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University
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Public Protection:

Missing Persons

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College of Policing Limited
Leamington Road
Ryton-on-Dunsmore
Coventry, CV8 3EN

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Authorised Professional Practice

These notes are aimed at learners completing their Initial training to meet the learning outcomes specified on the National Policing Curriculum. The primary source of content is the Authorised Professional Practice (APP) and the supporting evidence based research of “what works” in policing.

APP can be found at: <http://www.app.college.police.uk/>

1. Missing Persons

These notes are for Pre-Join, Police Officers and IL4SC Phase 2.

This chapter provides an introduction to Missing Persons. It looks at the new definition of 'Missing' people. It will explain your role as a first responder when called to a missing person incident and the importance of initial and ongoing risk assessment. The chapter also covers the importance of managing the return of a missing person, explaining the procedures involved and how you should deal with someone who has been missing.

1.1 Prevalence of Missing Persons

Each day in Britain the police take over 1,000 calls regarding missing persons, more than 40 calls per hour. In total, during 2015-2016 over 134,000 people were recorded missing in England, Wales and Scotland. (National Crime Agency (2016) Missing persons data report 2015/2016).

1.2 Definition – 'Missing'

In 2017 APP provided a new definition of 'missing person' to include that of 'absent' (as 'no apparent risk') as well. The APP 2017 Missing Persons defines a missing person as:

'Anyone whose whereabouts cannot be established will be considered missing until located, and their well-being or otherwise confirmed'

Whilst your understanding of this definition is essential, it is also important to understand that missing persons themselves do not always identify with the official definition. Here are some of the ways that former missing adults viewed their experiences:

"I suppose it's that old joke, I know where I am. But because I didn't actually think I was missing, I wouldn't class myself as missing. I was surprised" (Megan, former missing person)

"In my mind, you get the idea of children missing or teenagers going missing and you don't actually realise that middle aged and old people go missing to. And I have still got that classic view of the missing kid." (Malcolm, former missing person)

“I never really consider myself a missing person, it’s just a label that never came into my head, I just felt more like I was a depressive who attempted suicide, vulnerable adult, I think I’m that more than a missing person” (Sophie, former missing person)

Being sensitive to how missing people see their experience will help you to communicate with them and play a role in reducing the stigma and feelings of shamed caused by being defined as missing.

1.3 What is a Missing Person?

Missing Persons

‘Anyone whose whereabouts cannot be established will be considered missing until located, and their well-being or otherwise confirmed’

Missing persons can be categorised in the following ways:

- Lost persons are those who are temporarily disorientated and would wish to be found, e.g. people who have gone walking and do not know where they are.
- Missing persons who have voluntarily gone missing – these are persons who have control over their actions and who have decided on a course of action, e.g. they wish to leave home.
- Missing persons who are ill or injured – these are persons who do not want to be missing but have suffered some injury or illness that has resulted in them not completing a journey and subsequently being reported as missing.
- Missing persons under the influence of a third party – these are persons who have gone missing against their will, e.g. abduction or murder victims.

Categorising a missing person supports the risk assessment process and subsequent search planning. Different searches are used for a person who has been deemed to be lost from those used for a person who is thought to be voluntarily missing. There should be a frequent review of the voluntary missing categorisation to ensure that new information confirms that the category is correct. This is a feature of the ongoing re-assessment stage in SCENARIO-based search.

1.4 Where do Missing Persons Go?

Missing persons take a variety of journeys both short and long, but the types of locations visited mainly involve going to familiar or significant areas, such as places they used to live, or an area they work or have friends for example. This is because whilst they might want time out from their everyday lives and wish to avoid people they know, they don't necessarily want to draw attention to themselves through being lost or not knowing where to access amenities or appearing out of place. The following are quotes from former missing persons who explain where they went and why:

"All around me were places that I had been with people and I knew people pass through, only a few blocks away was my office and I kind of obviously steered clear of that. I was deliberately avoiding going anywhere that I could easily bump into somebody on the street" (Mathew, former missing person).

"If I had gone somewhere I didn't know it would have been a lot harder to get through the next few days because I wouldn't know where anything was" (Andrew, former missing person)

1.5 The Role of the First Responder

The investigation into a missing person begins at the point of first notification to the police. As a first/initial responder you will play a crucial role in shaping the subsequent pace and the extent of the police investigation. It is important to remember that the act of going missing could be a possible indicator of other issues or problems in the person's life. It could be related to their own personal circumstances or something more sinister, it is only by thorough investigation that you can uncover these circumstances. One of the primary facts to be determined is why the person has gone missing.

APP 2017 guidance states that: The initial investigating officer (IIO) should begin the investigation, conduct appropriate searches and reassess the level of risk. Judgements made at this point may have an impact on the effectiveness of the investigation.

The primary consideration for the IIO, and every other person managing the investigation, is the safety of the missing person.

A missing person report may be the first report of a serious crime or of a person being at significant risk of harm. If this is believed to be the case, a supervisory officer should be contacted immediately.

Although most missing person enquiries do not lead to a major crime investigation, where they do, early identification that this may be a major crime investigation is crucial to the investigation.

How the investigation is conducted in the first few hours (see golden hour) after the report is made to the police may affect the outcome.

The APP states that the first officer deployed to attend a report of a missing person should carry out the following actions:

Note: some of these may not apply if the missing person has been classified as 'no apparent risk (absent)'.

- Establish the facts and keep accurate records of what was said and by whom
- Make an assessment of the circumstances of the disappearance in order to judge the risks to which that person and the community are likely to be exposed.

All information and evidence gathered, and decisions and actions should be recorded. Where relevant the risk assessment should include the rationale for any actions taken.

- Notify a supervisor to ensure oversight; this should happen immediately in high-risk cases, and as soon as is practicable in all other cases
- Gather sufficient information about the missing person to enable an effective and thorough investigation to be conducted; the depth of that information will vary according to the assessment of risk. Very detailed information and a lifestyle profile will be needed in high-risk cases
- Consider taking a full statement from the person reporting the missing person as well as any other key individuals (eg, the last person to see them)
- Conduct initial searches of relevant premises, the extent and nature of the search should be recorded (see Search)
- Consider seizing electronic devices, computers, and other documentation, (eg, diaries, financial records and notes) and obtain details of usernames and passwords
- Obtain photos of the missing person; these should ideally be current likeness of the missing person and obtained in a digital format
- Obtain details of the individual's mobile phone and if they have it with them; if the missing person has a mobile phone arrange for a TextSafe© to be sent by the charity, Missing People
- Obtain details of any vehicles that they may have access to and place markers on relevant vehicles on the PNC without delay
- Consider obtaining any physical evidence of identity such as fingerprints or DNA samples in accordance with Code of Practice (2009) Collection of Missing Persons Data.

- Confirm if the person has taken their passport, (consider prompt circulation if it is deemed likely the individual may leave the country)
- Make all immediate relevant enquiries and take immediate actions in order to locate the missing person
- Consider the need for specialist officers or resources, e.g. force helicopters, dogs, financial investigation officers
- Upload the missing person report
- Circulate details of the missing person on local information systems and to relevant local partners, e.g. hospitals, ambulance service, taxi and bus firms.

It is important for an individual (who has responsibilities/concerns for the missing person) to be identified who can act as the point of contact for the police. The police will agree with the individual/family when they will next be contacted. This person should be provided with a call reference number and given details of how to contact the police with any further information they have about the case or if they would like to receive an update.

An assessment must be made of the level of support required for the family, residential worker or foster carer and consideration should be given to appointing a family liaison officer. Information should then be provided regarding additional organisations that may be able to assist or support them.

Risk Assessment

Whilst the call handler may make the initial risk assessment and determine the level of response, a secondary risk assessment must be carried out by the first officer on the scene. The risk assessment you carry out must be reviewed by your supervisor as soon as practicable.

The risk assessment will result in a classification of No apparent risk, Low, Medium or High risk. The definition of each of these categories is as follows:

- No apparent risk: there is no apparent risk of harm to either the subject or the public
- Low risk: the risk of harm to the subject or the public is assessed as possible but minimal
- Medium risk: the risk of harm to the subject or the public is assessed as likely but not serious.
- High risk: the risk of serious harm to the subject or the public is assessed as very likely.

1.6 Support for People Reporting a Missing Person

Families often want to help locate their missing loved one and will carry out extensive and significant searches, which can occur both with and without police knowledge. Families have extensive knowledge about typical routines, habits, likely places, and locations of their missing person. Understanding that those left behind have an important role to play in a successful enquiry and working in partnership with them can be of great benefit to the investigation.

Effective communication is essential to ensure good police-family relations and promotes positive force reputation in missing person enquiries. To ensure effective communication, it is always important to consider how the missing person's disappearance impacts on the reporting person. To avoid further distress you should ensure you provide clear information to the reporting person. This information should include the risk classification, the justification for this, what action the police will take as a result and once completed what the outcomes of these actions are. Families should be provided with a named or single point of contact from the beginning so they can both provide and request information on the investigation.

If someone goes missing this can have a shocking and devastating impact on those left behind, and this can last for significant periods of time. The police cannot always offer the direct support needed, and as such it is important to signpost people to other agencies which may provide them with support, such as the charity Missing People.

Example:

Martha, 89-year-old woman at the time she went missing in 2008. Martha left her family home at 9:30am saying she was off to the shops, but never returned. After some initial searches by the family, at 9pm on the same day Martha was reported missing to the police. There was nothing to indicate that Martha had intended to go missing. Her bankcards and other personal effects were still in the house, and she had around £100 in her purse. The possibility of Martha having wandered was ruled out as she didn't experience Dementia. Alice, her step daughter describes the importance of police response and good communication and the effects of having a missing stepmother:

"The police were absolutely fantastic and they took it very seriously right from the outset. They were very good, professional and really supportive and they have done absolutely the utmost to help us. The best thing that was said to me by the police

was “we’ve got to work together on this. Without both of us trusting each other we’re not going to get anywhere and we need to have that open communication, and we need to know everything that’s going on and for us to do the same with you, to be open and honest as much as you can”.

It was literally an hour after the initial report it finally dawned on me that she was properly missing and the initial police officer was very good because he was clear and sensitive, like “I know this is upsetting, we just need to get these sort of formalities out the way.” They were very good at “this is what we need to know, what we need to find out to then find out what’s happened to her. And the more information that you can give us, the easier that’s going to make it”.

Before this we never really had anything to do with the police and so to suddenly have them all over your house and all in your life, it was really strange, but certainly from the outset we were very much of the opinion that we were working with the police. Even when we had our fingerprints taken, it was “this is the reason why we’re doing this, it’s to then exclude because we’re forensically doing the house. You’re the main people that are in that house, so we need to know who has been in the house.” So we were lucky, they were completely open with us and because we had that trust of each other it did work.

Initially I was in quite a bad place, I bundled a whole load of weight on and my mood had dropped. The lack of control in the life, the mental strain of having somebody missing means you’ve got that rollercoaster, the sense of loss, the grief, the anger. So it is a huge emotional rollercoaster. The family liaison officer said that they were going to put all the information up to Missing People, who could then also do publicity; they had a database of missing people. But also then mentioned that they were there as a support for us. I ended up phoning Missing People and speaking to somebody on the phone, which was helpful. The lassie was lovely, she was very supportive.

Going back to work I was paranoid that something’s going to happen and I’d be too far away and I’ll never get back in time, and nobody’s going to cope without me. I did get a few phone calls from the family liaison officer, but I managed to cope with that reasonably well just because of the way he phrased things. We spoke about the stages of grief and finally getting to the point where I have decided that she’s dead, and it is just give me a body and that’ll be fine. Because even the police, when we’ve

spoken to them before, their first priority is finding her, anything after that is second. They've said that to our face. That's fine, that's exactly where we are as well."

1.7 The Management of Returned Missing Persons

Missing Person Located

It is important to consider how the person is dealt with on first contact with the police, identifying if they need to be moved to appropriate accommodation, if this is required. It is also important to think about how the person should be spoken to when they are located. It is a commonly held belief that a missing person will not be willing to talk about their situation. Experience shows that this is not the case and that what is required is a diplomatic approach, using an understanding rather than a disproving style. It is not appropriate to express views about the missing person being a nuisance or a waste of time.

Prevention interviews (formerly 'safe and well' checks)

In a missing case it is the responsibility of the police, as well as care providers (where appropriate), to ensure the person is safe and well. How you act and what you say during this interaction, now known as a prevention interview, is extremely important to generating a positive police-missing person experience. The missing person should have the opportunity to disclose any relevant issues they may have. Not rushing initial conversations and appearing non-judgemental will help to achieve positive results. If the person is unwilling to answer questions during the prevention interview you should record details about their demeanour, physical state and any factors that could be relevant.

Example:

Peter had been reported missing by his sister. During his 3-days missing Peter moved between Nottingham and Leicester on the train. During the days he would walk endlessly trying to sort out the thoughts and emotions he was experiencing, resting only momentarily on benches and then at night he slept rough in parks, hidden by the trees. He threw his phone away to avoid detection. Fatigued and cold and really depressed, Peter decided to head closer to home and a day later he was located by the police.

Peter tells how nervous he was at being picked up by the police as he didn't know if he would be arrested or in any other sort of trouble. The police officers were able to

see that Peter was nervous and scared. The first responders were supportive and through non-judgmental reassuring language that let Peter know that he had done nothing wrong, Peter was able to calm down and remain so. Here are the words of Peter:

“I was walking up this side road actually, and next thing I knew the driver turned his head lights on full beam. The driver came out and asked me if I was alright and I went “yes and no” and he went “put your hands on the bonnet” and that’s when I knew it was a policeman. At first I thought they were just looking for like somebody else and then when they actually said my name, I panicked, I totally panicked. I was crying, “oh my god. You don’t have to take me away, I haven’t done anything wrong”. He said, “you have to come with us, you’ve been reported missing”.

Getting into the police car put the fear of death in me to tell you the truth. I was very nervous, I felt physically sick with nerves. They were making a few jokes, trying to lighten it up a bit because they could see how nervous I was. I was really worried. I didn’t know the consequences of being reported missing. They just took me into the car down to the police station and asked me all these questions: “have you ever been suicidal?”; “how did you get here?”; “did you use money from your bank?”; “where had I stayed roughly?” and then they surprised me by asking “how did I feel?”. I told him I wasn’t sure. When he explained that my family had been looking for me, things started sinking in. I realise it wasn’t a game, it was real.

I remember apologising for wasting their time and they said “this is what we’re here for.” They were two young guys. They were very sympathetic and I kept saying how sorry I was, but they really didn’t seem to mind and that was really good. One of the policemen was really good with me. I was obviously depressed and out of it. He spoke to me really nicely and put me at my ease basically. The police made me feel quite secure, safe, because there was none of “you bad man, you shouldn’t have ran away”. It was quite matter of fact, but with kind words. They handled it really well. I realise I didn’t have to have been scared of them.”

The following should also be carefully considered:

- **Location:** Try to complete a prevention interview in a place of safety where the former missing person is able to speak freely. If attending in marked vehicles and at an inappropriate venue this will limit how able they are to speak and creates anxiety.

- **Timing:** When a prevention interview is conducted is important, as is spending time with the person reported missing and not rushing the process.
- **Language:** Using appropriate language can generate a positive police-adult interaction and reduces the possibility of long lasting trauma. Delivering key messages in a caring way and providing the missing person time to talk is essential.
- **Onward referral:** Former missing persons find it difficult to talk about their experiences, and as such signposting them to relevant support agencies is essential.

Return Interview

In missing cases, you need to consider the wider safe guarding picture. Just because the person has returned, it doesn't mean they will next time. The return interview is part of the investigation and should be completed by an independent third party, such as the local authority, where possible. If you complete a return interview it is important you carry this out with sensitivity and that you connect the missing person with appropriate support agencies.

The return interview helps all agencies and services involved to understand the full circumstances of why the person went missing and whether any safeguarding measures need to be put in place, as well as provides the chance for preventing repeat missing episodes. It is also important to think about where someone should be returned to if the place they are living is no longer appropriate.

It could be that it is more appropriate for a professional from a voluntary agency to conduct the interview. This may be the case when dealing with children missing from care or vulnerable adults. The interview and actions from it should be used to:

- identify and deal with any harm the missing person may have suffered
- understand and try to address the reasons why they went missing
- try to prevent it happening again

1.8 Presumption in law that a missing person is 'legally dead'

Whilst every effort is made to trace a missing person there may be cases where someone has been missing for so long that loved ones or those left behind might not only have to emotionally let them go but legally as well.

The Presumption of Death Act 2013 allows this and permits the next of kin to legally dispose of the missing persons assets and finally bring closure to what in a lot of cases has been an emotional time.

In most cases, applications will be made by their next of kin, but other interested parties may want to have the missing person declared 'legally dead'.

Applying for a declaration (Section 1 Presumption of Death Act 2013)

1. Section 1 applies where a person who is missing:
 - a. is thought to have died, or
 - b. has not been known to be alive for a period of at least 7 years.
2. Any person may apply to the High Court for a declaration that the missing person is presumed to be dead.
3. The court has jurisdiction to hear and determine an application under this section only if:
 - a. the missing person was domiciled in England and Wales on the day on which he or she was last known to be alive,
 - b. the missing person had been habitually resident in England and Wales throughout the period of 1 year ending with that day, or
 - c. subsection 4. below is satisfied.
4. This subsection is satisfied if the application is made by the spouse or civil partner of the missing person and:
 - a. the applicant is domiciled in England and Wales on the day on which the application is made, or
 - b. the applicant has been habitually resident in England and Wales throughout the period of 1 year ending with that day.
5. The court must refuse to hear an application under this section if:
 - a. the application is made by someone other than the missing person's spouse, civil partner, parent, child or sibling, and
 - b. the court considers that the applicant does not have a sufficient interest in the determination of the application.

The Declaration (Section 2 Presumption of Death Act 2013)

1. On an application under section 1, the court must make the declaration if it is satisfied that the missing person:
 - a. has died, or
 - b. has not been known to be alive for a period of at least 7 years.
2. It must include in the declaration a finding as to the date and time of the missing person's death.
3. Where the court:
 - a. is satisfied that the missing person has died, but
 - b. is uncertain at which moment during a period the missing person died,the finding must be that the missing person is presumed to have died at the end of that period.
4. Where the court:
 - a. is satisfied that the missing person has not been known to be alive for a period of at least 7 years, but
 - b. is not satisfied that the missing person has died,the finding must be that the missing person is presumed to have died at the end of the period of 7 years beginning with the day after the day on which he or she was last known to be alive.

The effect of a declaration (Section 3 Presumption of Death Act 2013)

1. A declaration under this Act is conclusive of:
 - a. the missing person's presumed death, and
 - b. the date and time of the death.
2. A declaration under this Act is effective against all persons and for all purposes, including for the purposes of:
 - a. the acquisition of an interest in any property, and
 - b. the ending of a marriage or civil partnership to which the missing person is a party.
3. But subsections 1. and 2. apply to a declaration only if:

- a. it has not been appealed against and the period for bringing an appeal has ended, or
 - b. it has been appealed against and the appeal (and any further appeal) has been unsuccessful.
4. For the purposes of subsection 3., an appeal has been unsuccessful if:
- a. it has been dismissed or withdrawn, and
 - b. any period for bringing a further appeal has ended.

1.9 Positive Police Action – A Case Example

The following case example highlights that positive police action, such as when officers are supportive, use reassuring language, spend time conducting the prevention interview and assess any further risks, contributes to the well being of the missing person. It also reduces the chance of a repeat incident and promotes an onwards positive police experience.

John is middle age man with clinically diagnosed mental health who went missing for between 0 – 16 hours. John's experience of return focuses on police interaction and the importance of ensuring the person is both safe and well. It also demonstrates as a police officer how you act and what you say during the returns process is extremely important for generating a positive police-missing person experience. Here is John's story:

"All throughout my life I've suffered from mental health problems. During that period when I went missing or running up to it, I was very depressed, very suicidal. I often self-harmed as well. I was reported missing by my psychiatrist as I never turned up for my appointment and normally he wouldn't be chasing me but he knew that I was suffering quite badly at that point and at that time I just wanted to escape.

I didn't intend to go anywhere in particular in the city. I was just wandering the streets, just trying to clear my head in some way. Eventually I turned up on a friend's door in a distressed state. I calmed down and had a few cups of tea and then she got me to switch my phone on. Before I knew it I was being inundated with the text messages and voicemail from the police, "John we're looking for you, you've got to get in touch with us as soon as possible because we're really worried. You've been officially reported missing." When you hear the words from the police, "you're reported missing", all you think of is the worst. I just started to panic so it was

fortunate I was with my friend at that point. I just thought what a mess everything is, but I plucked up the courage, and I phoned the police.

I said, "I'm here, I haven't done anything". Where I stay there's a little police station and I said, "I can come round there and see you?" And at which point the police officer I was speaking to was saying, "we'll have to see you in your own house. We need to see you there, we need to see you're safe and we need to see you're calm". It was to do with my psychiatric history. They wanted to see me safe in my own house rather than just turning up at a police station and maybe just wander off again.

I went home and found the door had been broken into but they'd repaired it the best way they could. Waiting for the police to arrive I felt sick. I felt physically sick with nerves, I was embarrassed, I was ashamed, I felt guilty. I sat there for about an hour, I phoned up a couple of times to say "I'm back and he was, just wait there, there'll be someone round, if not me, it will be one of my colleagues, they'll come round."

They turned up at about six o'clock at night to check I was alright. They were very polite, they were very understanding. I did feel very uncomfortable at them having done all this work to try and find me, but they were really nice about it, they came in and asked what had been happening that day, just getting me to run through everything that had happened. They phoned my phone as well as they wanted to speak to her to see that I was okay; I felt guilty for having brought my friend into. They were making a few jokes trying to lighten it up a bit because they could see how nervous I was. I just kept apologising. I must have sounded like a parrot, but the police said "look don't apologise, it's our job. It's what we are here for, we're just glad that you're safe at home now".

And then what they did was they asked if I wanted a lift up to the mental health hospital. I said I'd rather not. I was in a state of shock at this point and I was too physically and emotionally exhausted to do anything to myself. So I just explained that, they could see I was quite calm. They phoned the hospital and spoke to my CPN at the time and she went on the phone to me and next went back on the phone to them and said "look, I know John will be okay now. From his voice and what he's said about how it's all out his system and how we'll see him on Monday morning and he knows he can phone and come up to the hospital at any point and get admitted if he needs to". They were happy enough with that. They checked my house for any

medication, it's always medication I overdosed on, but again I get my medication weekly because of my history.

It was traumatic being reported missing and then facing the police when they came down to my house, but they stayed for about twenty, thirty minutes with me and they made sure I was alright. They put me at my ease basically. They really did. For me it's difficult. I've certainly never been in a situation like it since.”

1.10 Revision Questions

- What is the definition of a 'missing person'?
- Why is it important to carry out a risk assessment?
- What are the four levels of risk assessment when responding to incidents of missing persons?
- What is a prevention interview?
- Why is it important to ensure that a return interview is conducted with the missing person?
- How long must a person have been missing before they can be presumed to be 'legally dead' in absence of any evidence of their death?

2. References

This chapter has been developed in collaboration with Glasgow University and references the following documents:

1. Parr, H and Stevenson, O (2013) *Families Living with Absence: Searching for Missing People*. University of Glasgow, Glasgow, ISBN: 978-0-85261-939-1.

<http://www.geographiesofmissingpeople.org.uk/downloads/familiesreport.pdf>

2. Parr, H and Stevenson, O (2013) *Missing People, Missing Voices: Stories of Missing Experience*. University of Glasgow, Glasgow, ISBN: 978-0-85261-938-4.

<http://www.geographiesofmissingpeople.org.uk/downloads/missingvoices.pdf>

3. Stevenson, O., Parr, H., Woolnough, P., and Fyfe, N (2013) *Geographies of Missing People: Processes, Experiences, Responses*. University of Glasgow, Glasgow, ISBN: 978-0-85261-936-0.

<http://www.geographiesofmissingpeople.org.uk/downloads/Stevenson-et-al.pdf>

3. Key Legislation

There is no key legislation for this chapter.

4. E-learning

In addition to this book the following e-learning is available via the College of Policing Managed Learning Environment (MLE):

- The 'Public Protection Missing Daughter' e-learning covers definitions and common indicators in relation to human trafficking, managing offenders, child sexual exploitation and missing persons. It allows learners to work through a scenario in order to check their knowledge and understanding.
- The 'Missing Persons' e-briefing covers the definition for 'missing' persons and outlines the processes for dealing with missing cases.

The MLE is regularly updated with new learning programmes and materials.