

**GUIDANCE ON THE VIOLENT OFFENCES PREVENTION
ORDER**

**PART 8 (SECTIONS 55 – 76) OF
THE JUSTICE ACT (NORTHERN IRELAND) 2015**

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Introduction

This document contains guidance on the Violent Offences Prevention Order, which has been legislated for in Part 8, sections 55 to 76 of the Justice Act (Northern Ireland) 2015. The guidance is non-statutory and should not be regarded as authoritative legal advice. If there is any doubt as to the application or interpretation of the legislation, advice should be sought from a legal adviser.

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This guidance is also available on the Department of Justice website:

www.dojni.gov.uk

SECTION ONE:

THE VIOLENT OFFENCES PREVENTION ORDER – AN OVERVIEW

Summary

1.1 The Violent Offences Prevention Order (VOPO) is a new civil preventative order aimed at helping to mitigate the risk of violent re-offending from certain offenders living in Northern Ireland. It allows the court to place relevant prohibitions or requirements on the activities and behaviour of a violent offender, and those subject to the order would also be automatically subject to notification requirements. This involves the requirement to notify specified personal details to police (similar to those notified by sex offenders under the terms of Part 2 of the Sexual Offences Act 2003).

1.2 A VOPO does not form part of a person's sentence, nor is it automatically applied to all violent offenders. It is designed as a targeted risk management tool with any application based on an assessment of the risk of serious violent harm that the offender poses to the public. The key will be to demonstrate in court that the offender has acted or behaved in a way that indicates they pose a risk of serious harm and that a VOPO is necessary. An order can only be made following a determination by the court on the basis of the information and evidence presented to it, and where the court is satisfied that it is necessary for the purpose of protecting the public from the risk of serious violent harm caused by the offender.

1.3 The VOPO has been developed very similar in its legislative framework to the Sexual Offences Prevention Order (SOPO) and is intended to complement existing public protection measures, such as public protection sentences.

1.4 Breach of a VOPO is a criminal offence, which may result in a fine or imprisonment of up to five years.

1.5 As well as providing an effective risk management tool, it is considered that the VOPO will benefit the offender in terms of helping to prevent the committal of further offences and it will also benefit those affected by crime, by helping to reduce the risk of, and fear of, crime. We would also hope that the use of the order would

lead to a potential decrease in the number of victims of crime and potential victims of crime.

Principles

1.6 The application for a VOPO should be made to protect the public from the risk of serious violent harm from qualifying offenders. Application for a VOPO should be made based on an assessment of that risk.

Period of eligibility

1.7 All qualifying offenders can be considered for a VOPO for as long as the risk of serious violent harm persists. The police should review the risk posed by those subject to a VOPO periodically, to ensure that the order remains appropriate.

The restrictions

1.8 A VOPO can place certain restrictions, prohibitions or requirements on an offender such as limiting their access to people; places or premises; and events.

Application

1.9 A VOPO can be made by the court in two ways:

- By a court when it deals with the defendant following a conviction for a specified offence, or a finding that the offender is not guilty of such an offence by reason of insanity or that the offender is unfit to plead and has done the act charged in respect of such an offence; or
- On application made to the magistrates' court by the Chief Constable in respect of a qualifying offender at a later stage.

Under 18s

1.10 The VOPO applies to a young offender (those under 18 years) as well as to an adult offender. Under Article 15 of the Criminal Justice (Children) (NI) Order 1998, the court shall, in relation to a child, require the attendance of a parent or

guardian (which may include the local Health and Social Care Trust). Every effort should be made in advance of a hearing to ensure a parent or guardian attends, so that the court does not need to require their attendance.

Timing of application

1.11 The order would come into force from the point it is made. For those orders made on conviction and where a period of detention has been given, the prohibitions or requirements would have effect during any period of custody being served, and it may run alongside statutory licence conditions placed on the offender as part of their sentence.

1.12 The police are responsible for monitoring the VOPO and investigating breaches. Under the VOPO's legislative provisions, police have the power of entry and search of an offender's home address for the purpose of risk assessment, but an application must be made to the court who must be satisfied that the specified requirements are met (see paragraphs 3.41 – 3.43).

Duration

1.13 A VOPO has effect for a period of no less than two years and no more than five years, as specified in the VOPO, unless renewed or discharged.

Interim VOPOs

1.14 It is possible to apply for and make interim orders. The purpose of an interim order is to protect the public, or any particular individuals, during any period between the application for a full order and its determination. To all intents and purposes, an interim order is a temporary order, imposing such prohibitions or requirements as the court considers appropriate to manage risk.

1.15 The VOPO, as a civil preventative order, is a public protection tool involving some interference with the offender's rights, for example, to private and family life (Article 8 ECHR). That limited interference must be proportionate to the risk to the public. The risk factor may be of such a degree as to justify an interim order application at the same time as an application for a full order, but given that such an

order will be made before the court has heard, and tested, all the evidence, great care must be taken to ensure that such a course of action is justified.

1.16 It is, of course, a matter for the courts to interpret whether or not it is just to make an interim order. If an application is properly made and supported, an interim order may be granted. The court may make an interim order if it considers it just to do so.

1.17 Whilst recognising that the defendant must be allowed adequate time to prepare, it will not normally be expected that an interim hearing will be adjourned, since the purpose of the interim order is to provide a degree of public protection while the main application is decided.

Offender notification and registration requirements

1.18 Offenders subject to a VOPO are also automatically subject to its notification and registration requirements.

Public Protection Arrangements (Northern Ireland) -PPANI

1.19 In many cases – at least at the point of application – an offender may also be subject to a risk management plan overseen by the Local Area Public Protection Panel (LAPPP). This guidance aims to ensure consistency with PPANI principles and should be read in conjunction with PPANI guidance.

SECTION TWO:

VOPO PROVISIONS

2.1 VOPO provision is contained in Part 8, sections 55 to 76 of the Justice Act (Northern Ireland) 2015 (“the 2015 Act”) and in the Violent Offences Prevention Order (Notification Requirements) Regulations (Northern Ireland) 2016 (“the 2016 Regulations”). A copy of the 2016 Regulations is attached at **Annex B**.

2.2 Section 55 of the 2015 Act defines a VOPO as an order of the court which provides prohibitions or requirements which the court considers as necessary for the purposes of “protecting the public from the risk of serious violent harm” caused by the offender. It provides that the order can be made for a period of two to five years, unless it is renewed or discharged, with the duration term specified in the order. ‘Protecting the public from the risk of serious violent harm’ is defined as “protecting the public; or any particular members of the public, from the current risk of serious physical or psychological harm caused by the offender committing one or more specified offences”.

2.3 A ‘**specified offence**’ is defined in section 55 (3) as an offence listed in Part 1 of Schedule 2 to the Criminal Justice (Northern Ireland) Order 2008 (violent offences).

2.4 However, section 55 (4) restricts the offence of assault occasioning actual bodily harm (AOABH) listed in the Schedule for the purposes of the VOPO, which means that AOABH only qualifies as a specified offence in those cases where it is committed against:

- a vulnerable adult (within the meaning of Article 2(2) of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007);
- a person under the age of 18; or
- A person living in the same household as the offender (violent offences committed in a domestic or family setting);

Or where

- the court sentencing the offender for the offence treated the offence as aggravated by hostility (within the meaning of Article 2 of the Criminal Justice (No.2) (Northern Ireland) Order 2004 – “the 2004 Order”).

2.5 A list of the specified offences of the 2008 Order can be found at: <http://www.legislation.gov.uk/nisi/2008/1216/schedule/2>

Qualifying offenders

2.6 Section 58 of the 2015 Act stipulates that a person can qualify for a VOPO if they have been:

- convicted of a specified offence; or
- found not guilty of a specified offence by reason of insanity; or
- found to be unfit to be tried and to have done the act charged in respect of a specified offence.

2.7 This includes offences or acts committed before, or after, commencement of the VOPO legislative provisions.

2.8 Those who have been convicted of a specified offence, found etc. outside Northern Ireland also qualify for a VOPO, in those cases where:

- the person has been convicted of a relevant offence (an act which constitutes an offence under the law in force in the country where it was committed and would have constituted a specified offence if it had have been committed in Northern Ireland);
- the court in that jurisdiction has made a finding in respect of a relevant offence equivalent to a finding that the person was not guilty by reason of insanity, or
- the court has, in respect of a relevant offence, made a finding equivalent to a finding that the person was unfit to be tried and did the act charged in respect of the offence.

2.9 Subsection (6) provides that an act committed in a foreign jurisdiction, which is an offence under that law, will be taken to be an act that would have constituted a specified offence if committed in Northern Ireland, unless the offender serves notice on the Chief Constable applying for the order denying that this is the case. The

offender must give reasons for this and require the Chief Constable to prove the condition is met. However, subsection (7) enables the court, where it thinks fit, to allow the person to require the Chief Constable to prove the condition is met, without having to serve a notice.

Making a VOPO

2.10 A VOPO can be made by the court **on conviction** under section 56 of the 2015 Act, or **on application by the Chief Constable** under section 57.

2.11 In those cases where the VOPO is made on conviction, this will be made at the point the court is dealing with an offender in respect of a specified offence, (or where the person is found not guilty of a specified offence by reason of insanity or is unfit to be tried and has done the act charged in respect of a specified offence). It will allow the court, from the point of sentence, to place prohibitions and/or requirements on the offender's behaviour where this is necessary to protect the public from the risk of serious violent harm. No application is necessary for the court to make a VOPO at the point of sentence, although the PPS Prosecutor may wish to invite the court to consider making an order in appropriate cases.

2.12 In such a case, PSNI will evidence the basis of need in their communications to the PPS Prosecutor in charge of the case, listing the proposed requirements and/or prohibitions needed to manage the identified risk (they may consult with other PPANI partner agencies for relevant information). The prohibitions or requirements must be clear and proportionate (necessary) to protect the public from serious harm. Early consultation between PSNI and the PPS is strongly recommended if the prohibitions or requirements sought are particularly complicated or novel. This information will be used by the PPS Prosecutor when seeking out the court's consideration of a VOPO in the case. In cases where a Pre-Sentence Report (PSR) has been prepared, the PSR writer may propose a VOPO for the court's consideration, setting out appropriate requirements commensurate with the assessment of risk presented by the Probation Board for Northern Ireland.

2.13 In arriving at its decision, the court may take into consideration the range of other sentencing options available to it in respect of protecting the public. The

prohibitions and/or requirements contained in the VOPO must be included in the court's committal warrant provided to the Prison Service. The prohibitions and/or requirements must also be detailed in the certificate part of the notice to the police (and others) issued by the court.

2.14 For those applications made by the police by complaint to the magistrates' court, the offender must be resident in Northern Ireland, or believed by the police to be in, or intending to come to Northern Ireland. The police must evidence to the court that the qualifying offender has, since the appropriate date, acted in such a way as to give reasonable cause to believe that a VOPO should be made. Subsection (4) defines 'appropriate date' as the date of the person's conviction (finding etc).

2.15 The provisions governing applications to the magistrates' court, and the process of summons, are largely set out in the Magistrates' Courts (Northern Ireland) Order 1981 and the Magistrates' Courts Rules (Northern Ireland) 1982. The Magistrates' Courts (Violent Offences Prevention Orders) Rules (Northern Ireland) 2016 – "the 2016 Rules" are specific to the VOPO, and a copy of these rules is attached at **Annex A** to this guidance. A form for the summons is provided in the 2016 Rules. This should be given to the defendant in person or sent by first class post to their last known address. Where a child or young person is concerned, the parent or guardian of the child or young person should also receive a copy of the summons.

2.16 In such cases, the court will act in its civil capacity and the civil rules of evidence apply, so hearsay is admissible. A separate application must be made against each single named individual. In order to expedite the process, we recommend that police might wish to alert the court prior to making an application to help in scheduling.

2.17 In their application to the court, the police need to draw up a list of proposed prohibitions or requirements (on which they may consult other PPANI partners' agencies). The prohibitions or requirements must be clear and proportionate (necessary) to protect the public from serious harm.

2.18 The court must also allow the offender an opportunity to make representations and further, it cannot begin to hear an application for an order, unless it is satisfied that the offender has been given notice of the application, including the time and place of the hearing, a reasonable time before the hearing.

2.19 Section 57 (5)(b) of the 2015 Act provides that in considering the need for a VOPO, the court must have regard to whether the offender is already subject to any other statutory measures used for risk management purposes e.g. licence conditions.

2.20 Whether applying for a VOPO on conviction, or by complaint at a later stage, it is important that the prohibitions or requirements are carefully considered at the outset when the application to the court is made, which is particularly important in terms of police operations, given that they will be responsible for enforcement of the VOPO's conditions.

VOPO conditions

2.21 Section 59 relates to the nature of the conditions that a VOPO can contain. The VOPO (or interim VOPO – see below) can include prohibitions – prohibiting the offender from doing anything described in the order, and/or positive requirements – requiring the offender to do anything described in the order. The VOPO can only contain prohibitions or requirements necessary for the purpose of protecting the public from the risk of serious violent harm caused by the offender.

Variation, renewal or discharge of a VOPO

2.22 Section 60 provides the 'appropriate court' with an ability to vary, renew or discharge a VOPO, on application by the offender or the police. 'Appropriate court' is defined as the court where the VOPO was made.

2.23 Any renewal of a VOPO cannot exceed a five year term – which will be stipulated in the order. A variation can only impose additional prohibitions or requirements on the offender, and the court can only vary or renew an order, providing relevant prohibitions or requirements as it considers necessary, for the purpose of protecting the public from the risk of serious violent harm by the offender.

Any VOPO which has not been in place for at least two years cannot be discharged by the court, unless its discharge has been agreed by the offender and the police.

2.24 The offender and the police will have the opportunity to make representation to the court regarding a variation, renewal or discharge. The court cannot begin to hear an application for a variation, discharge or renewal unless it is satisfied that the offender has been given notice of the application, including the time and place of the hearing, in reasonable time before the hearing.

Interim VOPO

2.25 Section 61 provides the court with the ability to make an interim VOPO. An interim order can only be made in those cases where a main VOPO has been applied for, but has not yet been determined by the court.

2.26 An application for an interim order can only be made where an application under section 57 has not yet been determined. An application must be made by complaint by the police, either at the same time that a main application is being made, or subsequently.

2.27 The court can make an interim order where it:

- appears that the offender qualifies for an order;
- would be likely to make a main order; and
- is desirable to act before the application for a main order is determined, so as to secure immediate protection of the public from the risk of serious violent harm caused by the offender.

2.28 The duration of the interim order will be specified by the court in the order and will cease to have effect at the point the court grants a main order, and that order comes into force, or at the point the court decides not to grant a main order or it is withdrawn.

2.29 Section 61 (7) provides the court with an ability to vary or discharge an interim VOPO.

2.30 As with the main VOPO hearing, the court cannot begin to hear an application for an interim order, including any order to vary or discharge that order, unless it is

satisfied that the offender has been given notice of the application, including the time and place of the hearing, a reasonable time before the hearing.

Breach of a VOPO

2.31 Section 71 provides that where a person fails, without reasonable excuse, to comply with any prohibition or requirement of a VOPO or an interim VOPO, that they are committing an offence. An offender convicted of such an offence on summary conviction (in a magistrates' court) will be liable to a term of imprisonment of up to six months or to a fine not exceeding the statutory maximum, or both; an offender convicted on indictment (in a Crown Court) will be liable to a term of imprisonment of up to five years, or a fine, or both. Breach of the requirements is an arrestable offence.

Appeals

2.32 Section 63 provides the offender with an ability to appeal against:

- the making of a VOPO;
- the making of an interim VOPO;
- the making of an order to vary, renew or discharge an order made, or the refusal to make such an order.

2.33 Where the order was made in the magistrates' court, the appeal will be heard in the County Court. For orders made in the Crown Court, the appeal will be heard in the Court of Appeal.

SECTION THREE:

THE NOTIFICATION REQUIREMENTS

3.1 Notification requirements automatically apply to those subject to a VOPO or interim VOPO, and these are set out in both the 2015 Act (sections 64 to 75) and in the 2016 Regulations.

Basic principles of the notification requirements

3.2 Notification requirements are not a punishment and are not part of the system of penalties. There is no discretion, exercised by either the courts or the police in imposing the notification requirements on the offender and similarly, the requirements cannot be imposed at the discretion of the courts or police on a person who is not subject to a VOPO. There is no right of appeal against being made subject to the notification requirements.

3.3 The requirements will apply to an offender subject to a VOPO for the duration of the VOPO and will end once the VOPO term ends.

3.4 Offenders cannot be subject to more than one notification requirement and they only need to make one initial notification and one annual confirmation of their details (unless they are of no fixed abode, in which case they must confirm their details weekly). It is important that the police, who are responsible for managing the notification requirements, update notification periods to reflect any other statutory notification requirements (such as where the person is required to make notification as a sex offender as well as notification under the VOPO requirements) and to ensure that offenders are fully aware of how long they must comply with the notification requirements. In some circumstances, it may be appropriate for the police to write to an offender informing them of the duration of the notification period which applies to them.

Notification requirements: legislative provision

3.5 The majority of notification requirements for those subject to a VOPO are contained in Part 8, sections 64 to 75 of the 2015 Act; with additional requirements included in the 2016 Regulations.

Notification requirements provision included in the 2015 Act are:

- Initial notification requirements (section 65);
- Changes to notification requirements (section 66);
- Periodic notification requirements (section 67);
- Absence from notified residence notification requirements (section 68);
- Travel outside the United Kingdom notification requirements (section 69);
- Method of notification (section 70);
- Offences of failure to notify or providing false information (section 71);
- Supply of information to relevant Northern Ireland departments or the Secretary of State (section 72);
- Supply of information by relevant Northern Ireland departments or the Secretary of State (section 73);
- Information about release or transfer (section 74); and
- Power of entry and search of an offender's home address (section 75)

Notification requirements of the 2016 Regulations are:

- Requirements for travel outside the United Kingdom (regulations 4 to 10) – which prescribe the specific requirements further to section 69 of the 2015 Act (travel outside the United Kingdom);
- The requirement to notify weekly (every seven days) for those who have no sole or main residence (regulation 11) – prescribing further requirements to section 67 of the 2015 Act (periodic notification);
- The requirement to notify when residing or staying at a relevant household (regulations 12 and 13, where a child under the age of 18 resides or stays). This adds to the information to be provided at initial notification and any change to the information is to be notified.

- Notification of information about bank accounts, bank debit and credit cards (regulations 14 and 15). This adds to the information that is to be provided at initial notification and any change to the information is to be notified.
- Notification of information about passport or other form of identification (regulations 16 and 17). This adds to the information that is to be provided at initial notification and any change to the information is to be notified.

(i) Initial notification

3.6 An offender must notify the following information as required by section 65 of the 2015 Act and the 2016 Regulations:

- their name on the date the VOPO came into force and on the date of notification (and any other names used);
- date of birth;
- national insurance number;
- home address/es on the date the VOPO came into force and on the date of notification, and any other address in the United Kingdom where they regularly reside or stay;
- details of where they have resided or stayed for at least 12 hours at a household or other private place where a child under the age of 18 resides or stays;
- information relating to bank accounts, credit card accounts, credit or debit cards held (whether alone or with another person and whether in the name of an unincorporated business); and
- information relating to their passport or another form of identification.

3.7 For most offenders subject to a VOPO, initial notification must be made to police within three days from the date when the VOPO or interim VOPO comes into force. This is known as the 'relevant date'. However, section 65 (3) clarifies that when determining this period of three days, disregard is to be given to any time the individual is:

- remanded in or committed to custody;
- serving a custodial sentence or a term of service detention;
- detained in a hospital; or

- outside the United Kingdom.

3.8 In such a circumstance, initial notification would have to be made within three days from the date of the person's release from custody or discharge from hospital, or their return to Northern Ireland.

(ii) Changes to notified details

3.9 Should the notified details change (for example, by moving address or assuming an alias); the offender must notify the police within the period of three days as set out in section 66 of the 2015 Act. Specifically, an offender must notify the police of new details within three days of:

- using a name that they have not already notified to police;
- a change to their home address;
- the expiry date of any period during which they have stayed at an address in the United Kingdom that they have not notified for a 'qualifying period' (this is a period of seven days or two or more periods in any 12 months which taken together amount to seven days);
- their release from detention in prison, hospital etc;
- any change to the information given of when they have been residing or staying at a household where a child under the age of 18 resides or stays;
- any change to information given of their bank accounts and credit card accounts (and associated cards); and
- any change to information given in relation to their passport or other form of identification.

3.10 When offenders notify a change to their details, they must also re-confirm the other details they are required to provide at initial notification. The police will need to note that the offender has reconfirmed their details because this will change the date on which they are required to make their annual notification (see below).

3.11 A notification may be made in advance of the actual date of the change in details, in which case, the offender is also required to notify the date of the expected change. However, if an advance notification is made, but the change takes place more than two days before the anticipated date, offenders must make a further

notification to fulfil their obligations. If an advance notification is made and the change has not taken place within three days beginning with the date notified in advance, the offender must, within six days of the anticipated date, notify the police that the change has not happened and then must comply with the duty to notify changes to their details.

3.12 The period during which the offender must notify any change cannot include any period when the offender is in prison (whether remanded to custody or serving a sentence), is detained in a hospital or is abroad.

(iii) Periodic notification

3.13 Section 67 provides that offenders must re-notify their details given at initial notification. Where no changes have been made by them since their initial notification, they would be required to re-notify the required information annually, effective from the date of their initial notification. However, where changes have been made to the information subsequently, the annual re-notification date would, instead, be effective from the date they notified information changes to police.

3.14 Where the effective date ends whilst the offender is:

- remanded in or committed to custody;
- serving a custodial sentence;
- detained in a hospital; or
- outside the United Kingdom

the offender would be required to re-notify three days from the date of their release, discharge, or return to Northern Ireland.

3.15 For those with no sole or main residence in the United Kingdom, they will be required to notify on a weekly basis (every seven days), as set out in regulation 11 of the 2016 Regulations.

3.16 An offender can confirm their notified details at any point in advance of the day on which they are required to do so – it does not have to be related to a change of details. For example, if they are required to make an annual re-notification on 12

June but do so on 5 March, that is sufficient – the next annual notification simply moves to 5 March the following year.

3.17 Periodic notification does not apply to those subject to an interim VOPO.

(iv) Absence from notified residence

3.18 Section 68 of the 2015 Act requires offenders to notify in advance if they intend to leave their registered home address for more than three days to travel elsewhere in the United Kingdom (but where they are not intending to reside at another address which has already been, or must be, registered under existing notification requirements). Specifically, the offender must, not less than 12 hours before leaving their home address, notify police of the following information:

- the date they intend to leave their home address;
- details held in relation to their travel arrangements and accommodation arrangements (to include the address of any accommodation at which they will spend the night during their period of absence and the nature of the accommodation); and the intended return date to their home address.

3.19 If the information becomes inaccurate or incomplete, they must make a fresh notice to police of their intentions.

(v) Notification requirements: travel outside the United Kingdom

3.20 Section 69 of the 2015 Act and regulations 4 to 10 of the 2016 Regulations make provision for the notification of proposed travel outside the United Kingdom.

3.21 The purpose of requiring offenders to notify the police of their intention to travel abroad enables police to know the whereabouts of serious violent offenders and, in doing so, avoids violent offenders claiming that they have not complied with the notification requirements of the VOPO because they were overseas. It also enables police, where appropriate, to inform other jurisdictions that a violent offender is intending to visit their country. The requirements do not prohibit an offender from

travelling overseas. The information provided will assist police in making sensible judgments about whether to pass information about the risk an offender poses to other jurisdictions in order to prevent an offence being committed overseas.

3.22 Those offenders who intend to travel outside the United Kingdom are required to notify the police of all proposed travel, except when travelling to the Republic of Ireland. Travel to the Republic of Ireland must only be notified where the offender proposes to travel to that jurisdiction for a period of three days or more.

3.23 Offenders are required to notify police of their proposed travel not less than seven days before departure, or exceptionally, not less than 12 hours before departure.

3.24 As part of their notification, they must provide information about:

- their proposed point of arrival in each country to which they propose to travel;
- the dates on which they propose to stay in any country to which they propose to travel;
- details of their accommodation arrangements in any country to which they intend to travel;
- the identity of any carrier (s) they intend to use for the purposes of their departure from, and return to, the United Kingdom, and when travelling to any other point of arrival;
- the date of return to the United Kingdom; and
- the point of arrival on return to the United Kingdom.

3.25 Where the offender has made a notification, but the information notified has become an inaccurate or incomplete statement of the information required any time up to 12 hours before the offender's departure from the United Kingdom, they must report in person and make a fresh notice to police of their intentions no later than 12 hours before their departure. This fresh notice can, however, be made at any police

station within the United Kingdom prescribed for notification purposes and does not have to be in their local area. This is because they may already have commenced their journey and therefore have left their local police area, although they are still in the United Kingdom. When making such a fresh notice, however, offenders must disclose their name and address as currently notified to the police and the police station at which they originally gave notice of their intention to travel.

3.26 Where the offender does not hold the required information seven days prior to their intended departure date from the United Kingdom (because, for example, they need to travel at short notice), they must notify the police 12 hours prior to their departure of their date of departure and their destination country.

3.27 Offenders who have given notice of their intention to leave the United Kingdom as described above must, within three days of their return to the United Kingdom, report in person to a prescribed police station and notify the police of the date of their return and their point of arrival in the United Kingdom. However, offenders will not have to notify the police of their return if, on notifying their intention to depart the United Kingdom, they provided details of their expected date and point of re-entry to the United Kingdom and then returned as stated.

3.28 It should be noted that an offender cannot be prevented from travelling simply because they do not hold the range of information specified. The legislation is not intended for this purpose. Offenders are, however, in breach of their requirements of the legislation where they hold the relevant information and fail, without reasonable cause, to disclose it. In situations where notified information changes for reasons beyond their control, for example, their accommodation arrangements have altered by the travel company on their arrival, this would not constitute a failure to meet the requirements.

(vi) Method of notification: registration at prescribed police stations and related matters

3.29 Notification must be made by the offender orally and in person and at a police station prescribed for this purpose, and it must be acknowledged by police in writing. A list of the current police stations for notification purposes (for both sexual and

violent offenders) can be found at **Annex F**. Any changes to the addresses of these stations will require a new statutory rule and it is therefore imperative that the police service inform Criminal Justice Policy and Legislation Division of any changes. Courts may wish to give offenders the list of prescribed stations when they are given a VOPO, but as there may be changes to this list while offenders are in prison for lengthy periods, the prison service will, as far as practicable, provide the offender with a list of prescribed police stations when they are released. It should be made clear to the offender that the details of police stations may change and should be checked by the offender for example, a station's change of address will not be a defence for failing to register.

3.30 Section 70 (3) provides that when offenders:

- make their initial notification;
- notify any changes to their notified details (including an advance notification);
- provide periodic notification; or
- notify an absence from their notified address (or return from that absence),

police may take their fingerprints and photograph any part of them (i.e. photographs may be taken of an offender's face, as well as distinguishing features, such as a tattoo). This definition also means that iris scanning technology may be used. However, the purpose for taking fingerprints and photographs must be to verify the identity of the offender.

3.31 Where fingerprints have been taken and these are considered by police to provide a complete and up-to-date set of fingerprints and, where relevant, they are of better quality than those held for the offender under the Police and Criminal Evidence (Northern Ireland) Order 1989, those taken for VOPO notification purposes can be retained by police for the individual. The fingerprints of poorer quality must be destroyed.

3.32 Photographs taken for notifications purposes must be destroyed once the offender ceases to be subject to notification requirements of the VOPO, but the police can apply to the magistrates' court for an extension of photograph retention for a period of two years, following the end of the notification period. Both the police

and the offender can appeal against a court order given to the police either to extend the period of retention, or a refusal of the court to make such an order.

(vii) Breach of the notification requirements

3.33 Section 71 of the 2015 Act provides that a person who is subject to the notification requirements commits a criminal offence if they fail, without reasonable excuse, to:

- make an initial notification in accordance with section 65 (1);
- notify a change of details in accordance with section 66(1) or (6)(b);
- make a re-notification in accordance with section 67 (1);
- notify when they intend to leave their home address for more than three days, in accordance with section 68 (2) and notify their actual return date within three days in accordance with 68 (6);
- comply with any requirement imposed by regulations concerned with the notification of travel outside the United Kingdom (section 69(1));
- allow police to take their fingerprints and/or photographs in accordance with section 70 (3); and
- in the first five cases set out above, if they knowingly provide false information.

3.34 A 'reasonable excuse' for failing to comply with the notification requirements could be, for example, where the offender is in hospital. However, it will be for a court to decide what a reasonable excuse is in a particular case.

3.35 An offender convicted of such an offence on summary conviction (in a magistrates' court) will be liable to a term of imprisonment of up to six months, or to a fine not exceeding the statutory maximum, or both; an offender convicted on indictment (in a Crown Court) will be liable to a term of imprisonment of up to five years, or a fine, or both. Breach of the requirements is an arrestable offence.

3.36 An offence is committed on the first day on which the person fails: to make an initial notification; to make a periodic notification, to notify a change of details, to notify an absence and return from their notified residence; or to comply with any of the travel outside the United Kingdom notification requirements. The person

continues to commit an offence for as long as they fail to comply with the notification requirements, but they cannot be prosecuted more than once for the same failure.

(viii) Supply of information to relevant Northern Ireland departments or the Secretary of State

3.37 Section 72 allows the police to verify information provided by the offender in compliance with their notification requirements, to ensure that the information notified is correct and that no detail has been omitted. This will be done by comparing the details provided at notification against information provided by the person to certain bodies performing Government functions. These functions are defined in the 2015 Act as:

- the Department for Employment and Learning (information relating to employment and training) – now the responsibility of the Department of Communities, as regards the employment service, and the Department of Economy for all other previous DEL functions, except for the employment service;
- The Department of the Environment (driver information or vehicle licensing) – now the responsibility of the Department for Infrastructure;
- The Department for Social Development (information relating to social security or child support) - now the responsibility of the Department for Communities; and
- The Secretary of State (in relation to passport information).

3.38 The police can share the information for the purposes of prevention, detection, investigation or prosecution of notification requirement offences and the information can only be shared for the purpose of checking that it is accurate and to enable the compilation of a report to compare the information. This must be carried out in compliance with the Data Protection Act 1998.

(ix) Supply of information by relevant Northern Ireland departments or the Secretary of State

3.39 Section 73 allows those departments detailed at section 72 to compile an information report for police. Police may retain and use the information contained in

the report for the purpose of prevention, detection, investigation or prosecution of offences.

3.40 This information must be destroyed by the police once the offender ceases to be subject to notification requirements of the VOPO, but the police can apply to the magistrates' court for an order to extend the period of information retention for a further two years from when the notification period ends. Such an application must be made within the period of three months ending on the last day on which the offender will be subject to notification requirements. The police and the offender can appeal against a court order to extend the period of retention, or a refusal by the court to make an order.

(x) Information about release or transfer

3.41 Section 74 allows the Department of Justice to make regulations (by negative resolution) requiring those who are responsible for the offender whilst they are serving a custodial sentence or detained in a hospital, to notify other specified persons of the fact that they have become responsible for that individual, and of the time they are released from custody, or transferred to another institution.

(xi) Power of entry and search of an offender's home address

3.42 Section 75 provides the police with a power of entry and search of an offender's home address. The application must be made to the court by a police officer of the rank of superintendent or above. The court may issue a warrant authorising police to enter the premises for the purpose of risk assessment and to search the premises, if it is satisfied that the specified requirements are met.

3.43 The requirements are:

- that the address specified in the application is an address which was last notified to the police as the offender's home address, or there are reasonable grounds to believe that the offender lives there, or may regularly be found there;
- the offender is not remanded in, or committed to, custody, serving a custodial sentence, detained in hospital, or is outside the United Kingdom;

- that it is necessary for police to enter and search the premises for the purpose of risk assessing the offender;
- that , in a case where a person other than the offender resides there, it is proportionate in all the circumstances for police to enter and search the premises for its intended purpose; and
- that the police have, on at least two occasions, sought to enter the premises for its intended purpose and had been unable to do so.

3.44 It also provides that police may use reasonable force to enter and search the premises, if necessary. The warrant may authorise the police to enter and search the premises on more than one occasion, if the court is satisfied that it is necessary to do so. It also provides that the court, when considering the need for a search warrant, must be satisfied that it is proportionate in all circumstances for police to enter and search the premises in the case where the premises is resided in by a third party.

(xii) Periodic notification for those with no sole or main residence

3.45 Regulation 11 sets the period of notification required under section 67 (periodic notification) as weekly (every seven days), for those who have no sole or main residence.

(xiii) Notification when residing or staying at a relevant household

3.46 Regulation 12 of the 2016 Regulations requires offenders to notify the police when they reside or stay, for at least 12 hours, at a relevant household. ‘A relevant household’ is defined as a household, or other place, at which a child (person aged under 18 years) resides or stays (whether with its parent, guardian or carer, with another child or alone) and to which the public do not have access.

3.47 The information provided must include:

- the date on which the offender begins to reside or stay at the relevant household;
- the address of the relevant household; and
- the period/s for which the offender proposes to reside or stay at this address.

This information must be presented as part of the offender's initial notification, but they are also required to inform police of any change of circumstances as required under regulation 13. This includes:

- where the offender has resided or stayed at the relevant household for at least 12 hours and has not notified this information to police – including dates; and
- where they cease to reside or stay at a relevant household which they have notified – including dates.

(xiv) Notification of information about bank accounts and credit cards

3.48 Regulation 14 of the 2016 Regulations requires offenders to notify the police of certain details about their bank and credit card account (s) and credit and debit card(s) at initial notification. This requirement applies to accounts and cards held by the offender in their own name or in the name of an unincorporated business run by them, and whether held singly or jointly with another person.

3.49 If an offender holds a relevant account or card, they are required to notify the following information:

Sole or joint bank accounts held by the offender

- name of each banking institution where the offender holds an account/s;
- the address of the office at which each account is held (if the office is outside the United Kingdom, the address of the principal office in the United Kingdom of the banking institution);
- the number of each account; and
- the sort code relating to each account.

Unincorporated business accounts held solely or jointly by the offender

- name of each banking institution where the offender holds an account/s;
- the address of the office at which each account is held (if the office is outside the United Kingdom, the address of the principal office in the United Kingdom of the banking institution);
- the number of each account;
- the sort code relating to each account; and

- the name of the business in whose name the account is held.

Debit cards relating to sole or joint bank accounts – personal and unincorporated business

- the card number relating to each debit card;
- the validation date of each debit card;
- the expiry date of each debit card; and
- the name of the business (if any) in whose name the card is held.

Credit card accounts – sole or joint accounts

- the name of each credit card provider with which the offender holds an account;
- the address of the office at which each account is held and, if that office is outside the United Kingdom, the address of the principal office in the United Kingdom (if any) of the credit card provider; and
- the number of each account.

Credit card accounts of an unincorporated business – sole or joint accounts

- the name of each credit card provider with which the offender holds an account;
- the address of the office at which each account is held and, if that office is outside the United Kingdom, the address of the principal office in the United Kingdom (if any) of the credit card provider;
- the number of each account; and
- the name of the business in whose name the card is held.

Credit cards relating to sole or joint credit card accounts – personal and unincorporated business

- the card number relating to each credit card;
- the validation date of each credit card;

- the expiry date of each credit card;
- the name of the business (if any) in whose name the card is held.

3.50 Additionally, regulation 15 of the 2016 Regulations stipulates the changes in circumstances applicable to these details, which an offender is required to notify under section 66 (notification requirements - changes). These are:

- when any bank account or credit card account (held solely, jointly, or in name of an unincorporated business) has been opened or closed;
- when a debit card or credit card (held solely, jointly, or in name of an unincorporated business) has been obtained or is no longer held; and
- when any information given in all areas has altered or become inaccurate or incomplete.

(xv) Notification of information about passport or other forms of identification

3.51 Regulation 16 of the 2016 Regulations requires the offender at initial notification to provide certain information in accordance with whether or not they hold a passport, or other identity document (within the meaning given in section 7 of the Identity Documents Act 2010).

3.52 Where an offender holds a passport, the following information must be provided:

- (a) passport number; and
- (b) the offender's full name (as it appears on the passport).

3.53 Where an offender holds another identity document, the following information must be provided:

- (a) a description of the identify document;
- (b) issue number (if appropriate); and
- (c) the offender's full name (as it appears on the identity document).

3.54 If an offender does not hold a passport or other identity document, but holds another document containing information which can verify the offender's identification, the information must comprise of:

- (a) a description of the document (including the name of any issuing authority);
- (b) issue number of that document (if any); and
- (c) the offender's full name (as it appears in the document).

3.55 Regulation 17 of the 2016 Regulations stipulates that the offender must also notify any change to this information, as required under section 66. These are:

- where the offender obtains a passport, other identification document or other document in relation to which no notification has been made; and
- where the offender ceases to hold a passport, other identification document or other document which has been notified.

STATUTORY RULES OF NORTHERN IRELAND

2016 No. 94

MAGISTRATES' COURTS

PROCEDURE

**The Magistrates' Courts (Violent Offences Prevention Orders) Rules
(Northern Ireland) 2016**

Made - - - - - *2nd March 2016*
Coming into operation - *1st June 2016*

The Magistrates' Courts Rules Committee makes and the Department of Justice, after consultation with the Lord Chief Justice, allows the following Rules in exercise of the powers conferred by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981⁽¹⁾ and sections 58 and 60 of the Justice Act (Northern Ireland) 2016⁽²⁾

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Magistrates' Courts (Violent Offences Prevention Orders) Rules (Northern Ireland) 2016 and shall come into operation on 1st June 2016.

(2) In these Rules—

- (a) “the Act” means the Justice Act (Northern Ireland) 2015 and a reference to a section by number means the section so numbered in the Act and expressions used have the same meaning as in the Act; and
- (b) a reference to a Form by number means the Form so numbered in the Schedule to these Rules or a form to the like effect.

Violent offences prevention orders and interim violent offences prevention orders

2.—(1) A summons issued on foot of a complaint for—

- (a) a violent offences prevention order under section 57 of the Act; or
- (b) an interim violent offences prevention order under section 61 of the Act.

shall be in Form 1.

⁽¹⁾ S.I. 1981/1675 (N.I. 26); Article 13 was amended by paragraph 65 of Schedule 5 to the Constitutional Reform Act 2005 (c.4); paragraph 133 of Schedule 18 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976); and paragraph 4 of the Schedule to the Northern Ireland (Miscellaneous Provisions) Act 2014 (c.13).

⁽²⁾ 2015 c.9 (N.I.)

(2) If a defendant wishes to dispute that an offence referred to in the summons under paragraph (1) is a relevant offence he shall, not less than 3 days before the date of the hearing, serve notice under section 58(6) of the Act on the Chief Constable and, at the same time, he shall serve a copy on the clerk of petty sessions.

(3) A violent offences prevention order shall be in Form 2.

(4) An interim violent offences prevention order shall be in Form 3.

Application for variation, renewal or discharge

3. A summons issued on foot of a complaint for—

(a) the variation, renewal or discharge of a violent offences prevention order under section 60 of the Act; or

(b) the variation or discharge of an interim violent offences prevention order under sections 60 and 61(7) of the Act;

shall be made in Form 4, and such proceedings shall be in a court of summary jurisdiction.

Service of documents

4.—(1) Subject to paragraph (2), service of a summons under these Rules may be effected—

(a) by a member of the Police Service of Northern Ireland serving a copy of the summons on the defendant in person; or

(b) by sending a copy of the summons by ordinary post to the defendant at his last-known address (in which cases the summons shall be deemed to have been received by him in the ordinary course of post, unless the defendant proves that he did not receive it).

(2) In the case of a summons on foot of a complaint for the variation, renewal or discharge of an order specified in Rule 3 issued by the defendant mentioned in that order, service shall be effected in accordance with paragraphs (2), (6) and (7) of Rule 11 of the Magistrates' Courts Rules (Northern Ireland) 1984⁽³⁾ by delivering a copy of the summons to any police station within the petty sessions district in which the proceedings are brought and leaving a copy with the officer in charge or any other constable.

(3) Where the court makes a violent offences prevention order or an interim violent offences prevention order, the clerk of petty sessions shall serve a copy of that order on the defendant—

(a) where the defendant is present, in person if practicable; or

(b) by sending it by ordinary post to the defendant at his last-known address (in which case the order shall be deemed to have been received by him in the ordinary course of post unless the defendant proves that he did not receive it).

(4) Where the court makes an order varying, renewing or discharging an order specified in Rule 3, the clerk of petty sessions shall serve on the defendant a copy of the order as it has been varied, renewed or discharged—

(a) where the defendant is present, in person if practicable; or

(b) by sending it by ordinary post to the defendant at either his last known address or any address which is currently notified by him under Part 8 of the Act (in which cases the order shall be deemed to have been received by him in the ordinary course of post unless the defendant proves that he did not receive it).

(5) In paragraph (4), a reference to the defendant is a reference to the defendant in the proceedings in which the order was originally made.

⁽³⁾ S.R. 1984 No. 225; to which the most recent relevant amendments are S.R. 2009 No. 12, S.R. 2009 No. 310, S.R. 2011 No. 59, S.R. 2011 No. 418, S.R. 2012 No. 189, S.R. 2012 No. 415, S.R. 2013 No. 89, S.R. 2014 No. 12, S.R. 2014 No. 221.

*William A McNally
Marc Little
Peter Luney
Eoghan McKenna
Cathy Hughes*

Dated this 2nd day of March 2016.

In exercise of the powers conferred upon me in Article 13 of the Magistrates' Court (Northern Ireland) Order 1981 and after consultation with the Lord Chief Justice, I allow these Rules.

Sealed with the Official Seal of the Department of Justice on 2nd March 2016.

David Ford

Minister of Justice

SCHEDULE

Rule 2(1)

“Form 1

JUSTICE ACT (NORTHERN IRELAND) 2015

THE MAGISTRATES’ COURTS (VIOLENT OFFENCES PREVENTION
ORDERS) RULES (NORTHERN IRELAND) 2016

(Sections 57 and 61, Rule 2(1))

**Summons on foot of complaint for [violent offences prevention order] [and]
[interim violent offences prevention order]**

of

Petty Sessions District of

Complainant

of

County Court Division of

Defendant

Whereas a complaint has been made before me in respect of an application for [a violent offences prevention order] [and] [an interim violent offences prevention order] to the following effect, viz –

That you, the above-named defendant are a qualifying offender by virtue of the following facts –

Details of offence:

If committed abroad, the corresponding offence this would have constituted if the act had been done in the United Kingdom is:

Date of [conviction] [finding] [caution]:

Details of court/police station:

And it is alleged that you have since the date of the above conviction, finding or caution, acted in such a way as to give reasonable cause to believe that a violent offences prevention order under section 57 of the Justice Act (Northern Ireland) 2015 is necessary to protect the public from the risk of serious violent harm caused by you.

Short description of acts, including date(s) and further comments:

[Additional information relating to an application for an interim violent offences order:]

- the address of any premises not previously notified to the police at which you stay or reside for more than a period of 7 days or two or more periods totalling seven days in any twelve months; and
- your release, if you are in custody.

In addition to the notification requirements listed above, where you intend to be absent from your home address for more than three days, you would be required to notify the police of the following and any subsequent changes to the following, not less than twelve hours before leaving your home address:

- the date of your departure;
- such details as you may hold about your travel and accommodation arrangements; and
- the date of your return to your home address.
- *[(insert details of any further notification requirements prescribed by regulations made by the Department of Justice under Part 8 of the Justice Act (Northern Ireland) 2015 or otherwise)].*

Police Service of Northern Ireland Headquarters will be able to explain these conditions to you in more detail (in particular the information which you must bring with you when you make your initial notification) and tell you at which police station you should attend.

A list of police stations in Northern Ireland prescribed for the purpose of Part 8 of the Justice Act (Northern Ireland) 2015 may be obtained from the court office or from Police Service of Northern Ireland Headquarters.

If, without reasonable excuse, you did anything you were prohibited from doing or failed to do anything you were required to by a violent offences prevention order or an interim violent offences prevention order, or if you failed to comply with the notification requirements of Part 8 of the Justice Act (Northern Ireland) 2015, you would be liable to imprisonment for a term not exceeding 6 months on summary conviction or 5 years on indictment.

Form 2

JUSTICE ACT (NORTHERN IRELAND) 2015

THE MAGISTRATES' COURTS (VIOLENT OFFENCES PREVENTION
ORDERS) RULES (NORTHERN IRELAND) 2016

(Section 57, Rule 2(3))

Violent Offences Prevention Order

of

Petty Sessions District of

Complainant

of

County Court Division of

Defendant

It is adjudged that the defendant is a qualifying offender by reason of the following –

Details of offence:

If committed abroad, the corresponding offence this would have constituted if the act had been done in the United Kingdom:

Date of [conviction] [finding] [caution]:

Details of court/police station:

And it is adjudged that the defendant's behaviour since the date of the above conviction, finding or caution, makes it necessary to make a violent offences prevention order under section 57 of the Justice Act (Northern Ireland) 2015 to protect the public from the risk of serious violent harm caused by him.

Short description of acts, including date(s) and further comments:

IT IS ORDERED that the defendant (*specify details of prohibitions and/or requirements imposed*):

Until (*date not less than 2 years and not more than 5 years from the date of order or further order*).

And while this order (as renewed from time to time) has effect, the defendant shall be subject to the notification requirements of Part 8 of the Justice Act (Northern Ireland) 2015 and the 'relevant date' within the meaning of that Part is the date of service of this order.

This day of 20 .

District Judge (Magistrates' Courts)

[Clerk of Petty Sessions]

Note:

You are subject to the prohibitions and/or requirements in this violent offences prevention order. You are subject also to the notification requirements of Part 8 of the Justice Act (Northern Ireland) 2015 which mean that you must report to a prescribed station within three days of service on you or this order and notify the police of your name(s), date of birth, national insurance number, home address and any other address in the UK where you regularly reside [together with *(insert details of any further notification requirements prescribed by regulations made by the Department of Justice under Part 8 of the Justice Act (Northern Ireland) 2015 or otherwise)*]. Thereafter, you are required to notify the police of this information on a yearly basis regardless of whether or not your circumstances have changed.

If you do not have sole or main residence in the United Kingdom, you are required to notify the police of one of any addresses or locations in the United Kingdom where you can regularly be found and thereafter to notify the police of this information [*(insert details of how often this is required if so prescribed, in regulations made by the Department of Justice under Part 8 of the Justice Act (Northern Ireland) 2015 or otherwise)*].

You are required also to notify the police of, within 3 days:

- any changes to the information you provided at initial notification, including use by you of a name not previously notified to the police or a change of your home address;
- the address of any premises not previously notified to the police at which you stay or reside for more than a period of 7 days or two or more periods totalling seven days in any twelve months; and
- your release, if you are in custody.

In addition to the notification requirements listed above, where you intend to be absent from your home address for more than three days, you are required to notify the police of the following and any subsequent changes to the following, not less than twelve hours before leaving your home address:

- the date of your departure;
- such details as you may hold about your travel and accommodation arrangements; and
- the date of your return to your home address
- [*(insert details of any further notification requirements prescribed by regulations made by the Department of Justice under Part 8 of the Justice Act (Northern Ireland) 2015 or otherwise)*].

Police Service of Northern Ireland Headquarters will be able to explain these conditions to you in more detail (in particular the information which you must bring with you when you make your initial notification) and tell you at which police station you should attend.

A list of the police stations in Northern Ireland prescribed for the purpose of Part 8 of the Justice Act (Northern Ireland) 2015 may be obtained from the court office or from Police Service of Northern Ireland Headquarters.

If, without reasonable excuse, you do anything you are prohibited from doing or fail to do anything you are required to do by this violent offences prevention order, or if you fail to comply with the notification requirements of Part 8 of the Justice Act (Northern Ireland) 2015, you will be liable to imprisonment for a term not exceeding 6 months on summary conviction or 5 years on indictment.

You are subject to the prohibitions and/or requirements in this interim violent offences prevention order. You are subject also to the notification requirements of Part 8 of the Justice Act (Northern Ireland) 2015 which mean that you must report to a prescribed police station within three days of service on you of this order and notify the police of your name(s), date of birth, national insurance number, home address and any other address in the UK where you regularly reside [together with *(insert details of any further notification requirements prescribed by regulations made by the Department of Justice under Part 8 of the Justice Act (Northern Ireland) 2015 or otherwise)*].

If you do not have a sole or main residence in the United Kingdom, you are required to notify the police of one of any addresses or locations in the United Kingdom where you can regularly be found.

You are required also to notify the police, of within 3 days:

- any changes to the information you provided at initial notification, including use by you of a name not previously notified to the police or a change of your home address;
- the address of any premises not previously notified to the police at which you stay or reside for more than a period of 7 days or two or more periods totalling seven days in any twelve months; and
- your release, if you are in custody.

In addition to the notification requirements listed above, where you intend to be absent from your home address for more than three days, you are required to notify the police of the following and any subsequent changes to the following, not less than twelve hours before leaving your home address:

- the date of your departure;
- such details as you may hold about your travel and accommodation arrangements; and
- the date of your return to your home address
- [*(insert details of any further notification requirements prescribed by regulations made by the Department of Justice under Part 8 of the Justice Act (Northern Ireland) 2015 or otherwise)*].

Police Service of Northern Ireland Headquarters will be able to explain these conditions to you in more detail (in particular the information which you must bring with you when you make your initial notification) and tell you at which police station you should attend.

A list of police stations in Northern Ireland prescribed for the purpose of Part 8 of the Justice Act (Northern Ireland) 2015 may be obtained from the court office or from Police Service of Northern Ireland Headquarters.

If, without reasonable excuse, you do anything you are prohibited from doing or fail to do anything you are required to do by this interim violent offences prevention order, or if you fail to comply with the notification requirements of Part 8 of the Justice Act (Northern Ireland) 2015, you will be liable to imprisonment for a term not exceeding 6 months on summary conviction or 5 years on indictment.

Form 4

JUSTICE ACT (NORTHERN IRELAND) 2015

THE MAGISTRATES' COURTS (VIOLENT OFFENCES PREVENTION
ORDERS) RULES (NORTHERN IRELAND) 2016

(Sections 60 and 61, Rule 3)

**Summons on foot of complaint for [variation] [renewal] [discharge] of [violent
offences prevention order] [interim violent offences prevention order]**

of

Petty Sessions District of

Complainant

of

County Court Division of

Defendant

WHEREAS [a violent offences prevention order] [an interim violent offences prevention order] (a copy of which is attached to this summons) was made against the defendant mentioned in that order on the day of 20 .

And the complainant, who was the [complainant] [defendant] in those proceedings now applies by complaint for the [variation] [renewal] [discharge] of the said order on the grounds that (*specify grounds*):

THIS IS TO COMMAND YOU to appear as a defendant at the hearing of the said application at (*place*) on (*date*) at (*time*) before a court of summary jurisdiction.

This day of 20 .

Lay Magistrate

[District Judge (Magistrates' Courts)]

To the said defendant"

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules contain provisions relating to Part 8 of the Justice Act (Northern Ireland) 2015 (2015 c.9) which makes provision in relation to violent offences prevention orders.

Rule 2 prescribes the procedure for an application for a violent offences prevention order and an interim violent offences prevention order.

Rule 3 prescribes the procedure for an application for variation renewal or discharge of a violent offences prevention order or for the variation or discharge of an interim violent offences prevention order.

Rule 4 prescribes the manner in which a summons or an order required to be served under these Rules may be served.

STATUTORY RULES OF NORTHERN IRELAND

2016 No. 0000

CRIMINAL LAW

**The Violent Offences Prevention Order (Notification Requirements)
Regulations (Northern Ireland) 2016**

Laid before the Assembly in draft

Made - - - - 8 March 2016

Coming into operation in accordance with Regulation 1(2)

The Department of Justice makes the following regulations, in exercise of the powers conferred by sections 65(2)(h), 66(2)(d) and (3)(d), 67(5)(a) and 69 of the Justice Act (Northern Ireland) 2015⁽⁴⁾

In accordance with section 102(2) of that Act, a draft of these Regulations was laid before, and approved by a resolution of, the Assembly.

Citation and commencement

5.—(1) These Regulations may be cited as the Violent Offences Prevention Order (Notification Requirements) Regulations (Northern Ireland) 2016.

(2) These Regulations shall come into operation on 1st June 2016.

Interpretation

6. In these Regulations—

“the 2015 Act” means the Justice Act (Northern Ireland) 2015;

“banking institution” means a bank, building society or other institution which provides banking services;

“business” includes any trade, profession or vocation;

“child” means a person aged under 18 years;

“credit card” means a card which is a credit-token within the meaning of section 14(1)(b) of the Consumer Credit Act 1974⁽⁵⁾;

“credit card provider” means a bank, building society or other institution which provides a credit card;

⁽⁴⁾ 2015 c.9 (N.I.).

⁽⁵⁾ 1974 c.39.

“debit card” means a card the use of which by its holder to make a payment results in a current account of the holder at a banking institution being debited with the payment;

“identity document” has the same meaning as in the Identity Documents Act 2010⁽⁶⁾ but does not include a stamp or label;

“offender” means an offender subject to violent offences prevention order notification requirements and

“relevant household” means a household or other place—

(a) where a child resides or stays, and

(b) to which the public do not have access (whether for payment or not).

Travel Notification Requirements

7. Regulations 4 to 10 provide for notification requirements in respect of travel outside the United Kingdom under section 69 of the 2015 Act.

Determination of proposed point of arrival

8.—(1) For the purposes of section 69(2)(b) and of these Regulations, an offender’s proposed point of arrival in a country is to be determined in accordance with this regulation.

(2) In a case in which an offender will arrive in a country by rail, sea or air, the offender’s proposed point of arrival is the first station, port or airport at which the offender proposes to disembark.

(3) In a case in which an offender will arrive in a country by any means other than those mentioned in paragraph (2), the offender’s proposed point of arrival is the first place at which the offender proposes to enter the country.

Notification to be given before leaving the United Kingdom

9.—(1) An offender who proposes to leave the United Kingdom, except to travel to the Republic of Ireland, must give a notification under section 69(2) in accordance with these Regulations.

(2) An offender who proposes to leave the United Kingdom to travel to the Republic of Ireland for a period of three days or longer must give a notification under section 69(2) in accordance with these Regulations.

(3) Where an offender to whom these Regulations apply knows the information required to be disclosed by section 69(2)(a) and (b)(b) more than seven days before the date of the offender’s proposed departure, the offender shall give a notification which sets out that information and as much of the information required by regulation 6 as the offender holds—

(a) not less than seven days before that date (the seven day notification requirement); or

(b) as soon as reasonably practicable but not less than 24 hours before that date, if and only if the offender has a reasonable excuse for not complying with the seven day notification requirement.

(4) Where the offender does not know the information required to be disclosed by section 69(2)(a) and (b) more than seven days before the date of the offender’s proposed departure, the offender shall give not less than 12 hours before that date, a notification which sets out that information and as much of the information required by regulation 6 as the offender holds.

Information to be disclosed in a notification under section 69(2)

10. In addition to the information required by section 69(2)(a) and (b), an offender to whom these Regulations apply must disclose, where the offender holds such information—

⁽⁶⁾ 2010 c.40.

(b) A notification under section 69(2) must disclose the date on which the offender will leave the United Kingdom, the country (or, if there is more than one, the first country) to which the offender will travel and the offender’s point of travel in that country.

- (a) where the offender proposes to travel to more than one country outside the United Kingdom, the offender's proposed point of arrival in each such additional country,
- (b) the dates on which the offender proposes to stay in any country to which the offender proposes to travel,
- (c) details of the offender's accommodation arrangements in any country to which the offender proposes to travel,
- (d) the identity of any carrier or carriers the offender proposes to use for the purposes of departing from and returning to the United Kingdom, and of travelling to any other proposed point of arrival,
- (e) in a case in which the offender proposes to return to the United Kingdom on a particular date, that date, and
- (f) in a case in which the offender proposes to return to the United Kingdom at a particular point of arrival, that proposed point of arrival.

Change to information disclosed in a notification under section 69(2)

11.—(1) Where—

- (a) an offender has given a notification under section 69(2), and
- (b) at any time prior to the offender's proposed departure from the United Kingdom, the information disclosed in that notification becomes inaccurate or incomplete as a statement of all the information mentioned in section 69(2)(a) and (b) and regulation 6 which the offender currently holds,

the offender must give a further notification under section 69(2).

(2) A further notification under paragraph (1) must be given not less than 12 hours before the offender's proposed departure from the United Kingdom.

(3) The offender may not give notification under paragraph (2) less than 24 hours before the proposed departure date unless the offender has a reasonable excuse for being unable to give such notification before that time.

Notification to be given on return to the United Kingdom

12.—(1) This regulation applies to an offender who—

- (a) is required to give a notification under section 69(2),
- (b) has left the United Kingdom, and
- (c) subsequently returns to the United Kingdom.

(2) Except as provided by paragraph (3), every offender to whom this regulation applies must give a notification under section 69(3) within three days of returning to the United Kingdom.

(3) An offender to whom this regulation applies need not give a notification under section 69(3) in any case in which the offender gave a relevant notification under 69(2) which disclosed—

- (a) a date under regulation 6(e), and
- (b) a proposed point of arrival under regulation 6(f),

provided the offender's return to the United Kingdom was on that date and at that point of arrival.

Information to be disclosed in a notification under section 69(3)

13. A notification under section 69(3) must disclose the offender's—

- (a) date of return to the United Kingdom; and
- (b) point of arrival in the United Kingdom.

Giving a notification

14.—(1) Subject to paragraph (2), an offender gives a notification under section 69(2) or (3) by—

- (a) attending at any police station in Northern Ireland prescribed by regulations under section 87(1) of the Sexual Offences Act 2003⁽⁷⁾, and
- (b) at which, in accordance with section 70, notifications under sections 65, 66 or 67 may be made.

(2) For the purpose of giving a notification under section 69(2) as required by regulation 5(3) or 7, an offender must attend at a police station prescribed under section 70, but such a police station need not be in the offender's local police area.

(3) A notification under section 69(2) or 69(3) must be given to a police officer, or to a person authorised by the officer in charge of the station under section 70(1)(b) for the purpose of receiving a notification under that section.

(4) An offender giving a notification under section 69(2) or 69(3) must inform the person to whom the offender gives the notice of the offender's—

- (a) name and other names the offender is using,
- (b) home address, and
- (c) date of birth,

as currently notified under the notification requirements of the 2015 Act.

(5) An offender giving a further notification under section 69(2) as required by regulation 7 must inform the person to whom the offender gives the notification of the police station at which the offender first gave a notification in respect of the journey in question under section 69(2).

Periodic notification of address where there is no sole or main residence

15. For the purposes of section 67(5)(a) of the 2015 Act, the applicable period means the period of seven days.

Notification to be given by relevant offender residing or staying at a relevant household

16.—(1) The information set out in paragraph (2) is prescribed for the purposes of section 65(2)(h) of the 2015 Act in a case where an offender resides, or stays for a period of at least 12 hours, at a relevant household.

(2) The information which the offender must notify is—

- (a) the date on which the offender begins to reside or stay at a relevant household,
- (b) the address of the relevant household, and
- (c) where the offender holds such information, the period or periods for which the offender proposes to reside or stay at the relevant household.

17.—(1) The changes in circumstances set out in paragraph (2) are prescribed for the purposes of section 66(3)(d) of the 2015 Act.

(2) The changes of circumstances are where the offender—

- (a) resides, or stays for a period of at least 12 hours, at a relevant household in relation to which there has been no notification under section 65(1);
- (b) ceases to reside or stay at a relevant household in relation to which there has been a notification under section 65(1).

(3) A notification given under section 66(1) of the 2015 Act must disclose the date from which the offender resides or stays, or the date on which the offender ceases to reside or stay, at a relevant household.

⁽⁷⁾ 2003 c.42.

Notification of information about bank accounts and credit cards

18.—(1) The information set out in paragraphs (2) to (7) is prescribed for the purposes of section 65(2)(h) of the 2015 Act in a case where an offender holds—

- (a) an account with a banking institution in the offender's name, or in the offender's name and the name of another person, and in relation to each such account, the information specified in paragraph (2);
 - (b) an account with a banking institution in the name of an unincorporated business which is run by the offender, or run by the offender and another person, and in relation to each such account, the information specified in paragraph (3);
 - (c) a debit card in relation to any account of which notification is given in accordance with subparagraph (a) or (b), and in relation to each such debit card, the information specified in paragraph (4);
 - (d) an account with a credit card provider in the offender's name, or in the offender's name and the name of another person, and in relation to each such account, the information specified in paragraph (5);
 - (e) an account with a credit card provider in the name of an unincorporated business which is run by the offender, or run by the offender and another person, and in relation to each such account, the information specified in paragraph (6); or
 - (f) a credit card in relation to any account of which notification is given in accordance with subparagraph (d) or (e), and in relation to each such credit card, the information specified in paragraph (7).
- (2) The information specified for the purposes of paragraph (1)(a) is—
- (a) the name of each banking institution with which the offender holds an account;
 - (b) the address of the office at which each account is held and, if that office is outside the United Kingdom, the address of the principal office in the United Kingdom (if any) of the banking institution;
 - (c) the number of each account; and
 - (d) the sort code in relation to each account.
- (3) The information specified for the purposes of paragraph (1)(b) is—
- (a) the information specified in paragraph (2); and
 - (b) the name of the business in whose name the account is held.
- (4) The information specified for the purposes of paragraph (1)(c) is—
- (a) the card number in relation to each debit card;
 - (b) the validation date of each debit card;
 - (c) the expiry date of each debit card; and
 - (d) the name of the business (if any) in whose name the card is held.
- (5) The information specified for the purposes of paragraph (1)(d) is—
- (a) the name of each credit card provider with which the offender holds an account;
 - (b) the address of the office at which each account is held and, if that office is outside the United Kingdom, the address of the principal office in the United Kingdom (if any) of the credit card provider; and
 - (c) the number of each account.
- (6) The information specified for the purposes of paragraph (1)(e) is—
- (a) the information specified in paragraph (5); and
 - (b) the name of the business in whose name the card is held.
- (7) The information specified for the purposes of paragraph (1)(f) is—
- (a) the card number in relation to each credit card;

- (b) the validation date of each credit card;
- (c) the expiry date of each credit card; and
- (d) the name of the business (if any) in whose name the card is held.

19.—(1) The changes in circumstances set out in paragraph (2) are prescribed for the purposes of section 66(2)(d) of the 2015 Act.

(2) The changes of circumstance are where—

- (a) an account which an offender holds with a banking institution, as specified in regulation 14(1)(a) or (b), has been—
 - (i) opened, or
 - (ii) closed;
- (b) a debit card the offender holds in relation to any account specified in regulation 14(1)(a) or (b)—
 - (i) has been obtained by the offender, or
 - (ii) is no longer held by the offender;
- (c) an account the offender holds with a credit card provider, as specified in regulation 14(1)(d) or (e), has been—
 - (i) opened, or
 - (ii) closed;
- (d) a credit card the offender holds in relation to any account specified in regulation 14(1)(d) or (e)—
 - (i) has been obtained by the offender or
 - (ii) is no longer held by the offender;
- (e) any information previously notified by the offender under regulation 14(1) has—
 - (i) altered, or
 - (ii) become inaccurate or incomplete.

(3) A notification given under section 66(1) of the 2015 Act must include the information specified in regulation 14(2) to (7) in relation to that account, or debit or credit card.

Notification of information about passport or other form of identification

20.—(1) The information set out in paragraph (2) is prescribed for the purposes of section 65(2)(h) of the 2015 Act in a case where an offender holds any passport, other identity document or (in a case where the offender does not hold any passport or other identity document) any other document in which the offender's full name appears.

(2) The information which an offender must notify is—

- (a) where the offender holds any passport, and in relation to each passport held—
 - (i) the passport number, and
 - (ii) the offender's full name as it appears in that passport;
- (b) where the offender does not hold a passport, in relation to any other identity document held—
 - (i) the description of the identity document,
 - (ii) the issue number (if any) of that identity document, and
 - (iii) the offender's full name as it appears in that identity document;
- (c) where the offender does not hold a passport or other identity document, in relation to another document held—
 - (i) the description of the document (including the name of any issuing authority),
 - (ii) the issue number (if any) of that document; and
 - (iii) the offender's full name as it appears in that document.

21.—(1) The changes in circumstances set out in paragraph (2) are prescribed for the purposes of section 66(2)(d) of the 2015 Act.

(2) The changes of circumstance are where the offender—

- (a) obtains a passport, other identity document or other document in relation to which there has been no notification under section 65(1); and
- (b) ceases to hold a passport, other identity document or other document in relation to which there has been a notification under section 65(1).

Sealed with the Official Seal of the Department of Justice on 8 March 2016

David Ford

Minister of Justice

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out additional notification requirements for a person who is subject to a violent offences prevention order (or an interim violent offences prevention order) under Part 8 of the Justice Act (Northern Ireland) 2015 (“the 2015 Act”). They supplement notification requirements made in Part 8, sections 64 to 76 of the 2015 Act. Notification requirements involve the provision of personal information to the police, both at the outset and periodically thereafter and require them to also notify certain changes in circumstances.

Section 69 of the 2015 Act enables regulations to make provision requiring a person to notify the police of that person’s proposal to travel abroad and of that person’s return. Regulations 4 to 10 set out those requirements for travel outside the United Kingdom.

Under regulation 5, where a person proposes to leave the United Kingdom, except when travelling to the Republic of Ireland, that person must give notification under section 69(2) of the 2015 Act in accordance with the Regulations, regardless of the length of the trip. Notification of travel to the Republic of Ireland must be made where the person proposes to travel for a period of three or more days. This regulation also provides that notification must be made of proposed travel not less than seven days before departure, or exceptionally not less than 12 hours before departure.

Section 69 also specifies that the notification must disclose the date of departure from the United Kingdom, the country to which the person will travel and the proposed point of arrival in that country. Regulation 6 prescribes additional information to be disclosed.

Regulation 7 provides for notification of changes or additions to the information provided.

Under regulations 8 and 9, a person is required to give a notification on return to the United Kingdom, unless that person has already notified the required information.

Regulation 10 sets out the means by which notifications are to be given.

Regulation 11 requires a person who has no sole or main residence to notify every seven days the address or location of a place in the United Kingdom where that person can regularly be found.

Regulations 12 and 13 require the person to notify the police when that person resides, or stays for at least 12 hours, at a relevant household. A relevant household is a household or other place at which a child (defined as a person aged under 18 years) resides or stays (whether with its parent, guardian or carer, with another child or alone) and to which the public do not have access. The information must include the date on which the person begins to reside or stay at the relevant household, its address and the period for which that person proposes to reside or stay at that place.

Regulation 14 and 15 imposes the requirement of the person to notify information about that person’s bank accounts, and debit and credit cards. It applies to accounts and cards held by that person in that person’s own name or in the name of an unincorporated business run by that person, and whether held singly or jointly with another person.

Regulation 14(1) requires the person to notify the police about whether that person holds an account with a banking institution (defined as a bank, building society or any other institution providing banking services), a debit card in relation to such an account, a credit card account or a credit card. If the person holds an account or card, that person is required to notify the information specified in regulation 14(2) to (7).

Regulation 15 requires the person to notify a change in any of the circumstances prescribed by that regulation. These circumstances arise where an account is opened or closed, a debit or credit card is obtained, no longer held or has expired and information previously notified by that person has altered or become inaccurate or incomplete.

Regulations 16 and 17 requires the person, when giving initial notification under sections 65 to 67 of the 2015 Act, to give certain information in accordance with whether or not that person holds a passport, other identity document (which has the meaning given in section 7 of the Identity Documents Act 2010) or other

document. If the person holds a passport, the information must comprise the passport number and that person's full name as it appears in the passport. If the person does not hold a passport but holds another identity document, the information must comprise the description of the identity document, its issue number (if any) and that person's full name as it appears in the identity document. If the person does not hold a passport or other identity document, but holds another document containing information which can verify that person's identification, the information must comprise the description of the document, its issue number (if any) and that person's full name as it appears in the document.

FORM SON1

NOTIFIABLE OFFENDERS

NOTIFICATION REQUIREMENTS OF PART 2 SEXUAL OFFENCES ACT 2003

AND

PART 8 JUSTICE ACT (NORTHERN IRELAND) 2015

(THIS INCLUDES INTENDED TRAVEL)

This form should be completed by a police officer or other authorised person at a police station when a person to whom the notification requirements of the Sexual Offence Act 2003 and/or the Justice Act (Northern Ireland) 2015 (Violent Offences Prevention order) apply, provides information to fulfil their obligations under the provision of those Acts. **When completed, a copy of this form will be given to the person as an acknowledgement of this notification**

Is this notification being made to comply with: (where both apply tick both)	Sections 83 to 85 SOA 2003	<input type="checkbox"/>	
	Sections 65 to 68 Justice Act (NI) 2015 (VOPO)	<input type="checkbox"/>	
Type of notification	Initial Notification	<input type="checkbox"/>	Complete 1, 2 & 4 only
	Release from Prison (other than above)	<input type="checkbox"/>	Complete 1, 2 & 4 only
	Periodic Notification	<input type="checkbox"/>	Complete 1, 2 and 4
	Change of Details	<input type="checkbox"/>	Complete 1, 2 3 & 4

1. Details at Time of being dealt with (to be completed on initial notification)

Name(s)	
Address	
Date of Birth	
Offence	

Court	
Date of conviction/sentence, or when VOPO came into force	

2. Details at Time of Notification

Name(s)	
Home Address (or the address or location of a place where can regularly be found)	
Date effective from	
Addition Address (if applicable)	
Date of Birth	
National Insurance Number	
Telephone Number (Voluntary)	

3. Changes to Notified Details

New Name	
New Address	
Permanent <input type="checkbox"/> Additional <input type="checkbox"/>	
Date effective from	
If notifying an additional address, the dates at which the offender was at the additional address (ie from dd.mm.yy until dd.mm.yy)	

I hereby confirm that I have received this acknowledgement and my details are correct.

A copy of the completed form must be provided to the person together with Part 2.

Signature of the person notifying _____

(Refusal or failure to sign will not invalidate this

Signature of appropriate adult (if relevant) _____

Officer taking details



Station

Date Details Notified

4. Declaration

Has the person notifying breached any of the requirements of the Sexual Offences Act 2003 or the VOPO? *(See Notes for guidance)*

Yes No

If Yes – Action taken *(NB. any breach, consider arrest under Article 26 Police and Criminal Evidence (NI) Order 1989.)*

Has the person notifying produced a Passport or other form of Identification?

NO/YES. If yes then complete form SOA1(a)

Has the person notifying produced financial details?

NO/YES. If yes then complete SOA1(a)

Notification Form - Notifiable Violent or Sexual Offender

This form should be completed by a police officer or other authorised person at a police station when a person to whom the notification requirements of Part 2 of the Sexual Offences Act 2003 (“the 2003 Act”) and Part 8 of the Justice Act (Northern Ireland) 2015 (“the 2015 Act”) apply. Those convicted, found etc of a specified offence under the 2003 Act, and those subject to a Violent Offences Prevention Order (VOPO) are required, by law, to notify the requirements detailed below. As part of their notification requirements, the person may have their fingerprints and a photograph taken for the purposes of verification. When completed, a copy of this form will be given to the person notifying, as an acknowledgement of their notification.

Initial Notification

(i) Persons subject to notification requirements should notify the police of the following information within 3 days of being dealt with by the court (or in the case of a VOPO, from when the order was made by the court), or within 3 days from their release from custody or detention, as relevant:

- full name on the date on which they were dealt with in respect of the offence (or in the case of a VOPO, the date the order was made). Where the person used one or more other names on that date, each one of those names;
- name on the date in which notification is made. Where the person uses one or more other names on that date, each of those names;
- date of birth;
- national insurance number;
- home address on the date on which they were dealt with in respect of the offence (or in the case of a VOPO, the date the order was made).
- home address on the date in which notification is made. If they have no fixed home address, any premises in the United Kingdom at which they can be regularly found;
- any occasions when they have resided or stayed for at least 12 hours at a household or other private place where an under 18 year old resides or lives;
- details of any bank and credit card accounts, credit or debit cards they hold (whether alone or with another person and whether in the name of an unincorporated business run by them or with another person);
- passport/identification document details: their name as it appears on their passport or other identification document, and their passport number or issue number of the identity document.

Changes to information and periodic notification

(ii) They are also required to notify police of any **changes to information** given to them at initial notification. This must be given within 3 days of the date of any change to the information.

(iii) They are also required to re-notify information given at initial notification on an annual basis. This is known as periodic notification. However, if they do not have a sole or main residence, they will be required to do this more frequently, by reporting on a weekly basis (i.e. every 7 days).

Travel within the United Kingdom

(iv) If the person intends to leave their registered address (i.e. the address you notified to police) for more than 3 days to travel elsewhere within the United Kingdom, but where they are not intending to reside at another address which has already been, or must be, registered under existing notification requirements, they must notify police at least 12 hours before leaving that address to provide:

- the date when they will leave the address;
- details they hold regarding: their travel arrangements (means of transport and dates of travel), accommodation arrangements (the address where they will spend the night and the nature of the accommodation), and the date of their return to their address.

If at any time during this period, the information should become inaccurate or incomplete, they must notify the police of the above information which is accurate. If they return home on a date other than the time given to police, they must notify police of this date within 3 days of their return.

Travel outside the United Kingdom

(v) If the person intends to travel outside the United Kingdom, they must notify the police. However, if they propose to travel to the Republic of Ireland, they are only required to notify the police if they intend to travel to that jurisdiction for a period of 3 days or more.

In all cases of travel outside the United Kingdom, they must notify the police of their proposed travel not less than 7 days before departure, or exceptionally, not less than 12 hours before departure.

They must also provide the following information during this notification to police:

- where they intend to travel to more than one country outside the United Kingdom, their proposed point of arrival in each additional country;
- the dates on which they propose to stay in any country to which they propose to travel;
- details of their accommodation arrangements in any country to which they intend to travel;

- the identity of any carrier (s) they intend to use for the purposes of their departure from, and return to, the United Kingdom, and of travelling to any other point of arrival;
- the date of their return to the United Kingdom; and
- the point of arrival on their return to the United Kingdom.

If any of the information notified should become an inaccurate or incomplete statement of the information required any time up to 12 hours before their departure from the United Kingdom, they must report to police in person and make a fresh notification of their intentions no later than 12 hours before your departure. This fresh notice can, however, be made at any police station within the United Kingdom prescribed for notification purposes and does not have to be in their local area. Should they choose to do this, they must disclose their name and address as notified to the police and the police station at which they originally gave notice of their intention to travel.

If they do not hold the required information 7 days prior to their intended departure date from the United Kingdom, they must notify the police 12 hours prior to their departure of the date of departure and the destination country.

On return to the United Kingdom, they do not have to notify the police of their return unless they do not arrive back on the date and to the point of re-entry they notified to police. If this differs in any way, they must, within 3 days of their return to the United Kingdom, report in person to a prescribed police station and notify the police of the date of their actual return and their point of arrival in the United Kingdom.

Offences

A person failing to comply with these requirements without a reasonable excuse, or who knowingly provides the police with false information, could, on conviction, be sent to prison for up to 5 years.

Form SON1 (a)

Name:

_____ **DoB:** _____

Passport Details:

Passport Number:

Name as it appears in the passport:

Description of identity or other document: (where a passport is not held)

Issue number (if any) and name as it appears in the identity or other document
(where a passport is not held)

Bank/Credit Card/Post Office Account Details:

Account Type: Bank Credit Post Office

Banking/Financial Institution:

Account Number:

Account Sort Code:

Issuing Branch:

Name(s) on Account:

Type of Card Held:

Bank/Credit Card/Post Office Account Details:

Account Type: Bank Credit Post Office

Banking/Financial Institution:

Account Number:

Account Sort Code:

Issuing Branch:

Name(s) on Account:

Type of Card Held:

The copy of this form should be faxed to Internal (ext) and the original delivered to your local PPU.

Form SO2

**RECORD OF TRAVEL NOTIFICATION BY A
NOTIFIABLE OFFENDER
FOR POLICE RECORDS**

This form comprises four sections.

The information requested in the first section **MUST** be provided by the offender in all cases where such information is available. The offender should be warned that if it later becomes clear that they were in possession of any of the specified information and did not provide it no later than 24 hours prior to departure, they will be liable for prosecution. A person failing to comply with the requirements set out above without reasonable excuse, or who provides the police with false information, could be sent to prison for up to 5 years.

The offender may be asked to provide the information in the second section but they are not obliged to provide it.

Is this notification being made to comply with: (where both apply tick both)	Section 85A, Sexual Offences Act 2003 (absence from notified residence – within UK) – section 3 applies	<input type="checkbox"/>
	Section 86, Sexual Offences Act 2003 (travel outside the UK and to the ROI)	
	Section 68, Justice Act (Northern Ireland) 2015 (absence from notified residence – within UK), VOPO -	
	Section 69, Justice Act (Northern Ireland) 2015 (travel outside the UK and to the ROI), VOPO - section 1, 2	<input type="checkbox"/>

Section One (travel outside UK, including ROI)

Name (as currently notified)

Home address (as currently notified)

Date of birth _____

Date of departure from the UK _____

Destination country/ies (or, if more than one, the first)

Point of arrival in that country

Point of departure from the UK

Point of arrival in any countries they will be visiting in addition to the initial destination

The carrier/s they will use to travel to and from the UK and between countries while they are outside it (not internal flights)

Details of all accommodation arrangements outside the UK

Date/s they intend to stay in any country and date of intended re-entry into the UK

Point of arrival on return to the UK

Section Two (travel outside the UK, including ROI)

The following information does not have to be provided but if provided, then it

should be noted here

Purpose of visit

Are you subject to any licence or order that prevents you from leaving the UK or visiting a particular country

Mode of travel to departure point

Booking reference number/booking agent

The name of anyone travelling with you

Section Three (absence from notified residence)

Name (as currently notified)

Home address (as currently notified)

Date of birth

Date of intended departure from home address

Travel arrangements during departure from home address, to include details of transport used and dates of travel

Accommodation arrangements during departure, to include address of accommodation they intend to stay and the nature of the accommodation

Intended return date to home address

Section Four

This section is administrative information to be completed by the police officer or other authorised person at a police station.

Date of notification of travel _____

Date of notification of return _____

Date and location where **first** notification of this trip was made (if applicable) _____

SIGNATURES:

Offender's signature
*(Refusal or failure to sign will not
invalidate this form.)*

Officer taking details and station _____

Reg
No. _____

OIC if different from above

Date

A COPY OF THIS FORM SHOULD BE GIVEN TO THE OFFENDER

**LIST OF POLICE STATIONS FOR NOTIFICATION PURPOSES
IN NORTHERN IRELAND**Police Service of
Northern IrelandAntrim Police Station
24 Castle Street
Antrim
BT41 4AUAntrim Road Police
Station
274 - 280 Antrim Road
Belfast
BT15 5AAArdmore Police Station
3 Belfast Road
Newry
BT34 1EFArmagh Police Station
1-2 City View
Newry Road
Armagh
BT60 1EPBallycastle Police
Station
12 Ramoan Road
Ballycastle
BT54 6EGBallymena Police
Station
26 Galgorm Road
Ballymena
BT43 5EXBallymoney Police
Station
79 Charlotte Street
Ballymoney
BT53 6AZBanbridge Police
Station
14 Castlewellan Road
Banbridge
BT32 4AXBangor Police Station
1-5 Castle Park Avenue
Bangor
BT20 4BSCastlereagh Police
Station
Alexander Road
Belfast
BT6 9HHColeraine Police Station
17 Lodge Road
Coleraine
BT52 1LYDownpatrick Police
Station
3 Ballyhoran Road
Downpatrick
BT30 6RBDungannon Police
Station
1 Quarry Lane
Dungannon
BT70 1HXEnniskillen Police
Station
48 Queen Street
Enniskillen
BT74 7JR

Larne Police Station
2 Hope Street
Larne
BT40 1UR

Limavady Police Station
11 Connell Street
Limavady
BT49 0EA

Lisburn Police Station
15 Barrack Street
Lisburn
BT28 1TJ

Lurgan Police Station
62 Church Place
Lurgan
BT66 6HD

Musgrave Police Station
60 Victoria Street
Belfast
BT1 3GL

Magherafelt Police
Station
45-47 Meeting Street
Magherafelt
BT45 6BW

Newtownabbey Police
Station
418 Shore Road
Newtownabbey
BT37 9RT

Newtownards Police
Station
36-40 John Street
Newtownards
BT23 4LX

Omagh Police Station
1 Derry Road
Omagh
BT78 5DR

Strabane Police Station
23 - 25 Bowling Green
Strabane
BT82 8BW

Strand Road Police
Station
81A Strand Road
Londonderry
BT48 7AA