



Suffolk Constabulary Policies & Procedures

PROCEDURE

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Classification:

Title: Potentially Dangerous Persons (PDP)

Index:

1. Introduction	2
2. Definitions	2
3. Identification of a PDP.....	3
4. Initial Referral / Risk Assessment.....	3
5. Referral Screening (Triage).....	4
6. Ratification	4
7. Management of PDP / Risk Management Plans	5
8. Recording.....	5
9. Local Policing Area (LPA)	6
10. Deregistration.....	6
11. Review	7
12. Information Sharing.....	7
13. Freedom of Information (FOI) Requests	7
14. Health and Safety.....	7
15. Specific Roles and Responsibilities.....	8
Appendix 'A'.....	

Legal Basis

Legislation specific to the subject of this policy document

Section	Act (title and year)
Schedule 15	Criminal Justice Act 2003

Other legislation which you must check this document against (required by law)

Act (title and year)
Human Rights Act 1998 (in particular A.14 – Prohibition of discrimination)
Equality Act 2010
Crime and Disorder Act 1998
Health and Safety at Work etc. Act 1974 and associated Regulations
General Data Protection Regulation (GDPR) and Data Protection Act 2018
Freedom Of Information Act 2000
The Civil Contingencies Act 2004

Other Related Documents

- MAPPA guidance (2012)
- ACPO (2010) Guidance on Protecting the Public: Managing Sexual and Violent Offenders
- Authorised Professional Practice (APP)
- NPIA ViSOR Standards
- Joint 'Information Sharing' Policy
- Freedom of Information Procedure

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Suffolk Constabulary Policies & Procedures

PROCEDURE

Document Classification: OFFICIAL

The majority of information created through the processes mentioned in this procedure is considered a minimum of **RESTRICTED** as per the Government Protective Marking Scheme and any information shared must be in accordance with Force policy.

1. Introduction

- 1.1 The aim of this procedure is to assist police personnel and partner agencies on the identification and management of Potentially Dangerous Persons (PDPs).
- 1.2 A PDP is a person who has not been convicted of, or cautioned for, any offence placing them into one of the three MAPPA Categories but whose behaviour gives reasonable grounds for believing that there is a present likelihood of them committing an offence or offences that will cause serious harm.
- 1.3 Unlike offenders who fall within MAPPA, there is no statutory multi-agency framework which governs the management of PDPs, however a multi-agency approach is considered best practice.
- 1.4 Whilst this procedure provides a framework and recommended time limits for identifying and managing PDPs, it must not act as a barrier to taking immediate action that would be necessary to protect the public from serious harm where the circumstances dictate.
- 1.5 This procedure is relevant to all operational officers; all police staff involved in direct service delivery and/or public protection-related work, specialist officers involved in the management of sexual offenders and violent offenders, managers, supervisors and chief officers. It will also be available to partner agencies, including Probation Service, Mental Health, Social Care, Youth Offending Service and agencies involved in delivering services to domestic abuse victims through the Multi-Agency Risk Assessment Conference (MARAC) framework.
- 1.6 [Authorised Professional Practice \(APP\)](#) and [Suffolk Safeguarding Children Board Guidance on 'Managing Individuals Who Are Thought to be a Risk to Children: Potentially Dangerous Persons Protocol'](#) should be read in conjunction with this document.
- 1.7 A process/flow chart is attached at Appendix 'A'.

2. Definitions

Potentially Dangerous Person

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

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Suffolk Constabulary Policies & Procedures

PROCEDURE

Document Classification: OFFICIAL

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

Serious Harm

- 2.2 Life threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible.

Violent and Sexual Offences

- 2.3 Violent and Sexual Offences recognised as meeting the threshold of serious harm are defined within [Schedule 15 Criminal Justice Act \(2003\)](#). Allegations that a person has committed such an offence or exhibits behaviour that indicates they are highly likely to commit such an offence may indicate that a person should be classified as a PDP.

3. Identification of a PDP

- 3.1 The identification of a PDP can occur in a number of ways, for example:

- An unproven allegation of a Schedule 15 offence
- Case referred to MAPPA that doesn't meet criteria
- Case no longer MAPPA but now fits PDP
- Information from another agency
- As a part of the assessment in relation to OSMAN warnings

(The above list is not exhaustive)

4. Initial Referral / Risk Assessment

- 4.1 Anyone believing they have a person that fits the PDP definition must in the first instance consult with the Area Intelligence Unit to develop a more comprehensive intelligence assessment.
- 4.2 Where the individual fits the criteria of a PDP, officers must complete Part 1 (Initial Assessment) of 'PDP Referral Form'- this section also includes the initial Risk Assessment. Once completed the form should be sent to Detective Inspector, Public Protection Unit for screening. The PDP Referral Form is available in the [Document Library on the PPU section of the Intranet](#).
- 4.3 In assessing the risk, any information available to the police or other agencies should be taken into consideration. This could be information which indicates behaviour (either an isolated incident or a pattern of behaviour) that gives reasonable grounds to believe there is an evident risk of that person committing an offence or offences that will cause serious harm or that can reasonably be viewed as a precursor to more serious offending.

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Suffolk Constabulary Policies & Procedures

PROCEDURE

Document Classification: OFFICIAL

4.4 The assessment should include details of the following:

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

4.5 Checks, if appropriate, should also be considered with the following agencies:

- Health (to include mental health)
- Local authority social care services (children and adults)
- The probation service
- The local housing authority
- The local education authorities
- Any other relevant agency if it is felt that they may hold information pertinent to the prevention and detection of crime

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

5. Referral Screening (Triage)

5.1 The Public Protection Unit Detective Inspector reviews the information contained within the referral. A decision will be made whether there is sufficient concern to progress towards making the person a PDP by authorising further work to establish risk.

5.2 This screening process will be completed within 24 hours of submission.

5.3 Where progression is not authorised the rationale will be recorded on the initial application and filed with PPU, and the Detective Chief Inspector, Public Protection Unit, notified.

5.4 If authorised, the referral should be submitted to the Detective Superintendent, Head of Safeguarding, Protecting Vulnerable People (PVP).

6. Ratification

6.1 The decision on whether to classify an individual as a PDP rests with the Detective Superintendent, Head of Safeguarding, PVP.

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Suffolk Constabulary Policies & Procedures

PROCEDURE

Document Classification: OFFICIAL

- 6.2 Where the subject is ratified as a PDP, the Detective Superintendent, Head of Safeguarding, PVP, will have overall responsibility.
- 6.3 The review by the Detective Superintendent will be completed within 72 hours of submission from the Detective Inspector.

7. Management of PDP / Risk Management Plans

- 7.1 The local Public Protection Unit Detective Sergeant will be the Manager for the PDP and will have responsibility for the risk management plan. This will be managed through ViSOR with the Public Protection Unit Detective Inspector taking Supervisory responsibility for the record and approving the risk management plans.
 - 7.2 Risk management plans should identify appropriate interventions that will reduce or minimize the risks to potential victims and provide appropriate focus on recognition of key triggers to assist the PDP in avoidance of risky situations.
 - 7.3 The PDP plan should clearly identify which agency has lead responsibility for managing the PDP. All actions within the management plan should be clearly allocated and recorded and will be reviewed within clear timelines.
 - 7.4 Consideration should be given to the following areas as part of any PDP risk management plan:
 - Information sharing
 - Disclosure to third parties
 - Appointing a senior investigating officer (SIO)
 - Review of unsuccessful criminal investigations
 - Applying for a civil order
 - Risk management options used in the management of MAPPA offenders
 - Victim's views
 - 7.5 Each PDP will have a Non-Crime Investigation completed. This will be managed under the PDP tab within Athena.
 - 7.6 Athena Non-Crime Investigation will be the daily management tool for the PDP and utilised to task actions and record the risk management plan.
 - 7.7 Each individual tasked with actions from the Risk Management Plan will be responsible for updating Athena with the result.
- ### 8. Recording
- 8.1 The **Violent and Sex Offender Register (ViSOR)** is the national IT system used for the management of violent and/or sexual offenders.

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Suffolk Constabulary Policies & Procedures

PROCEDURE

Document Classification: OFFICIAL

8.2 Once a PDP has been ratified, a ViSOR record should be created as per NPIA ViSOR Standards, available in the [Document Library on the PPU section of the Intranet](#).

8.3 The Public Protection Unit is responsible for the Management of the ViSOR record entry on behalf of the Constabulary.

9. Local Policing Area (LPA)

9.1 The Public Protection Unit Detective Inspector will ensure that the relevant LPA is aware of the PDP and any existing management plan.

9.2 The Public Protection Unit Detective Inspector will be responsible for reviewing the plan prior to any LPA tasking and ensuring that the LPA Tactical Assessment reflects the risk posed by the PDP.

9.3 For list of LPA's main responsibilities see Section 15.

10. Deregistration

10.1 A PDP will be managed as such for as long as that risk remains 'imminent'. Where the Detective Inspector Public Protection Unit believes de-registration is appropriate they will forward an appropriate report to the Detective Superintendent, Head of PVP.

10.2 The decision to deregister a PDP should take place if:

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

10.3 The Detective Superintendent – Head of PVP will review the information presented.

10.4 Once a decision is made concerning de-registration, ViSOR will be updated by the Offender Manager, PPU.

10.5 A copy of the rationale will be recorded on ViSOR and filed with the Public Protection Unit.

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Suffolk Constabulary Policies & Procedures

PROCEDURE

Document Classification: OFFICIAL

11. Review

11.1 The Detective Superintendent – Head of PVP will review the PDP at the Force Tactical Tasking Co-ordinating Group (FTTCG) Meeting.

11.2 The review and any actions will be documented on ViSOR.

11.3 A formal review and debriefing will be conducted every four months or at de-registration (whichever is the sooner) by the Detective Chief Inspector, Head of Public Protection Unit. This will ensure organisational learning and best practice through the Force debriefing process.

12. Information Sharing

12.1 Suffolk Constabulary is committed to partnership working therefore necessary and, if appropriate, sanitised information sharing principles apply in accordance with agreed protocol.

12.2 Whilst the MAPPA information sharing framework is legislated for separately and does not cover PDPs, MAPPA contributors remain a good source of contacts. Those operating within the MAPPA process will work in partnership in relation to the PDPs as long as correct measures for the sharing of information are in place. There may be opportunities within the MAPPA meeting structure to tag on a separate PDP meeting utilising the Agencies available on the day; The MAPPA Manager should be consulted on this.

12.3 For further information see joint 'Information Sharing' policy, available on the Policies and Procedures section of the Intranet.

13. Freedom of Information (FOI) Requests

13.1 Any FOI request must be forwarded without delay to the FOI Team. Failure to do so could result in non-compliance with the Freedom of Information Act 2000 and fines/penalties.

13.2 For further information see 'Freedom of Information' procedure, available on the Policies and Procedures section of the Intranet.

14. Health and Safety

14.1 Risks associated with the management of potentially dangerous persons will differ according to the intelligence and information held concerning the background of any individual involved. Managers should bear in mind that the activity undertaken by officers under their command will also have an effect of raising or lowering the risk levels.

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Suffolk Constabulary Policies & Procedures

PROCEDURE

Document Classification: OFFICIAL

14.2 To ensure that a proper assessment of risk is undertaken, managers must ensure that the full circumstances, giving rise to any deployment, are documented, identifying any foreseeable risk to the officer's together with any measures to reduce the identified risk.

15. Specific Roles and Responsibilities

Force Strategic Lead for PDPs

15.1 The Force Strategic Lead for PDPs is the Detective Superintendent – Head of Safeguarding, PVP, whose main responsibilities are to:

- Oversee/review policy and procedure
- Perform specific roles within the PDP procedure of review
- Declare PDP Management through the PDP referral process
- Authorise Deregistration

Force Operational Lead for PDPs

15.2 The Force Operational Lead for PDPs is the Detective Chief Inspector – Head of Public Protection Unit, whose main responsibilities are to:

- Oversee policy and procedure in response to developments
- Advise and guide the Force on the delivery of the response to PDPs
- Identify and disseminate best practice
- Ensure consistency across the Force through liaison with other commands
- Ensure that PDPs are included in the Force Tactical Tasking Meeting and where possible request the highest priority
- Ensure the correct engagement by Public Protection and suitable Area Response
- Perform specific roles within the PDP procedure of endorsement and cooperation
- Ensure, where identified, multi-agency activity is progressed utilising data sharing opportunities to share information to promote action and provide complete management of the PDP.

Local Policing Area Lead/SPOC

15.3 The Local Policing Area (LPA) lead for PDPs is the LPA Detective Inspector whose main responsibilities are to:

- Apply the PDP process within the LPA
- Perform specific roles within the PDP procedure
- Take early LPA responsibility for the management of the PDP

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Suffolk Constabulary Policies & Procedures

PROCEDURE

Document Classification: OFFICIAL

- Ensure that appropriate resources are applied to the response to the PDP
- Liaise with PPU DI to discuss management of the potential PDP
- Liaise with the Force Strategic Lead in matters relating to the review and oversight of the process
- Liaise with the Force Operational Lead in matters relating to the application of the procedures
- Ensure that PDPs are included in the LPA Tasking Meeting and Force Tactical Tasking and Co-ordinating Group (TT&CG) meeting and where possible given the highest priority

Public Protection Unit Lead/SPOC

15.4 The PPU lead for PDPs is the Detective Inspector whose main responsibilities are to:

- Apply the PDP process within the PPU
- Perform specific roles within the PDP procedure
- Take PPU responsibility for the management of the PDP
- Ensure that appropriate resources are applied to the response to the PDP
- Liaise with the Force Strategic Lead in matters relating to the review and oversight of the process
- Liaise with the Force Operational Lead in matters relating to the application of the procedures
- Liaise with the LPA Lead to ensure roles/responsibilities are managed appropriately
- Ensure that PDPs are included in the LPA Tasking Meeting and Force Tactical Tasking and Co-ordinating Group (TT&CG) meeting and where possible given the highest priority

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Suffolk Constabulary Policies & Procedures

PROCEDURE

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PDP Flow chart

