

PBNI'S SIGNIFICANT RISK OF SERIOUS HARM TO OTHERS

POLICY

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Alternative Formats

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Contents

Section		Page
1.	Rationale	4
2.	Policy Aim	4
3.	Objectives	4
4.	Programmes and projects	4
5.	Definitions	4
6.	Resources	5
7.	Communications and Training	5
8.	Review	5
9.	Non compliance	6

1. Rationale

Many service users have the potential to harm others; and probation officers assess and manage such risks every day. However, managing risk of harm requires PBNI to target the most intensive use of resources at those service users assessed as posing a Significant Risk of Serious Harm to Others. This policy is in place to ensure that risk of harm is managed effectively, and appropriate resources are in place to manage it.

2. Policy Aim

The aim of this policy is to contribute to public protection by reducing service users' likelihood to harm others through ensuring there is effective assessment and management of significant risk of serious harm posed by service users.

3. Objectives

- To have clear processes in place to identify those service users who pose a Significant Risk of Serious Harm to others.
- To have clear processes in place which address the risks posed in a way which is lawful, necessary, defensible and proportionate.
- To ensure that the appropriate resources are available to manage service users assessed as posing a Significant Risk of Harm to Others.
- To ensure there is appropriate supervision, training and support provided to all operational staff in assessing and managing cases which present a Significant Risk of Serious Harm to Others.
- To ensure that all operational staff are aware that accountability for decision making in the assessment and management of Significant Risk of Serious Harm is an agency responsibility, and not solely that of an individual member of staff.
- To support staff to balance risk reduction with recognition of progress and protective factors.

- PBNI recognises that managing risk of serious harm is complex and may expose staff to distressing material which can have an emotional impact. This policy is therefore underpinned by a commitment to staff wellbeing, reflective practice and trauma informed supervision, alongside public protection duties.

4. Programmes and Projects

Significant Risk of Serious Harm procedures are in place.

5. Definitions

The Criminal Justice (NI) Order 2008 defines 'serious harm' and makes provision for public protection sentences for service users assessed by courts as being 'dangerous'. Release into the community, in such cases will be dependent on evidenced risk reduction while in custody: the timing of release will be decided upon by Parole Commissioners.

"Serious Harm": Death or serious personal injury, whether physical or psychological.

"Significant": The likelihood that an act, the impact of which would be serious harm, will occur i.e. there is a high probability of an offence causing serious harm recurring

"Significant Risk of Serious Harm": PBNI assesses a service user as presenting a Significant Risk of Serious Harm if there is a high likelihood that a service user will commit a further offence, causing serious harm.

The Criminal Justice (NI) Order 2008 sets out a list of serious offences in Schedule 1 and a list of specified sexual and violent offences in Schedule 2. A service user who commits a specified offence and whom the court assesses as dangerous will meet the criteria for a public protection sentence. As a further guideline, the following offences are considered to involve serious harm (includes inchoate offences such as, attempts, conspiracy, aid/abet):

- Murder
- GBH/GBH with intent.
- False Imprisonment/Kidnapping.
- Malicious wounding.
- Manslaughter.
- Non-Fatal Strangulation.
- Arson/criminal damage endangering life.
- Any offence involving use of weapons where serious harm has been caused.
- Motoring Offences endangering life (including car crime).
- Rape/Other serious sexual offence.

6. Resources

Implementation of this policy will be within existing resources.

7. Communications and Training

This policy is available on PBNI's Intranet and will be communicated to all staff. Training in relation to the Significant Risk of Serious Harm to Others Policy and Procedures is delivered to all new operational staff and students as part of their Onboarding to PBNI. Refresher training is delivered to all existing operational staff periodically.

8. Review

This policy will be reviewed four years from the date of approval. Interim reviews may also be prompted by feedback, and or identified changes in practice.

9. Implications of non-compliance

Where this policy is not implemented, PBNI will seek to understand the reasons why and will address in a supportive way to ensure appropriate implementation.