

# Information for those Convicted of, or Cautioned for Sexual Offences and those Convicted of Relevant Violent Offences





## Foreword

This leaflet has been produced by the agencies which, under the law, have been tasked to jointly assess and manage risk posed by certain offenders in the community. The agencies which do this—mainly Police, Probation and Social Services, work together through a framework called the Public Protection Arrangements Northern Ireland (PPANI). This leaflet provides information to persons who have been convicted /cautioned for a sexual offence or relevant violent offences, which, under the provisions of the Criminal Justice (NI) Order 2008, attracts multi-agency assessment and management of risk.

This is not a comprehensive publication, nor a legal document, and its intention is to give a brief overview of the Public Protection Arrangements in so far as they relate to persons who have been convicted of a relevant sexual or violent offence or cautioned for a relevant sexual offence. It is for advice and guidance only.

Further information can be obtained online at:  
[www.publicprotectionni.com](http://www.publicprotectionni.com).

### *PLEASE NOTE:*

*The Public Protection Arrangements only seek to best manage and deliver actions which the agencies already have power to take. There are no additional powers contained within these arrangements.*



## Introduction

If you have been convicted or cautioned for a sexual offence on or after 6th October 2008 your case will have automatically been made subject to multi-agency assessment and, where considered necessary, multi-agency risk management.

If you were convicted of such an offence prior to 6th October 2008 your case will be considered under the Public Protection Arrangements if any of the following apply:

- Your case was already subject to risk assessment and management under the Multi-Agency Sex Offender Risk Assessment and Management (MASRAM) arrangements, or
- Your case has been referred by one of the agencies on the basis of serious concern about your behaviour

If you have been convicted of a relevant violent offence your case will also be referred for multi-agency risk assessment under the Public Protection Arrangements. Relevant violent offences include;

- Violent offences against a child or vulnerable adult committed on or after 6th October 2008, or where your case has been referred by one of the agencies on the basis of serious concerns about your behaviour
- Violent offences within domestic or family circumstances committed on or after 1st April 2010, or where your case has been referred by one of the agencies on the basis of serious concerns about your behaviour.
- Violent offences aggravated by hostility (hate crime) committed on or after 1st September 2011 and where you have received an enhanced sentence.

## Assessment and Management of Risk

Once you have been convicted/cautioned for a sexual offence or a relevant violent offence, the level of risk that you pose to the community will be assessed. A number of agencies share the responsibility for this process which is carried out through a network of Local Area Public Protection Panels (LAPPPs) which sit throughout Northern Ireland and jointly assess risk and agree management of risk plans.

The agencies which can be represented on the LAPPPs include:

- Police Service of Northern Ireland
- Probation Board for Northern Ireland
- Northern Ireland Prison Service
- Health and Social Care Trusts
- Northern Ireland Housing Executive
- Other relevant Government Departments
- Agencies with child protection expertise

## How Does the Process of Risk Assessment Work?

An initial assessment of risk will be carried out by the police using a standardised assessment model called Risk Matrix 2000 to help determine your likelihood of re-offending in a similar way. These assessments are based on fact and do not involve value judgements by the persons making the assessment. There will then be a further detailed risk assessment. This assessment, carried out by your local LAPPP, will consider all the available information and factors which may indicate current dangers of re-offending. These include your attitude to and co-operation with, the agencies involved, your current behaviour, employment and housing. Also included are any positive factors that might impact on your risk. This full assessment will result in the risk you pose being classified in one of three categories as follows:

### Category 1

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

### Category 2

'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

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

## How this will affect you

If the level of risk you pose is classified as Category 1, your case will not be subject to Multi-agency risk management. Any risk management actions taken will be by a single agency who has existing responsibilities, for example the Police will still undertake their duty in relation to notifiable sex offenders and Probation will still supervise an offender where there is a court order.

If the level of risk you pose is classified as Category 2 or Category 3, your case will require Multi-agency risk management within the Public Protection Arrangements. This will necessitate information regarding your case being shared with the key partner agencies where relevant (as per page 2).

## How will Multi-Agency Risk Management Work?

All offenders assessed as Category 2 or Category 3 will be subject to multi agency risk management whilst they are in the community. You will be allocated a Designated Risk Manager (DRM) from one of the agencies represented on the LAPPP. This person will maintain contact with you. This person will be your liaison officer. If you are currently supervised by Probation e.g. on a Probation Order or Licence, your DRM will be your Probation Officer. If you have contact with an H&SCT Mental Health Team your DRM may be your Social Worker or Key worker. In most cases your DRM is likely to be a PSNI Officer.

The purpose of risk management is to protect the public though reducing your opportunity and inclination to reoffend. Risk management plans will normally include both enforcement actions to restrict behaviour and positive encouragement actions which will be designed to help you avoid causing serious harm through re-offending. The plans are regularly reviewed to take account of any changes in your personal circumstances such as attitude, behaviour, housing and employment.



Your DRM will inform you of the dates of the LAPPP meetings at which your risk will be discussed and you can make representation to the DRM, so that they can present any information to the LAPPP on your behalf. A set of minutes are taken at LAPPP meetings and each of the agencies in attendance will retain a copy. Each agency will ensure that LAPPP minutes are stored securely.

You will be kept fully informed of the decisions made at LAPPP meetings and your DRM will also keep you informed of any change in your category of risk and how you can work with the LAPPP agencies to reduce it. These procedures will work best with your full cooperation and the agencies concerned will ensure that you are treated fairly and that your human rights are respected.

## **How long with my Case continue to be reviewed by a LAPPP?**

Assessment and ongoing review will be dependent upon the level of your assessed risk. If your level of risk is reduced to category 1 your situation will no longer be discussed by a LAPPP, and your case will not be subject to multi agency management within the Public Protection Arrangements.

However, you will still be visited by police if you are a sex offender subject to notification, or probation personnel if you are under statutory supervision. If your circumstances or situation change in any way which would increase the risk that you pose, your case may be referred back to the LAPPP and, depending on the panel's assessment, your category of risk could be increased from Category 1 to either Category 2 or 3.

While your risk is assessed as being Category 2 or Category 3 you will continue to be risk managed under the multi-agency arrangements (Public Protection Arrangements)

## Will Information about My Offences be shared outside the PPANI Agencies?

Effective risk management requires that the risk assessment process identifies those persons who may be at risk of serious harm from the offender. As part of this process, consideration must be given in each case as to whether disclosure of information about an offender to others should take place to protect victims, potential victims, and other persons in the community.

Unless in exceptional circumstances, where agencies are considering the need to disclose information regarding your offences to other individuals, they will normally advise you of this decision in advance, explain the rationale behind the need to disclose this information and involve you in the information sharing process.

## Child Protection Disclosure Arrangements

New arrangements were introduced on 14th March 2016 to make it easier for anyone who has concerns about someone who may pose a risk to children to find out if that individual has a criminal record for a sexual or violent offence. Members of the public can make an application at a Police station for disclosure of relevant conviction information relating to an individual who has access to a particular child or children.

Information about relevant sexual and violent criminal convictions will only be provided to the person with the main caring responsibilities for the specific child, e.g. parent and only if assessed as necessary to protect that child.

Unless there are exceptional circumstances you will be advised that an application to disclose information has been made in respect of your case, however you will not be advised of who has made the application.

You can obtain additional information regarding the Child Protection Disclosure Arrangements from your DRM or via **[www.publicprotectionni.com](http://www.publicprotectionni.com)**.

## Domestic Violence Abuse Disclosure Scheme (DVADS)

The Domestic Violence and Abuse Disclosure Scheme Northern Ireland (DVADS) were introduced on 26th March 2018, and allows Police and partner agencies to manage risk by sharing relevant information about one person's history of domestic abuse with another, or to a third party deemed best placed to safeguard that person.

The principal aim of DVADS is to keep people safe, by helping protect potential victims, and allowing them to make an informed choice on whether they would wish to continue in their relationship. It focuses on identifying the level of risk and managing the risk through disclosure of information.

The Domestic Violence Abuse Disclosure Scheme provides two ways to disclose information: 'Right to Ask' and 'Power to Tell'.

The 'Right to Ask' is triggered when an individual makes a direct application to PSNI for information about an individual whom they suspect may have a history of violent or abusive behaviour towards a previous partner and where there are concerns about that individual's current behaviour.

The 'Power to Tell' is triggered when PSNI receive indirect information or intelligence about a person thought to be at risk from a partner, and where, after appropriate checks are made, PSNI judge that a disclosure should be made to safeguard that person.

The DVADS may overlap with and complement other disclosure processes, such as the Public Protection Arrangements Northern Ireland (PPANI) and the Child Protection Disclosure Arrangements Northern Ireland (CPDA).

You can obtain additional information regarding the DVADS on the NI Direct website ([www.nidirect.gov.uk/see-the-signs](http://www.nidirect.gov.uk/see-the-signs)).

## The Benefits for you if you co-operate with the Agencies

- You will be kept informed as much as possible through your DRM.
- You will be involved in decisions that affect you.
- It may help to prevent you re-offending.
- It may assist you in gaining access to services to enable you to manage and change your behaviour.

## The Consequences if you do not co-operate

You may be subject to closer monitoring in the community by the Police and other appropriate agencies. In exceptional circumstances, where there is a lack of co-operation or the risk cannot be managed and you are thought to pose a serious risk, this information may need to be made available to sections of the wider community. There are also other sanctions, such as a Sexual Offences Prevention Order (SOPO) or Violent Offences Prevention Orders (VOPO), which the Police can apply to the courts for, in certain circumstances which may impose further restrictions on you.

## Breach of Statutory Orders of Other Requirements

As part of the conditions attached to your Probation/Custody Probation Order or Supervised Licence, for example, you may be subject to one or more of the following:

1. Required to keep appointments with your supervising Probation Officer.
2. Required to live in accommodation approved by the Probation Board for Northern Ireland.
3. Required to comply with a curfew.
4. Required to complete an offending behaviour programme e.g. Community Offenders, Treatment Programme or Building Better Relationships Programme.
5. Required to attend alcohol and/or drug counselling.

Failure to comply with these requirements may result in PBNI initiating breach or recall proceedings. These proceedings may result in you being returned to the court where you were originally sentenced or you being recalled to custody.

## How you get more Information on the Risk Assessment and Management Process

You will receive information from the relevant agencies in the course of the risk assessment and management process. If you have any questions or queries you should contact your Designated Risk Manager.

## Notification Requirements

You may also be subject to what are called 'notification requirements' as set out in Part 2 of the Sexual Offences Act 2003. . You will have been provided with a written copy of your Notification Requirements by the Court and/or by the NI Prison Service on your release, or for those cautioned for qualifying sexual offences by the cautioning PSNI Officer.

This legislation makes the following requirements:

### Initial Notification

You are required to notify the Police, within the **next 3 days** of the following. You must do this in person at a designated Police Station. (List below)

If you have been released from custody or otherwise detained you must notify **within 3 days** of your release.

- Your name, including any other names you use , or have used
- Your date of birth
- Your home address/es ( i.e. your sole or main residence in the UK )
- Your National Insurance number
- Your name as it appears on your passport, or other identification documentation, and your passport number or issue number of the identity document.

- Details of any bank accounts, credit and debit cards held by you (includes accounts held other solely by you, or jointly with another person & any business accounts). You must provide the name and address of bank accounts/financial institutions, names on those accounts or cards.
- Details of whether you have resided or stayed for a period of at least 12 hours at a household or private place, where a child under the age of 18 resides or stays.

### Notifying Change

You are required to notify Police of any changes to the information provided at initial notification. This **MUST** be done within 3 days of change e.g.

- letting police known you are released from detention or custody
- providing address of any premises where you have stayed within UK (besides your home address) for a period of 7 days , or for two or more periods , in any 12months, which taken together amount to 7 days.

You can notify the Police of any planned change in advance, at which point you must provide the date when the change is expected to occur.

### Periodic Notification

You are required to re-notify the Police of the details provided at initial notification on an annual basis, even if there is no change to those details. This means one year from the date of your initial notification, or if you have notified any change to the information, one year from the date the change was notified.

If you do not have a sole or main residence, you must notify the information on **a weekly basis**.

## Travel Notification

You are required to provide information on when you intend to travel elsewhere with in the United Kingdom, or when you intend to travel outside the UK.

Specifically, you must notify police:

- If you intend to leave your registered home address for more than 3 days to travel elsewhere in the UK, but where you do not intend to reside at another address which has already been, or must be, registered under existing notification requirements.
- Of ALL intended travel outside the UK, except to the Republic of Ireland. If you intend to travel to the Republic of Ireland you are only required to notify police where travel is for a period of 3 days or more.
- Details of your travel must be provided **at least 12 hours before departure**. This includes your date of departure from, and return to, the UK; all intended destination countries and your point of arrival in those countries, including your point of arrival on return to the UK; the dates which you intend to stay in each destination; accommodation arrangements in each of the countries; the identity of transport carriers used to reach each of the destinations, including those used for your return to the UK.

**Failure to comply with these requirements, without reasonable excuse, or the provision of information to the Police which you know to be false, could result in a criminal offence with up to five years imprisonment.**

**If you have any queries relating to your notification requirement, you should contact your Designated Risk Manager (DRM).**

## Applications for Review of Indefinite Notification

If you are subject to indefinite notification requirements, you may wish to note that the law has changed under the Criminal Justice Act (Northern Ireland) 2013, to allow offenders who have been subject to indefinite notification requirements for a period of 15 years since leaving prison (or eight, if under the age of 18 at the time of conviction), to apply to the Chief Constable for review and potential discharge of these requirements.

However, if you are currently subject to a Sexual Offences Prevention Order (SOPo), the SOPo must first be discharged, prior to any application for a review of your indefinite notification requirements.

It should be noted that the review process is not automatic; therefore you must apply to the Chief Constable in writing, should you wish for a review of your notification requirements.

## Violent Offences Prevention Orders (VOPOs)

With the introduction of Violent Offences Prevention Orders (VOPOs) certain violent offenders may also be subject to a similar system of notification, with similar penalties for non-compliance. If you are subject to a VOPO you are required to comply with Notification Requirements as previously mentioned above.

Any queries regarding notification requirements should be discussed with your legal representative and/or your PPANI Visiting Officer.

## Penalty for Non-Compliance with Notification Requirements

Under Section 91 (1) of the Sexual Offences Act 2003, failure to comply with Notification requirements including a request for a photograph or fingerprints without reasonable excuse is an offence liable:

- On conviction on indictment-to imprisonment for a term not exceeding five years.
- On summary conviction- to imprisonment for a term not exceeding six months, or a fine not exceeding the statutory maximum, or both.



## Prescribed Police Stations Names and Addresses

<b>BELFAST</b>	
Musgrave Street Police Station 60 Victoria Street Belfast BT1 3GL	
<b>SOUTH AREA</b>	
Bangor Police Station 1 Castle Park Avenue Bangor BT20 4BS	Newtownards Police Station 40 John Street Newtownards BT23 4LX
Downpatrick Police Station 3 Ballyhornan Road Downpatrick BT30 6RB	Lisburn Police Station 15 Barrack Street Lisburn BT28 1TJ
Armagh Police Station 1-2 City View Armagh BT60 1EP	Banbridge Police Station 14 Castlewellan Road Banbridge BT32 4AX
Lurgan Police Station 62 Church Place Lurgan BT66 6HD	Dungannon Police Station 1 Quarry Lane Dungannon BT70 1HX
Enniskillen Police Station 48 Queen Street Enniskillen BT74 7JR	Magherafelt Police Station 47 Meeting Street Magherafelt BT45 6BW
Omagh Police Station 1 Derry Road Omagh BT78 5DR	Ardmore Police Station 3 Belfast Road Newry BT34 1EF

**NORTH AREA**

Strand Road Police Station 81a Strand Road Londonderry BT48 7AA	Antrim Police Station 24 Castle Street Antrim BT41 4AU
Limavady Police Station 11 Connell Street Limavady BT49 0EA	Strabane Police Station 23-25 Bowling Green Strabane BT82 8BW
Ballymena Police Station 26 Galgorm Road Ballymena BT43 5EX	Coleraine Police Station 17-19 Lodge Road Coleraine BT52 1LY
Larne Police Station 2 Hope Street Larne BT40 1UR	Newtownabbey Police Station 418 Shore Road Newtownabbey BT37 9RT



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