how the DRM is enabling the offender to address the factors identified within the SA07. It is important to remember the effectiveness of the Acute tool is the collation of several Acute scores to observe changes

NICHE information or PSNI documents must not be cut and pasted but can be summarised as part of this section

Report on Framework for Assessment of Domestic Abuse (FADA) for Domestic Violent Cases

This section must include an analysis of how the offender has been assessed utilising the FADA and the known risk factors within the framework.

This section records the details of the contacts with the offender and must include:

- Nature and details of contact with the offender and their level of engagement
(To include compliance with home visits, Licence/SOPO/ROSHOs/NMO etc. sentence plan, programmes undertaken, adjudications, drug testing, SPARs, general health issues, Mental Health Issues, telephone contacts.)
- Information pertaining to family/relationship
(To include details of current relationship, previous relationships, children, grandchildren, contacts while in custody, Social Services involvement.)
- Information pertaining to victim
(To include any concerns re specific targeting of victims, victim whereabouts, if victim registered, any contact with victim while in custody, proximity concerns on release, MARAC involvement.)
- Information pertaining to accommodation
(To include proposed changes of residence, residence prior to custody, proposed residence on release, who they were living with previously, who they will be living with on release.)
- Positive/negative social influences
- Risk Assessments
(To include ACE/SROSH, if previously known to PBNi - compliance with supervision, previous relevant offending.)
- Relevant information following Interception Risk Assessment (NIPS) can also be included here

Recommendations for Risk Management Plan to include proposed Licence conditions where appropriate and actions already taken such as UNOCINI referral, MARAC referral, hostel referral, etc.

Category 3 (Requirement for intense/focused multi-agency intervention)

'Someone whose previous offending, and/or current behaviour and/or current circumstances present clear and identifiable evidence that they are highly likely to cause serious harm through carrying out a contact sexual or violent offence.'

Category 2 (Requirement for multi-agency intervention)

'Someone whose previous offending, and/or current behaviour and/or current circumstances present clear and identifiable evidence that they could cause serious harm through carrying out a contact sexual or violent offence.'

Category 1 (No requirement for multi-agency intervention)

'Someone whose previous offending and/or current behaviour and/or current circumstances present little evidence that they could cause serious harm through carrying out a contact sexual or violent offence.'

Any disclosures considered, undertaken or requested for consideration at the LAPPP

Name		Position		Agency	
Signature				Date	

LAPPP CONFIDENTIALITY PROTOCOL SIGNATURE SHEET

Date of Meeting:

Subject:		DoB:	
-----------------	--	-------------	--

The purpose of this meeting is to share information for the prevention and detection of crime. This information will contribute to the accurate assessment and management of risk of serious harm to the public.

The information that is disclosed is to be considered confidential to those in attendance at the meeting and their agencies. This information should be stringently safeguarded within agencies and should not be disclosed generally, to any other individual or other agency. It should be used only for the purposes of the agreed risk management plan, as information to be shared with the Courts or Parole Commissioners (where applicable) or as part of normal line management accountability.

The decisions of the meeting take account of Article 8.2 ECHR, with particular reference to:

- Public Safety
- The prevention of crime and disorder
- The protection of health and morals
- The protection of the rights and freedom of others

Name	Signature	Agency	Tel No.	Role

APPENDIX 2

Stable and Acute 2007 (public protection arrangements Performance Standards)

The Public Protection Arrangements in Northern Ireland Strategic Management Board is committed to using the best available method for assessing the management of risk needs of those who have been categorised as Category 2 or Category 3 sex offenders within the Public Protection Arrangements in Northern Ireland. The Harris and Hanson dynamic risk assessment, now known formally as the Stable and Acute 2007, has been identified as the leading method of identifying factors that indicate a change of behaviour of an individual who is subject to management of risk thereby providing early opportunity for intervention to address any additional risk factors that might become apparent.

1. Stable Risk Assessments

Initial Assessments

- (a) A Stable risk assessment will be carried out on all individuals convicted for a sexual offence and who have received a community sentence. Stable assessments should not be completed in respect of offenders who were aged under 18 years at the time the index offence was committed or with female offenders.
- (b) A Stable risk assessment will be carried out on persons convicted of a serious offence and have received a custodial sentence. In respect of those offenders who have received a custodial sentence the allocated Case/Sentence Manager should not wait until the initial prison LAPPP has been held before commencing the Stable assessment. Instead the Stable Assessment should commence following sentencing.
- (c) A Stable assessment will be carried out on persons who have been made subject of a Hospital Order or who have been detained under the Mental Health (NI) Order and who have been categorised as Category 2 or Category 3 risk of serious harm following assessment within the Public Protection Arrangements.
- (d) A stable assessment will be carried out on all other relevant offenders referred into the Public Protection Arrangements, other than those at (a) – (c) above, and who following assessment have been categorised as Category 2 or Category 3 risk of serious harm.
- (e) The Local Area Public Protection Panel carrying out the assessment in each case will direct the allocated Designated Risk Manager to have the Stable assessment completed within four weeks.

Ongoing Assessments

- (a) The Local Area Public Protection Panel will direct that a further Stable assessment is completed.

Before an offender is reclassified downwards, PPANI should ask for an up to date SA07 Stable assessment if more than 6 months has elapsed since the last assessment was completed, or if there have been significant changes in the offender's circumstances in the meantime. It is important to give due weight to a consistent pattern of non-compliant behaviour in the past, as reflected in the Stable assessment, as against short-term evidence of compliance in the latest review period. It is also important that the reasons for such important decisions should be recorded in full.

Through annual training of designated risk managers of the Stable and Acute 2007 assessment tool, they will be advised, in the event of likelihood of an offenders category of risk management being reduced at the next LAPPP meeting the DRM will consider the need to review and assess the SA07 Stable assessment prior to the LAPPP if more than six months has elapsed, Good risk management principals also recommend the Stable assessment is reviewed after any significant development in the offender's circumstances.

If a Local Area Public Protection Panel agrees to recategorise an offender as Category 1 they will not direct completion of any further Stable risk assessments.

2. Acute Risk Assessments

Initial/Subsequent Assessments

- (a) Following the completion of a Stable Assessment an Acute risk assessment will be completed at each community visit.
- (b) If a Local Area Public Protection Panel agrees to recategorise an offender as Category 1 they will not direct completion of any further Acute risk assessments.

3. Link between the Stable and Acute Assessments and the Designated Risk Manager's Report

Each Designated Risk Manager will reflect and update the risk factors identified in the Stable and Acute Risk Assessments in each Designated Risk Manager Report provided to the relevant Local Area Public Protection Panel meeting. This will include a report that updates the progress or lack of progress in attaining the individual targets.

4. The reception and use of the Stable and Acute Risk Assessments in the Local Area Public Protection Panel deliberations.

The chairperson of the LAPPP will, in the course of carrying out the dynamic risk or reviewing the dynamic risk assessment in each case, take into account the most up to date Stable and Acute assessments.

Where the Stable or Acute risk assessments are not made available to the LAPPP the chairperson will ensure that the fact that the assessment was not available is fully recorded with explanation in the LAPPP minutes.

5. Assessor Accreditation

Initial Training

Only those who have successfully completed training in the following areas:

- Human Sexuality
- Sexual Offending and Offender Typologies
- Stable and Acute 2007

Will be accredited to carry out Stable and Acute Risk Assessments within the Public Protection Arrangements Northern Ireland.

Ongoing Training

In order to maintain accreditation Practitioners will be required to complete 'refresher training' every 12 months.

Whilst there is the expectation that practitioners will complete refresher training on an annual basis, it is acknowledged that situations may arise where for valid reasons practitioners are unable to meet this requirement.

Should this situation arise, the practitioners Line Manager should notify the PPANI Coordination Unit in the first instance. The individual circumstances will then be referred to the Chair of the PPANI Education & Training Sub Group for a decision. However where an individual practitioner's accreditation has lapsed for a prolonged period of time (i.e. 3 years or more) they may be required to complete full Initial SA07 training.

Evidence of Practice Based Development

The supervision and mentoring process will ensure that practitioners have opportunity to develop their own practice in order to ensure consistency.

Assessments

(a) Each Stable and Acute Assessor must complete at least two Stable assessments and /or at least two Acute assessments within each twelve month period to maintain accreditation. The PPANI Coordinator will maintain a register of all accredited assessors. Agency Line Managers will ensure that Stable and Acute risk assessments are completed, double rated and supervised only by those assessors who are registered.

6. Supervision

- a. Agency Line Managers will ensure that the assessments are completed in timely manner as outlined in the Performance Standards.
- b. Agency Line Managers are required to quality assure the assessment as part of line management supervision.
- c. Agency Line Managers will identify when standards are not being met or where there are deficits in practice.
- d. Agency Line Managers will identify why standards are not being met and take appropriate action.
- e. Agency Line Managers will identify non- compliance with standards, at a strategic level, with the to their agency representative on the PPANI Education & Training Sub Group.
- f. Agency Line Managers will ensure that each assessment form is fully signed off prior to the form being submitted to a Local Area Public Protection Panel.
- g. Only those Agency Line Managers qualified and accredited as assessors will perform the role of supervising assessors practice in the completion of Stable and Acute assessments. Where the Agency line Manager is not a qualified /accredited assessor they will put in place arrangements to ensure that each assessor has his/her assessment double rated.

7. Quality Assurance

It is anticipated that agency Line Managers will ensure that the practice of each assessor for whom they have supervisory responsibility is regularly monitored.

Agency representatives on the PPANI Education & Training Sub Group will ensure that issues in relation to quality assurance are regularly addressed with agency Line Managers.

Completion of Stable and Acute assessments will be considered within the Quarterly PPANI Audit and finding reported to PPANI SMB.

APPENDIX 3

Framework Assessment For Domestic Abuse (FADA)

The Framework Assessment for Domestic Abuse (FADA) should be completed by the DRM in relation to those individuals convicted of PPANI eligible domestic violence offences. Where possible the FADA should be prepared in advance of the initial LAPPP meeting (whether held in custody or within the community). In advance of each LAPPP review the DRM should consider updating the FADA to take account of any new relevant information

Please refer to the risk indicators below as a guide to identifying relevant information when completing the FADA checklist. These notes are not exhaustive and are intended only to help guide you in collecting relevant information. Please also use your professional judgement and if necessary consult with colleagues in order that as much relevant information can be gathered to help inform your final assessment.

(N.B. indicators in bold are correlated with the DASH - victim risk assessment tool)

FADA DOMAINS

Domains	Vulnerability Indicators	Domains	Vulnerability Indicators
Personal & Social Background	<ul style="list-style-type: none"> Exposed to domestic abuse Victim of domestic abuse perpetrated by a family member Exposed to traumatic event/ experience(s) and consider if and why relevant Attachment style deficits Poor educational attainment and literacy difficulties and consider if and why relevant Involvement in paid employment Exposure to stressors (e.g. debt and other financial problems, family disputes etc.) Pro-criminal and collusive peers and consider if and why relevant 	Domestic Abuse (adjudicated and un-adjudicated)	<ul style="list-style-type: none"> Controlling behaviour/ extreme jealousy/ domination Isolating victim from social networks (e.g. family & friends) Previous history of domestic violence incidents/ charges/ convictions Escalation in physical aggression (inc. forced sex/ rape) Increase in frequency and severity of violence Attempted strangulation/ choking/suffocation/drowning Use of weapons (inc. firearms) Harassment and/or stalking Violence or threats of violence toward children/dependents Sexually explicit/inappropriate language/behaviour Initiating threats toward victim from associates
Relationship Issues	<ul style="list-style-type: none"> Current relationship status (married, co-habiting?) Separation/ or attempted separation by partner Partner currently pregnant or child under 18 months Harassment towards partner(s) and/or unreasonable jealousy Involvement in casual relationships and tendency to meet and move in with partner relatively quickly Evidence of Controlling behaviours (initially presented as for partner's safety and well-being) Expectation that partner will/ should meet all his needs Efforts to isolate partner from others (friends and family) Tendency to blame others for all problems Rigid gender roles Victim fearful (and confirmed DV call outs?) 	Response to Supervision & Capacity for Self-Management	<ul style="list-style-type: none"> Attitude to supervision? Poor engagement with supervision requirements/bail or NMO breaches Drop out or poor compliance with programmes/ intervention

Mental Health & Substance Use	<ul style="list-style-type: none"> • Drug abuse (inc. non-prescription medication) • Alcohol abuse • Diagnosis of major mental illness (e.g. schizophrenia) confirmed by whom? • Diagnosis of Personality Disorder • Threats of self-harm/suicide • Involvement with psychiatric/ addiction services • Impulsivity and mood instability • Presence of signs/ symptoms associated with MH/PD 	Child Protection Issues	<ul style="list-style-type: none"> • Domestic violence perpetrated in front of or against children • Threats/ actual harm to children • Subject to social services involvement • Conflict over child contact
Violent/ Abusive Behaviour	<ul style="list-style-type: none"> • History of (domestic) violence toward others (inc. family members/ non-biological children) • Escalation in physical aggression (inc. forced sex/rape) and/ or other aggressive/violent behaviour e.g. smashing objects belonging to partner • Use of force during arguments with partner • Use of weapons • Violent attitudes/beliefs (e.g. tendency to justify and condone violence?) • History of anti-social behaviour • Recent conviction or release from custody • Non physical abuse, e.g. intimidation, coercion, threats, humiliation, degrading victim, emotional blackmail, verbal assault, isolation etc. 	Vulnerable Adult Protection Issues	<ul style="list-style-type: none"> • Association with/ involvement with vulnerable individuals and/ or groups • Adopting a carer role for a vulnerable adult
Relative Strengths & Protective Factors	<ul style="list-style-type: none"> • Engagement with supervision • Motivation to change • Attendance at programmes/ intervention • Supportive/ non- collusive family/friends • Abstinence from substances • Self-risk management strategies • Insight and acceptance of need for change • Willingness to accept professional help and support? • External controls in place and compliance with same? 	Any other relevant information	<ul style="list-style-type: none"> • Cruelty to animals • Socially isolated and other difficulties accessing and availing of help and support – e.g. if foreign national and English not first language

APPENDIX 4

Local Area Public Protection Panels operation guidance: Trust Principal Officers (PPANI)

The responsibilities of Principal Officers; Health & Social Care Trusts' as LAPPP members are outlined in Section 11 of the PPANI Manual of Practice, April 2012. This Operational Guidance details how the Principal Officers will fulfil their responsibilities.

1. The Trust Principal Officer (PPANI), or their designated replacement, will attend all LAPPPs convened within their HSCT area. The Senior Practitioner Social Worker attached to the Public Protection Team will not undertake the role of designated replacement for any Trust Principal Officer (PPANI)
2. On receipt of the following year's Community LAPPP dates from the PPANI Links Team the Trust Principal Officer (PPANI) will, within 7 working days, confirm with the PPANI Links Sergeant that they will be able to attend all meetings listed. It is expected that only in exceptional circumstances will the Trust Principal Officer (PPANI) request a change of any of the dates. If the following years dates have not been made available by the first week in December the Trust Principal Officer (PPANI) will request the list from the PPANI Links Sergeant.
3. On receipt of the following year's Prison LAPPP dates from the PPANI Links Team the Trust 8A Principal Officers (PPANI) Group will allocate a Principal Officer (PPANI) for each Prison LAPPP. The group will nominate one Principal Officer (PPANI) to advise the PPANI Links Sergeant of the rota of attendance that has been agreed. This information will be provided to the PPANI Links Sergeant within 10 working days of receipt of the list being provided to the Principal Officer (PPANI) Group. If the list of the following years Prison LAPPP dates has not been received by the Principal Officers (PPANI) by the first week of December they will request the list from the PPANI Links Sergeant.
4. In circumstances where a Trust Principal Officer (PPANI) is advised that an agreed date/ time/venue for a LAPPP has to be changed the Trust Principal Officer (PPANI) will make all reasonable efforts to comply with the proposed change. In circumstances where they or their designated replacement are not able to facilitate the proposed change they will provide an explanation to the LAPPP Chair. The Trust Principal Officer (PPANI) will also provide the Chair with a list of dates when they or their designated replacement will be available in order that the LAPPP can be rearranged.
5. If the Trust Principal Officer (PPANI) is unable to attend a planned Community LAPPP they will first try and arrange for their designated replacement to attend in their place. If this is not possible they will request that the date of the LAPPP is changed by consulting with the

PPANI Links Sergeant and the LAPPP chair. Only in exceptional cases will the Trust Principal Officer (PPANI) request that a scheduled Community LAPPP is rearranged.

6. If a Trust Principal Officer (PPANI) is not able to attend a Prison LAPPP that they have been scheduled to attend it is their responsibility to negotiate with their Trust Principal Officer (PPANI) colleagues to ensure that there is an appropriate Trust representative present at the Prison LAPPP. The Trust Principal (PPANI) will advise the PPANI Links Sergeant of any such changes. It is expected that such notification to the PPANI Links Sergeant will be undertaken a minimum of 5 working days prior to the scheduled Prison LAPPP.
7. Any potential referral into the PPANI by Trust staff will in the first instance be forwarded by Trust staff to the relevant Trust Principal Officer (PPANI). They will quality assure the referral and assess whether or not, in their opinion, they consider the grounds for referral into PPANI are met. They will forward such referrals to the PPANI Links Sergeant for their consideration
8. If 5 working days prior to a scheduled LAPPP the Trust Principal Officer (PPANI) has not received a list of the cases to be discussed they will contact the PPANI Links Team and request that a list is forwarded to them.
9. On receipt of the list of cases to be discussed at a LAPPP the Principal Officer (PPANI) will identify any new cases on the list. For each new case the Trust Principal Officer (PPANI) will check the documentation/information forwarded by the PPANI Links Team. They will check if the following are available:

PPANI 1 form

- Details of the victim/s including name, address and DOB.
- Outline of the offender's living situation and family details.
- Offence details, sentence imposed and conditions of any Orders or Licence that the offender is subject to.
- If the offender is in prison details of the offender's address prior to remand/sentence.
- If the offender is in prison, the proposed discharge/temporary release address and the Earliest Date of Release.
- In the case of domestic violence offences whether there is information indicating that the victim has been discussed at a MARAC and if any information relating to the MARAC is included.

If this information is not available in the papers sent by the PPANI Links Team the Trust Principal Officer (PPANI) will contact the PPANI Links team to ascertain if such information is available and if it is request that it is forwarded.

10. On receipt of the list of cases scheduled for discussion at a LAPPP the Trust Principal Officer (PPANI) will identify any cases where the offender has previously been reviewed within a different Trust area. The Trust Principal Officer (PPANI) will establish if a PPANI 2 form has been forwarded with the LAPPP list by PPANI Links Team. If it has not they will contact the PPANI Links Team and request that the form is forwarded to them.
11. In the case of a Prison LAPPP the Trust Principal Officer will establish if the offender has previously been reviewed under the PPANI or MASRAM process. If the offender has previously been reviewed the Trust Principal Officer (PPANI) will check if a PPANI 2 form has been forwarded by the PPANI Links Team in respect of the case. If it has not they will request that the PPANI Links Team forward them a copy.
12. When the Trust Principal Officer (PPANI) receives the LAPPP list they will, prior to the LAPPP, undertake as a minimum the following tasks:
 - Conduct a SOSCAR check (within and across Trust) on the offender, victim/s, family and relevant others identified from LAPPP minutes or details provided by the PPANI Links Team with respect to new cases.
 - Where relevant, they will make contact with staff within their Trust that has been identified from the SOSCAR search. They will advise the staff member of the offender's inclusion in the PPANI process and obtain relevant information for presentation at the LAPPP. Where relevant they will invite the staff member to attend the LAPPP and advise the PPANI Links Team and LAPPP Chair of the proposed attendance of a Trust staff member
 - In cases where a cross-trust SOSCAR check indicates that there may be relevant information to be obtained from staff in a Trust other than that for which the Trust 8A Principal Officer (PPANI) is employed they will make contact with staff in the relevant other Trust. Should the Trust Principal Officer (PPANI) experience problems in contacting staff from another Trust or obtaining relevant information they will advise the relevant Principal Officer (PPANI) for the problem to be addressed.
 - If the SOSCAR search indicates or suggests that the offender, the victim/s or family member etc. in contact with the offender is a vulnerable adult the Trust Principal Officer (PPANI) will liaise with the identified member of staff and the lead for vulnerable adults. This action will be completed whether the identified person is resident in the Trust for which the Principal Officer (PPANI) is employed or another Trust. They will advise the identified member of staff and the vulnerable adult lead of the inclusion of the offender in the PPANI and obtain relevant information and assessment details. The Trust Principal Officer (PPANI) will clarify if they wish to attend the LAPPP. If they wish to attend the Trust Principal Officer (PPANI) will consult the LAPPP chair in respect of the request for them to attend.
 - Conduct a search of their Trust's mental health data base. If relevant persons, as identified in LAPPP minutes or via information provided by the PPANI Links Team, are based outside

the Trust for which the Principal Officer (PPANI) is employed they will request that the appropriate Trust Principal Officer (PPANI) makes the necessary checks on the relevant mental health data base within their Trust. This will be necessary while Mental Health Data bases remain local to each Trust and are not accessible across Trusts.

- If a search of the mental health data base indicates that the offender, victim/s or others with whom the offender is in contact is a vulnerable adult the Trust 8A PPANI Manager will liaise with identified staff on the data base and the appropriate lead for vulnerable adults. They will advise the identified staff member and the vulnerable adult lead of the inclusion of the offender in the PPANI and obtain relevant information and assessment detail from them for presentation at the LAPPP. The Trust Principal Officer (PPANI) should also clarify if the staff member or the lead for vulnerable adults wishes to attend the LAPPP. If they wish to attend the Trust Principal Officer (PPANI) will consult the LAPPP chair in respect of the request.
- If the offender has been previously reviewed at a LAPPP attended by a Trust Principal Officer (PPANI) from another Trust contact will be made with that Principal Officer (PPANI) to gather relevant information and updates on any actions that had been agreed for them to complete.
- If a victim or potential victim resides outside of the Trust Principal Officer's (PPANI) area they will liaise with relevant staff to ascertain if there are any actions or concerns that staff involved with these individuals would wish the LAPPP to consider.
- In the case of Prison LAPPPs the Trust Principal Officer (PPANI) who is scheduled to sit on the LAPPP will consult with the relevant Trust Principal Officer (PPANI) for where the offender last resided/proposes to reside to ascertain if they have any specific information/opinions they want the LAPPP to consider. They will also be asked if they wish to attend the LAPPP. If this is the case the Trust Principal Officer (PPANI) who is scheduled to sit on the LAPPP will advise the PPANI Links Team and the LAPPP chair.

13. The Trust Principal Officer (PPANI), or their designated replacement, will, when participating in a LAPPP, fulfil all the tasks identified within the PPANI Manual of Practice, April 2012, Section 11:-

- On notification of LAPPP list each agency will check their respective records for all relevant information on offender and relevant others – including victims. This may also include direct contact with personnel from their agency who may have had or have contact with offender or relevant other;
- Attend LAPPP meetings. In respect of prison based LAPPP's participate in LAPPP reviews on a rotational basis. This will involve clear communication with the relevant Trust(s) Principal Officer;
- Participate in the assessment and management of risk of the individual offender;
- Be adequately prepared for the meeting with all relevant information particularly in relation to children and vulnerable adults who may be at increased risk in the cases under consideration;

- Co-ordinate the social services role relevant to the action plan;
 - Ensure that all matters relating to child or vulnerable adult protection are fed back to the relevant personnel (including Adult Safeguarding Officer(s)) and are appropriately recorded within the Trust for both current and future reference both within and between Trusts;
 - Liaison with other Trusts' Principal Officers with relevant information pertaining to offenders including before and after LAPPP meetings;
 - Act as the key Trust liaison point for the DRM if there are new or emerging concerns about the offender such as change of circumstances, residence, relationships and health.
14. The Trust Principal Officer (PPANI) at a LAPPP will not agree specific actions that relate to another Trust. It is their job to report all pertinent information and concerns relating to the offender to the relevant Trust in order that staff from that Trust can carry out their statutory functions. The Trust Principal Officer will provide such details in written form to the relevant Trust staff. This written information will be copied to the staff member's manager, the relevant Trust Principal Officer (PPANI) and the Designated Risk Manager. The Trust Principal Officer (PPANI) will in their written communication request that the staff provide feedback to them and the Designated Risk Manager on the outcome of all decisions and actions arising from the communication.
 15. Following a LAPPP the Trust Principal Officer (PPANI) will ensure that all specific action/s assigned to them in the LAPPP Risk Management Plan are completed within the agreed timescale. The Trust Principal Officer (PPANI) will advise the DRM, as soon as possible, of the outcome of the Trust's action/s. This should be in the form of written communication.
 16. The Trust Principal Officer (PPANI) will provide advice, guidance and support to the staff within their Trust who have responsibility for carrying out any of the actions agreed in the LAPPP Risk Management Plan.
 17. The Trust Principal Officer (PPANI) will continue to act as a source of support, advice and guidance to Trust staff with respect to any cases that have an interface with the PPANI. This may for example include attendance at Child Protection Case Conferences, Looked After Children reviews, Child in Need meetings or Vulnerable Adult Conferences. They will give guidance in respect of the PPANI process and provide advice and guidance on risk management issues.
 18. The Trust Principal Officer (PPANI) will act as a source of advice, support and guidance to Trust staff across all programmes of care in circumstances where staffs have concerns in respect of a service user's forensic history. They will, where appropriate, support staff in referring relevant offenders into the PPANI.

19. In the majority of cases the Trust Principal Officer (PPANI) will not have operational management responsibility for Trust staff carrying out the actions agreed at the LAPPP. However the Trust Principal Officer (PPANI) has a professional responsibility to make sure that all requested information/assessments from Trust staff is made available to them and the Designated Risk Manager within the timescales agreed. The Trust Principal Officer (PPANI) will review the information provided to them by Trust staff and consider if there are any outstanding issues to be addressed. If, in their professional opinion, they consider further actions are required they will advise the Trust staff member of their opinion. Such opinion can initially take the form of a verbal discussion with the relevant staff member but will be followed up in written form with the communication being copied to the staff member's manager.
20. Following a LAPPP the Trust Principal Officer (PPANI) will ensure that SOS CARE is updated.
21. The Trust Principal Officer (PPANI) will, where appropriate, update colleagues (in their own and where relevant other Trusts) of the outcome of the LAPPP. Such contact with colleagues can initially be undertaken by phone but must be followed up in written form as soon as possible. The written communication will also be copied to the relevant staff member's manager and the Designated Risk Manager.
22. The Trust Principal Officer (PPANI) will advise the Designated Risk Manager, in writing, of the name and contact details of Trust staff that are involved with the offender/victim/offender's family/relevant other persons. The Trust Principal Officer (PPANI) will direct Trust staff to provide them with written details of any communication they have with the Designated Risk Manager. At the LAPPP, and where actions arise between LAPPP meetings, the Principal Officer (PPANI) will request that the Designated Risk Manager copy them into any communication that they have with Trust staff.
23. The Trust Principal Officer (PPANI) who attends a prison LAPPP will identify (if possible) the address that the offender intends to move to upon release from prison. They will update the appropriate Trust Principal Officer (PPANI) of the proposed discharge/home leave address; provide details of the offender's criminal history, the Risk Management Plan agreed at the LAPPP and any specific actions that their Trust may have to complete. This information can initially be provided by telephone but must be followed up in written form. The Trust Principal Officer (PPANI) who attends the prison LAPPP will also forward copies of any PPANI forms and any other documents provided at the LAPPP, to the Principal Officer (PPANI) for the area in which the prisoner intends to live upon discharge.
24. There may be occasions when a Trust Principal Officer (PPANI) other than that assigned to the LAPPP will want to attend a LAPPP. In such cases the Trust Principal Officer (PPANI) who would normally attend the LAPPP will request via the LAPPP chair that their colleague is permitted to attend. In such situations when the LAPPP is assigning a category of risk to

the offender both of the Trust Principal Officers (PPANI) will participate in the process. In situations where the Trust Principal Officers (PPANI) are not able to achieve a consensus of opinion on the Category of Risk that the offender represents, the opinion of the Trust Principal Officer (PPANI) for the area in which the offender resides or is likely to reside will be the one that they request the Chair give primary consideration to when determining the Category of Risk.

This Guidance will be reviewed on a yearly basis and in addition to any occasion that the PPANI Manual of Practice is revised. Any proposed changes will be submitted to the Policy and Practice Subgroup for consideration.

24/01/2013

APPENDIX 5

Best Practice Guidelines for PPANI Agencies when Assessing the Suitability of Accommodation for Offenders in the Community

1. Introduction

- 1.1 The purpose of these guidelines is to assist Designated Risk Managers (DRM's) from **all** the Public Protection Arrangements Northern Ireland (PPANI) agencies in developing consistency in the identification of the risk and protective factors being applied by PPANI agencies when assessing the suitability of independent accommodation for offenders in the community who are subject to PPANI.
- 1.2 The securing of stable accommodation is a recognised protective factor in assisting offenders from reoffending however the placement of an offender in independent accommodation in the community should also minimise as far as possible the risk to others. Likewise when assessing any address regarding suitability, consideration must be given to the right of the offender to have access to suitable accommodation and basic amenities.
- 1.3 This guidance does not replace each agency's normal line management accountability or individual agency policy/procedures. However it should be viewed as part of the range of wider guidance that informs joint and inter-agency working in respect of child protection and vulnerable adult provision. It is essential that the implementation of this guidance is underpinned by effective and timely communication between and across agencies.
- 1.4 The guidelines are developed in response to a range of specific offender types:
 - Individuals who have committed sexual offences against children and adults
 - Individuals who have committed violent offences within a domestic setting
 - Individuals who have committed a violent offence against a child or vulnerable adult

2. Factors which should be considered when Assessing Accommodation Suitability

A range of factors has been identified that need to be considered when assessing accommodation suitability. (See Section 2.2) It is essential; however, that the assessment of accommodation suitability is specific to the offender and specific to the risk they pose. In addition to the specific risk of the individual offender, PPANI agencies will base assessments of the appropriateness of the relevant accommodation on the evidence available to them, taking into account the factors listed at 2.2 below, and whether they have defensible grounds at that time to object to a proposed address.

2.1 The range of factors to be considered when assessing the proposed address are:

- Are there children living at the address
- Are there Children/vulnerable adults frequently visiting the address
- Accommodation is in immediate proximity to victim/s, children and child centred locationsⁱ and/or breaches existing legal requirements, e.g. licence, SOPO requirement.

i Child Centred locations are deemed to be school, Play Park, crèche, nursery school, and children's home.

The proposed address would present evidence based concerns about the offender's likely association with other convicted sex offenders in the immediate area.

- Accommodation is in an area where there is a specific risk to the safety of the offender.
- The above factors will not, in themselves, preclude the address being approved before a final decision is made. Discussion with relevant agencies will be required by way of risk mitigation.

3. General good practice recommendations

- 3.1 PPANI DRM should make an initial assessment of suitability of address prior to forwarding requests to the relevant Public Protection Units (PPT in the case of category 3 offenders) and other PPANI agencies for consideration. The request should include the DRMs initial recommendation regarding appropriateness.
- 3.2 Where a PPANI agency has statutory responsibility for the approval of an offender's accommodation, e.g. PBNi in respect of offenders released on supervised Licence, they will liaise with partner agencies in respect of address suitability. However, the final decision regarding address approval will remain with the agency that has statutory responsibility for the offender.
- 3.3 Where necessary, the DRM or a suitably qualified colleague should arrange to visit the potentially suitable address / accommodation as soon as possible, prior to any final decision. If the PPANI DRM is from an agency other than PSNI the visit should be completed in conjunction with the PPU/PPT officers where practicable.
- 3.4 In respect of Accommodation issues the Principal Officer, PPANI, will be the key liaison point for getting a Trust response from the relevant Trust team, as per the operational guidance for Trust Principal Officers (PPANI). (Section 13 h, page 5).
- 3.5 Agencies should forward their views regarding the suitability of the address to the PPANI DRM within 5 working days.
- 3.6 Issues and factors considered in determining the suitability of accommodation should be fully documented and information shared appropriately with all relevant agencies.

APPENDIX 6

PPANI Strategic Management Board – Serious Case Review Guidance

Key Messages from Learning Together to Safeguard Children: developing a multiagency systems approach to case reviews (Oct 2008: Fish, Munro and Bairstow)

Key messages from the report

The report contains the following key messages and recommendations:

- Developments in engineering and health indicate the potential benefits of using a 'systems approach' to understanding frontline practice in order to improve the quality and safety of service provision.
- This report and the accompanying guide presents an adapted systems model for multi-agency safeguarding and child protection work.
- It is an innovative approach that requires a respectful approach towards the practice experience of street-level workers and their managers.
- It involves moving beyond the basic facts of a case chronology and appreciating the differing views that different workers had at the time.
- The aim is to identify underlying patterns of factors in the work environment that support good practice or create unsafe conditions in which poor practice is more likely.
- This kind of organisational learning is vital to improving the quality of services provision and needs to be applied to ordinary work, not just to tragedies.

(i) PPANI SMB will establish a list of approved case reviewers

(ii) ICO Decision Reference Number FS50415044 dated 12.

APPENDIX 7

Court Orders and other measures which assist in managing risk

Probation Order

A Probation Order is a sentence of the court. It involves restriction of the offender's liberty and is a punishment. Offender consent is required. An order may be made for any length of time between six months and three years. It may have extra requirements, for example, anger management or treatment for alcohol. Breach will result if there is failure to carry out the Order.

Custody Probation Order

A Custody Probation Order is a sentence of the Court which consists of a period in prison custody followed by a period under supervision in the community. This is available where a period in custody of over 12 months would otherwise be justified. The period under supervision must be more than 12 months and less than 3 years but there is no limit on the period of time that must be spent in custody. The custodial part of the sentence qualifies for remission. Offender consent is required. This order has been superseded by the sentencing options made available under the Criminal Justice (Northern Ireland) Order 2008. However Custody Probation Orders may still be made in respect of historical offences committed prior to April 2009.

Combination Order

A combination Order is a sentence that combines probation supervision and community service. The period of supervision can last from 12 months to 3 years. The community service part of the Order can range from 40-100 hours. Breach action will be taken if there is a default on either component by the offender.

Sex Offender Licence

A Sex Offender Licence is legislated for in Article 26 of the Criminal Justice (Northern Ireland) Order 1996 makes provision for offenders convicted of a sexual offence to be released on licence under the supervision of a Probation Officer.

Life Sentence

Life sentences are mandatory for murder and discretionary for a number of other offences such as manslaughter and rape, where they represent the maximum sentence available. A minimum period of imprisonment-a tariff-is set by the court. Release on licence is approved by the Life Sentence Review Commissioners. Any person released on licence must comply with the conditions of his licence in order to remain in the community and not be returned to custody, and life licence prisoners are subject to recall to prison for life. On release conditions of a licence will include in the main, being placed under the supervision of a Probation Officer, not changing a place of residence or employment without the consent of a probation Officer, and keeping in contact with a Probation Officer in accordance with instructions.

Community Service Order

A Community Service Order can be made for someone convicted of an imprisonable offence and requires the offender to do unpaid work in the community. It can be given to someone aged 16 or over. Individuals must be deemed suitable by the Probation Board and consent of the individual is required. An order can last for any length of time between 40 hours and 240 hours and must be completed within a year. Breach action will be taken if the offender does not comply with the Order.

Juvenile Justice Centre Order

A Juvenile Justice Centre Order replaces the Training School Order. It can last between 6 months and 2 years. Half of the sentence is served in detention in a Juvenile Justice Centre and half in the community under probation supervision. It applies to offenders under the age of 17.

Youth Conference Order

A Youth Conference Order or Diversionary Conference Plan, Justice (NI) Order 2002, is the result of a meeting involving the young person who offends, their family, legal advisor, victim of the offence, community representative where appropriate and Youth Diversion Police Officer. The Public Prosecution Service or Youth Court can impose a youth conference plan containing one or any of the following; apology, restitution, service hours, restrictions, education & training and drug & mental health services and the supervision element can last for up to 12 months.

Criminal Justice (Northern Ireland) Order 2008

The Criminal Justice (Northern Ireland) Order 2008 has brought forward new sentencing powers. These include sentences for public protection and also measures to strengthen community supervision.

Indeterminate Custodial Sentence (ICS)

The Indeterminate Custodial Sentence (ICS) can be used for the most serious sexual and violent offences, those which carry a penalty of 10 years or more, and can mean that the prisoner can, potentially, be imprisoned for life. This sentence applies to specified offences committed after 15 May 2008.

The defendant would only receive an ICS if the court considers that an Extended Custodial Sentence (ECS) would not be adequate to protect the public from serious harm. Remission will not be granted to a prisoner receiving an ICS.

The Court must decide on whether the defendant poses a significant risk of serious harm to the public. The Court will take into account all information that is made available to them about the nature and circumstances of the offence. It may also take into consideration any information that is presented to them in regard to the offender's pattern of behaviour and any reports that are provided by the probation service, psychiatrists or psychologists.

When the judge passes a sentence he must state the minimum period of time that a defendant must serve in prison before they can be considered for release. This is known as the tariff and must be for 2 years or more.

Approximately 6 months before the tariff date, the matter will be referred to the Parole Commissioners who will assess the prisoner's suitability to be released into the community. Prisoners who are released from an ICS will be subject to a licence which they may be subject to for the rest of their lives.

Extended Custodial Sentence (ECS)

The Extended Custodial Sentence (ECS) will be used in respect of specified sexual or violent offences for which the maximum penalty is no more than 10 years. The sentence will be a determinate sentence of at least one year in prison (the custodial period) and prisoners will become eligible for consideration for release by the Parole Commissioners at the half way point of this custodial term. This sentence applies to specified offences committed after 15 May 2008.

In addition to custody, courts will set extended supervision periods of up to 5 years for violent offenders and 8 years for sexual offenders.

Determinate Custodial Sentence (12 months or more)

For every offence committed after 1 April 2009 which results in a sentence of 12 months or more, the offender in question will be subject to licence conditions on their release. This type of sentence will affect a substantial number of offenders and replaces unconditional releases at the half way point of a sentence.

The judge will define how much of the sentence is to be spent in prison (the custodial period). This cannot be more than half of the overall sentence. The matter will not be referred to the Parole Commissioners prior to release but the prisoner will be subject to licence conditions until he has completed the full sentence. This part of the sentence is known as the licence period. Should a prisoner breach his licence conditions he will be subject to recall to prison.

Recall Arrangements.

The 2008 Criminal Justice (Northern Ireland) Order also introduces a new power for the Minister of Justice to revoke a licence and recall an individual to custody for a breach of conditions. The recall provisions apply to all public protection sentences and the new determinate custodial sentence. Recall is the ultimate sanction against a failure to comply with licence conditions and can be deployed to protect the public and prevent further crime. If recalled, an offender is liable to serve the remainder of their sentence in prison. The powers require the Minister of Justice to obtain a recall recommendation from the Parole Commissioners before deciding to recall an individual, in all but exceptional circumstances. Recall decisions will be taken on behalf of the Minister of Justice by the Offender Recall Unit which is part of the Department of Justice's Criminal Justice Directorate.

Curfews and Electronic Monitoring

The Criminal Justice (Northern Ireland) Order 2008 has provided new powers for the increased use of curfews, supported by the use of electronic monitoring. Electronic monitoring has been available in Northern Ireland from 1 April 2009 and can be used to monitor curfews as:

A condition of bail granted by a court;

A condition of a licence on release from prison (including Article 26 sex offender licences);

A requirement of a probation or combination order;

A requirement of a Youth Conference Order; or,

A non-custodial element of custody probation or juvenile justice order.

Curfew conditions cannot be less than two hours or more than twelve hours in any one day and electronic monitoring requirements must apply for at least 14 days. An EM requirement requires consent from the householder of the premises where the offender is to reside or other individuals within the household. The system is operated by G4S to government guidelines.

Amendments as a result of the new sentencing framework

Custody Probation Orders and the straight prison sentence with 50% remission will no longer exist, except for offences which were committed prior to the new legislation being commenced.

Court Orders and other measures which assist in managing risk

Sexual Offences Prevention Order

Sexual Offences Prevention Orders (SOPOs) and Interim SOPOs are intended to protect the public from the risks posed by sex offenders by placing restrictions on their behaviour. An interim SOPO is one which can be put in place where an application has been made for a full SOPO but has not yet been determined.

A SOPO, whether full or interim can only contain restrictions on the behaviour of the offender. It cannot require the offender to comply with conditions requiring positive action other than the requirement to register under the Sexual Offences Act 2003 while the order is in effect.

The minimum length for a full SOPO is five years and there is no upper limit. Applications for SOPOs are made by the Police through the Chief Constable or his subordinates.

To obtain a SOPO it is necessary to demonstrate:

1. That the person is a qualifying offender (someone who has been convicted, or found not guilty by reason of insanity, or found to be under a disability and to have done the act charged, or cautioned in respect of an offence listed in Schedule 3 or Schedule 5 to the Sexual Offences Act 2003)
2. That since the 'appropriate date' he has acted in such a way as to give reasonable cause to believe that an order is necessary to protect the public, or any member of the public, from serious sexual harm from him.

The court in making the decision in relation to a SOPO application will subject the proposed conditions to a test of 'necessity' i.e. not possible to achieve in another reasonable way.

Breach of a SOPO or an interim SOPO is a criminal offence and renders the offender liable to immediate arrest. The maximum penalty for breach of a SOPO is five years imprisonment.

Notification Order

A Notification Order can be granted to make a person from outside the UK subject to the notification requirements as if they have been convicted, cautioned etc. in the UK of a relevant offence.

Foreign Travel Order

A Foreign Travel Order can stop the person named in it from travelling outside the UK except to a named country or countries, or stop the person named in it from travelling to a named country.

Risk of Sexual Harm Order

A Risk of Sexual Harm Order (RSHO) is used specifically to protect children under the age of 17 years from sexual exploitation.

It is not necessary for the defendant to have a prior conviction for a sexual offence. Orders can be applied for against persons aged 18 years and over who have on at least two occasions:

- Engaged in sexual activity involving a child or in the presence of a child
- 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.

The order entitles the Court to place conditions on the defendant prohibiting the defendant from doing anything described in it and such conditions must be justified by the assessment of risk.

The minimum duration of an order is 2 years.

Breach of a RSHO is a criminal offence that is triable either summarily or on indictment with a maximum penalty on indictment of five years imprisonment.

Violent Offence Prevention Order (VOPO)

Violent Offender Prevention Order is a civil preventative order which can place restrictions on offenders who continue to pose a risk of serious violent harm, by prohibiting behaviour in a limited number of areas: their access to certain places, premises, events or people to whom they pose the highest risk. This order is likely to be implemented in Autumn 2015.

Additional Court Orders

Supervision and Treatment Order

A Supervision and Treatment order is an order of the court. It requires a person to be under the supervision of a social worker or a probation officer and submit to treatment as directed by a medical practitioner with a view to improving his/her mental condition. The order may specify that

the supervised person receive inpatient or outpatient treatment in a hospital or nursing home. It may also require the supervised person to reside in a particular place.

Harbourer Warning Notice

The purpose of a Harbourer's Warning Notice is to prohibit a specific adult from associating with a named child without their parent/guardian's consent. They are an effective disruption strategy used to sever contact between the child and a 'harbourer'.

Hospital Order

A hospital Order is an order to detain a patient in hospital for treatment. Medical evidence must show that the patient is suffering from mental illness or severe mental impairment of a nature or degree which warrants his detention in hospital for medical treatment and that failure to do so would create a substantial likelihood of serious physical harm to himself/herself or to others.

The patient may be detained for a period not exceeding 6 months beginning from the date of admission unless the authority for his detention is renewed under Article 13.

Guardianship Order

A Guardianship Order may be made in respect of a patient on the grounds that he/she is suffering from mental illness or severe mental handicap of a nature or degree which warrants his/her reception into guardianship, and it is in the interest of the welfare of the patient that he/she should be received.

A patient who is sixteen years or more can be subject to a Guardianship Order which may;

- Require him/her to reside at a place specified by the Board, the Trust or person named as guardian
- Require him/her to attend at specified places and times for the purpose of medical treatment, occupation, education or training;
- Require access to the patient to be given to any medical practitioner approved social worker or other person specified.

Occupation Order

This order regulates occupation, but not ownership of the family home. When combined with a Non-molestation order, it can provide additional protection.

Non Molestation Order

Non-molestation orders are civil court orders which aim to protect people experiencing domestic violence/abuse. They can forbid the abuser from molesting the person applying for the order and sometimes the applicant's children as well.

RIPA

The Regulation of Investigatory Powers Act 2000 (RIPA) legislates for using methods of surveillance and information gathering to help in the prevention of crime.

APPENDIX 8

Government Security Classification (GSC) & Government Protective Marking Scheme (GPMS)

Government Security Classification (GCS)

The new classifications and markings introduced under the new scheme, effective from 2nd April 2014 are; top Secret, secret and official –sensitive. Official on its own as a classification does not require a marking.

All routine public sector business, operations and services should be treated as OFFICIAL. There is no requirement to explicitly mark routine Official information.

The caveat 'Sensitive' should only be added to the classification Official in cases of higher risk and where a visible marking is needed – it is not a separate classification.

To support specific business requirements an optional DESCRIPTOR, alongside the OFFICIAL – SENSITIVE marking, to distinguish particular types of information and indicate the need for additional COMMON SENSE PRECAUTIONS TO LIMIT ACCESS CAN BE APPLIED e.g. Commercial, Personal, Locally Sensitive, etc.

PSNI use of GPMS

PSNI use of GPMS will continue to apply to those LAPPP Reviews held prior to 2nd April 2014.

Sending Information to Departments and public bodies on the new Classification Scheme

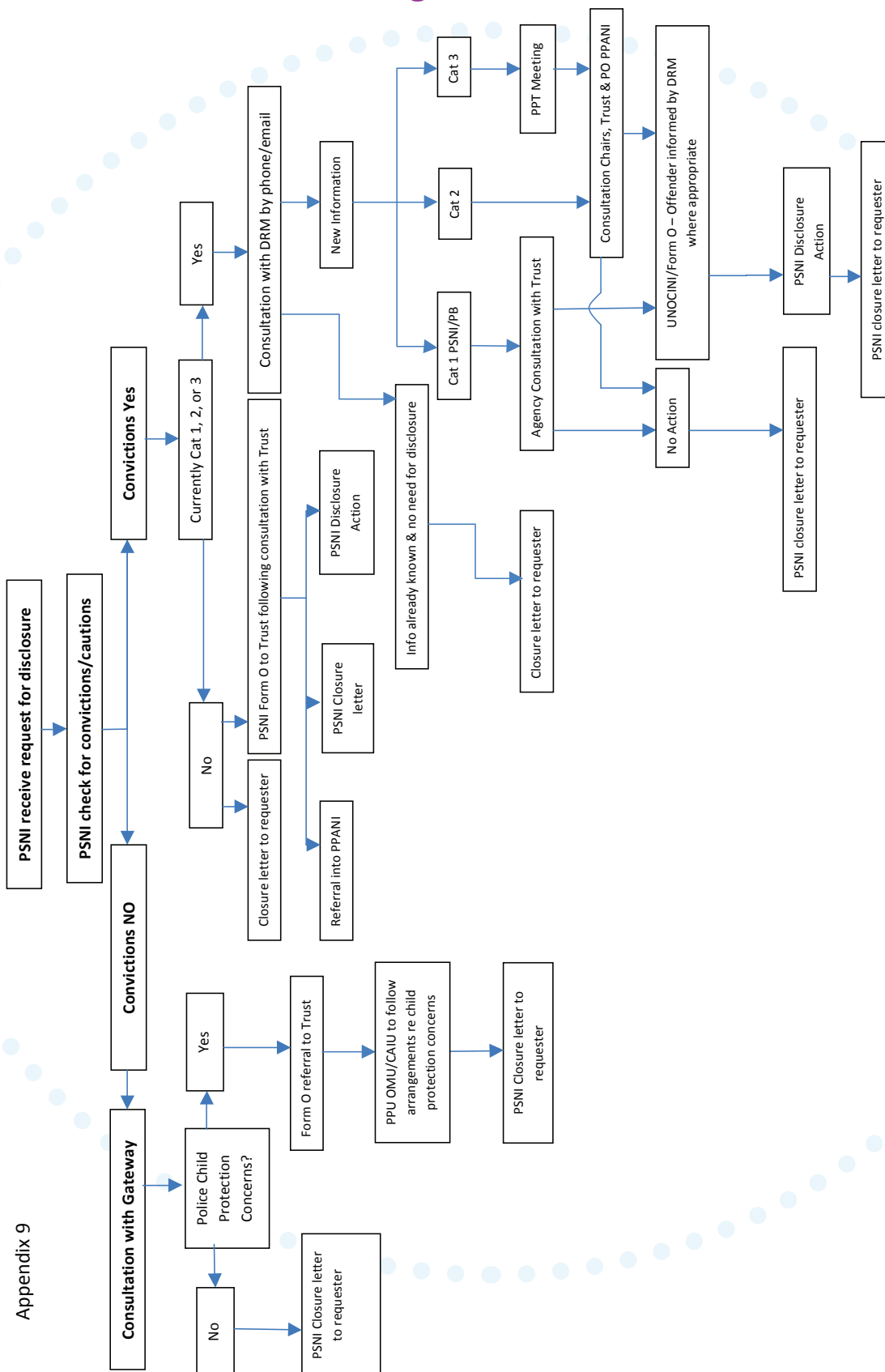
If you send a document to another party, **even if they are working with the new classifications**, you should **use the existing protective markings and handling instructions** and make any specific handling instructions clear to the recipient before sending it.

Receiving information from Departments and public bodies on the new classification scheme

Classification of information Received	Guidance
SECRET or TOP SECRET	Continue to handle in accordance with the SECRET and TOP SECRET markings as defined within the existing guidelines . Please refer to PSNI IA Standard 1.08 on Protective Marking.
OFFICIAL-SENSITIVE	<ul style="list-style-type: none"> If the document contains reference to Serious Organised Crime or Foreign Intelligence it should be considered to be marked as SECRET and you should follow the existing GPMS handling guidelines for SECRET; If the document contains reference to a vulnerable individual or individuals, then you should treat the document as if it were marked as CONFIDENTIAL and follow the existing GPMS handling instructions for CONFIDENTIAL; and If none of the above applies, then you should treat the document as if it were marked RESTRICTED and follow existing handling instructions for RESTRICTED.
OFFICIAL	Treat the document as RESTRICTED and follow existing handling instructions.
Unmarked Documents	Treat the document as RESTRICTED and follow existing handling instructions for RESTRICTED unless otherwise advised by the originator of the information .

APPENDIX 9

Child Protection Disclosure Arrangements



**Public Protection Arrangements
in Northern Ireland**

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