



**Working together  
to keep people safe**

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4 November 2022

Dear Ms Whitting,

**Re Preventing Future Deaths Report – Harper Denton**

Thank you for your report, this was a shocking crime and the sympathies and thoughts of both the College of Policing and National Police Chiefs Council are with her family.

This is a joint response written on behalf of both the College of Policing (College) and National Police Chiefs' Council (NPCC).

You have identified two 'matters of concern' for policing to respond to and this response deals with each in turn.

- 1) *The MPS does not appear to have adopted ACPO Guidance on Protecting the Public: Managing Sexual Offenders and Violent Offenders 2010 and subsequent APP College of Policing MOSOVO Guidance, particularly with respect to PDPs. Because this concern maybe relevant to other police forces nationally, this concern is directed to the CEO College of Policing and the Chair of the NPCC as well as the Commissioner for the MPS.*

**Response**

The ACPO guidance from 2010 has been superseded by the College's Authorised Professional Practice (APP) on Potentially Dangerous Persons (PDP) which describes the most up to date professional practice for police forces in England and Wales.

In addition, the College has developed risk principles, vulnerability and risk guidelines and, principles for the management of potentially dangerous and serial perpetrators domestic abusers.

These guidelines and principles support forces in their identification, assessment and management of PDPs. College Child Abuse APP is explicit about concerns for a child and the risk presented by people with a history of violent or sexual offences and makes the links across to the Management of Sexual or Violent Offenders (MOSOVO) APP.

Chief Constable [REDACTED] is the National Policing Lead for the Management of Sexual Offenders and Violent Offenders, she drives consistency of policing approaches by supporting forces to implement guidance and adopt new, promising practice. Additionally, the Vulnerability Knowledge and Practice Programme (VKPP) actively engages with forces to assist them to assess their own operating processes and offers coordinated peer support when forces ask for assistance. However, the Metropolitan Police Commissioner and individual Chief Constables have operational independence and so can deviate from APP if they choose.

- 2) *There appears to be a lacuna in pro-active information sharing practices by Police (similar to those found under Clare's Law and Sarah's Law) in order to protect children from those who may present a threat to them as a result of having previous convictions for violence/cruelty offences against a child - this concern is directed to the CEO College of Policing and the Chair of the NPCC.*

### **Response**

Where policing becomes aware of a Potentially Dangerous Person, or any person who may pose a risk to a partner of their children, there is a well-developed legal framework to share information with a person considered to be at risk of harm, such as a new partner or the parent / carer of a vulnerable child.

The primary mechanisms for the disclosure of conviction information and, more importantly, risk information to facilitate child safeguarding, are Multi Agency Public Protection Arrangements, the Child Sexual Offender Disclosure Scheme and the Domestic Violence disclosure scheme. These mechanisms provide a statutory and common law approach to enable relevant risk information is shared proactively and reactively to ensure safeguarding and public protection

### **Multi Agency Public Protection Arrangements (MAPPA)**

MAPPA provides the legal gateway for police to share information with responsible authorities and a duty to cooperate with agencies such as child social care and / or health. This is to ensure that individuals identified as posing a serious risk to the public are subject to multi agency scrutiny and a risk management plan. A plan would include consideration of disclosure of information to third parties if deemed appropriate. Offenders who have convictions for violence and cruelty offences against children can be managed within the MAPPA framework. In addition, the arrangements are subject to statutory MAPPA guidance which aims to ensure their consistent application.

### Child Sexual Offences Disclosure Scheme (CSODS)

Sarah's law relates to the CSODS and the rights of people who feel that a child may be at risk to ask about an individual's convictions for child sexual offences.

### Domestic Violence Disclosure Scheme (DVDS)

Claire's law relates to the DVDS which affords a right to ask as well as a right to tell. Home Office guidance 2013, provides an explanation of the process to provide increased protection for domestic abuse victims.

MAPP guidance provides a non-exhaustive list of offences where convictions and/or allegations may be disclosed under the DVDS. Although the list is non-exhaustive and is intended to act as a guide to the types of offences that may be disclosed, it specifically includes Child Cruelty under Section 1 of the Children and Young Persons Act 1933, Section 1 and 2 Child Abduction, under the Child Abduction Act 1984, and Causing or Allowing the Death of a Child under Section 5 of the Domestic Violence, Crime and Victims Act 2004.

Neither of the disclosure schemes are in statute. However, they formalise processes, based on common law powers of disclosure, to ensure a consistent approach is followed when considering disclosure of information to individuals when risk is identified to children or of domestic violence.

Any disclosure must comply with the existing legal framework, in particular the Human Rights Act 1998, the Data Protection Act 2018, the Rehabilitation of Offenders Act 1974, and established case law. Information which may be disclosed includes convictions and out-of-court disposals for violent offences and / or information about the person's behaviour which reasonably leads the police and other safeguarding agencies to believe that the person poses a risk of harm to the potential victim.

College APP on child abuse refers to the powers of police to share information, and this includes employers and regulatory bodies. In response to your report the College will, in the next three months, update APP to make clear that disclosure can also be made to parents and / or carers of children who may be at risk of harm from a particular person.

APP will be amended to make this common law power clear. An individual with a violence or cruelty conviction for children therefore should be subject to necessary operational oversight on a case by case basis and any identified risks shared accordingly.

In conclusion, there are a number of means to share risk related information with statutory and non-statutory partners including carers of children, where a suspect is identified as posing a risk to children or others. The uses of these mechanisms and identification of individuals is an operational responsibility for the chief officer of each force

I hope that this response addresses your concerns regarding this tragic case. The College and National Policing Lead will ensure that the lessons from the murder of Harper Denton are disseminated amongst all the police forces of England and Wales.

Yours sincerely



Chief Executive Officer  
College of Policing



Chair  
National Police Chiefs' Council

**Relevant links to College APP and the VKPP website;**

**Potentially Dangerous Persons APP**

**Child abuse APP**

**Management Of Sexual Or Violent Offenders APP**

**Vulnerability Knowledge and Practice Programme**