

International Circulations for ViSOR nominals

This document has been created in order to provide clarity in relation to the international circulation of sexual and violent offenders. Since the entry into operation of SISII, there are two main channels for circulation. You will only need to use one, determined by the required destination of the intelligence. **M Forms are for Schengen countries and Interpol Enquiries are for Non-Schengen.**

1. SIS II Article 36 Alerts:

a. These should be placed on all ViSOR nominals who notify foreign travel in accordance with National Policing guidance.

Article 36(2) alerts can be used to help manage sexual or violent offenders. National guidance relating to protecting the public, issued by MOSOVO (Management of Sexual Offender or Violent Offender working group) states that the following categories of ViSOR nominals should be circulated on an Article 36(2) alert:

- all ViSOR nominal who notify foreign travel.
- all RSOs identified as travelling abroad through foreign travel notifications.
- other ViSOR nominals such as RSOs where there is intelligence that they have travelled abroad but did not comply with the notification requirements.
- Other ViSOR nominals who are prohibited from travelling abroad. (SRO/SHPO/VOO etc.)

MAPPA categories 2 and 3 offenders (eg, violent offenders and other sex offenders) would be circulated on an individual risk assessment basis and would need the authority of the local police to create the PNC/SISII Alert. In most situations the request to circulate would arise as a result of a MAPPA action from the relevant category meeting.

When created via PNC, the alert will be visible to all other SIS II countries (listed below). It should be noted that they can only see identification details of the nominal and the alert type; no details of criminality or restrictions are available to them.

b. Should the nominal come to the attention of the authorities in a Schengen country, they will pass set information back via the UK SIRENE Bureau. The country in question will perform a discreet check where possible; they will not know the reason for the check, only that the nominal is of interest to the UK. See the APP link below for details of information sets.

<https://www.app.college.police.uk/app-content/investigations/european-investigations/schengen-information-system/>

c. Previously, via Interpol a separate risk assessment document authorised at Inspector level was required to disseminate intelligence. While the risk to the offender while overseas should still be assessed by the Force, there is no longer a requirement to submit the separate risk assessment document. This only applies to Schengen countries.

d. For M forms targeted towards Spain, as per National Guidelines, this should also be targeted towards Gibraltar. As Gibraltar is not part of the Schengen system, this information will be forwarded by SIRENE UK via email following submission of an M Form. There is no requirement to submit this information separately via Interpol.

e. All notifications for Schengen Area countries should be submitted via M Forms; no Interpol notifications will be accepted for Schengen Area countries. The form will be rejected and the Force advised to resubmit via PNC.

2. Interpol Notifications:

a. These should be submitted on all Very High and High risk offenders who notify foreign travel **outside** the Schengen Area. This should be carried out in accordance with current practice by their Offender Management Unit via the Force International Liaison Officer in line with Home Office guidelines.

b. The information required should be submitted on an Interpol Enquiry Form.

c. A separate risk assessment document authorised by a Superintendent is required for an Interpol dissemination. This is to address the risk to the offender while overseas outside of Europe. Should the offender notify travel to a High Risk Country (further information found on the Foreign and Commonwealth Website), specific mention of the risks in that country should be made in the risk assessment document.

d. Interpol Notifications can be used to target a specific country outside of Europe if you are aware that the subject will be travelling there. Alternatively they can be used to target several countries if you feel the offender is suspected of deviating from their travel plans or are unsure of the exact destination of the offender. It must be assessed and considered to be proportionate to warn more than one countries.

3. Interpol Green Notices:

- a. Green Notices are used to inform law enforcement in other countries about a person's criminal activities if that person is considered to be a possible threat to public safety. They are a world wide international alert which cannot be targeted to specific countries and countries cannot be exempt from receiving the notice.
- b. A Green Notice is necessary if all location checks have returned negative and the offenders' whereabouts remains unknown, it may also be suitable if the threat that the offender poses to the public is assessed as so high that it is deemed proportionate to have a warning in place for all member countries. Once a notice has been issued by the UK it is published on the INTERPOL secure website and is visible to all 190 member states.
- c. Notices contain two main types of information: identity details (physical description, photographs, fingerprints, identity document numbers, etc) and judicial information (offence with which the person is charged; references to the laws under which the charge is made or conviction was obtained, etc). While not specifically mentioned in any guidance, it is in the 'case section' that any perceived risk to the public may be articulated as 'additional facts of the case'.
- d. To issue a notice the following information is required: a completed Green Notice form with an Interpol Enquiry form with all asterisked fields filled in and justifying the need for the upload. A robust risk assessment (Form C) must also be included which considers the potential risks that the offender could face, should they come to notice in a high risk country, with the information provided on the notice. Further guidance on high risk countries may be found on the FCO website. The risk assessment is for the NCA only; it is not passed on to any international agencies. These documents must be submitted via the Force International Liaison Officer.

SIS II Countries

Austria, Belgium, Bulgaria, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, UK, Iceland, Switzerland, Norway and Lichtenstein

Some countries have refused entry to Registered Sexual Offenders from UK.