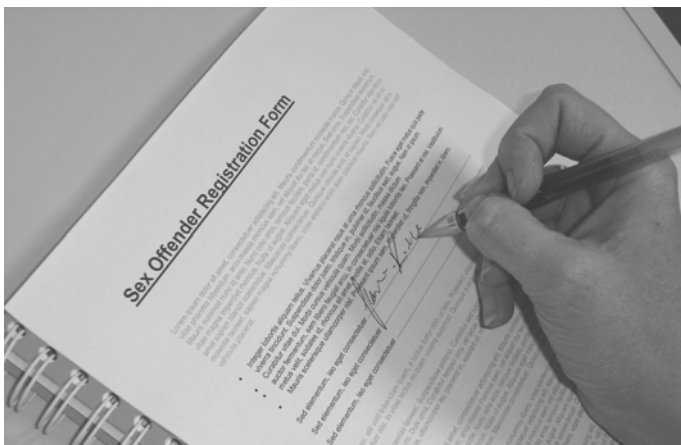


# Managing Sex Offenders in the Community

A Joint Inspection on Sex Offenders



## Inspection Findings 5/05



This bulletin describes the key findings from the Joint Thematic Inspection **“Managing Sex Offenders in the Community – A Joint Inspection on Sex Offenders”** by HM Inspectorates of Probation and Constabulary. The purpose of the inspection was to assess the progress, quality and effectiveness of the implementation of Multi-Agency Public Protection Arrangements and the interventions used by the Police and National Probation Service in relation to the joint management of sex offenders in the community. The inspection also aimed to identify good practice.

### SUMMARY OF FINDINGS

The inspection found that there was a greater focus by probation and police on improving the assessment and management of high risk of harm offenders which offers the prospect of improved performance.

However, current risk of harm assessment and risk management practice were judged to be not good enough largely due to a lack of:

- proper and full assessment of the risk of harm posed by offenders due to probation case managers not completing, and or not reviewing, the Offender Assessment System
- integrated and accountable case management e.g. MAPPA meeting minutes not properly incorporated within probation and police records and contacts with offenders and other agencies not always fully recorded.
- clarity about the purpose, frequency and legal basis of police visits to registered sex offenders.
- Evidence to demonstrate how far the sex offender register contributes to the management of sex offenders in the community
- training or gaps in training for police and probation staff in the assessment and management of risk of harm

## CONTEXT

It is important to both the police and probation services that sex offenders should be managed effectively in the community. The public would be highly critical if this did not happen. In recent months there has been a specific focus by the NPD on improving the assessment and management of high risk of harm offenders prompted by HM Inspectorate of Probation's concerns about this subject, expressed in the Annual Report for 2004/2005.

Encouragingly, recent developments within the NPS have included an Assessment and Management of Risk of Harm Action Plan managed by a National Improvement Programme Board, which addresses a number of issues. Secondly a quality assurance system for OASys has been issued to probation areas for immediate implementation. ACPO are also developing a Public Protection Manual for the police which should be available in the early part of 2006.

## SCOPE AND METHODOLOGY

The scope and methodology for this inspection took into account the early results of Professor Hazel Kemshall's work, 'Evaluating the effectiveness of sections 67 and 68 of the Criminal Justice and Court Services Act (2000) in Strengthening the Multi-Agency Public Protection Arrangements'. We examined in particular how front line police and probation staff managed sex offenders in the community and whether their work was supported by senior and middle managers and MAPPA.

The inspection was carried out in five areas: Norfolk, Gwent, Merseyside, Devon & Cornwall and West Yorkshire. A joint inspection framework was developed that covered strategy and approach, implementation and planning, people, processes and procedures, performance management and partnerships. All documentation was structured using those headings.

In total 100 cases were inspected using a case assessment form which captured information about the quality of assessment, interventions and outcomes of each case. Where possible we compared the results from this inspection with the results for all sex offender cases in 29 probation areas that had been inspected under the Effective Supervision Inspection.

Inspectors interviewed senior and middle managers from both agencies, the MAPPA coordinator if the area had such a post, representatives of the SMB, probation case managers and police officers.

The majority of sex offenders in the sample were white males. Over half were aged between 31 and 50 years old, and nearly three-quarters were unemployed or unavailable for work. The current offence for nearly half the sample was a sexual assault. There were 14 cases of rape and 13 cases involving indecent photographs of children. There were a small number of cases of indecent exposure and familial child offences. There was one case of sexual grooming. The majority of offenders were subject to a licence and in 18 cases an extended sentence. One offender was subject to a SOPO.

## KEY FINDINGS

### Strategy and approach

At a national level we found there was a strategic imbalance between the NPS and the police regarding the management of sex offenders in the community. There was a clear steer given to the NPS, with comparatively little guidance given to the police with the exception of that provided locally.

There were a number of issues that needed a local joint strategic approach, for example accommodation for sex offenders, achieving a common understanding of the concepts of intelligence and information, the appointment of MAPPA coordinators or managers, and maximising the potential of ViSOR.

### Implementation and planning

In the last year SMBs had been struggling to achieve the right membership and level of attendance at meetings. Although SMBs had aspirations to achieve the tasks that were set out in the MAPPA Guidance, they were not at present adequately fulfilling their role.

There was no overarching joint strategy or policy for victims. Considering that there was always a direct victim, more evidence of work by case managers on victim issues and victim awareness with sex offenders was needed.

Although the MAPPA Guidance encouraged the participation of offenders in MAPPA to manage their own risk, the majority of sex offenders in our sample were not directly involved in these meetings or the decisions that were being made about them. In most cases probation staff were ensuring that sex offenders were aware of their responsibilities under an order or licence.

Copies from MAPPA meetings minutes were not always contained in police or probation case files. Consequently, in the majority of cases actions from MAPPA meetings were not integrated into Initial Supervision Plans, supervision plan reviews or ViSOR.

We were pleased to find that probation and police staff were clear about their role of protecting the public from sex offenders and they were also aware of a range of interventions that were available. However probation staff had not received any training about the Sexual Offences Act 2003 that contained a number of new civil preventative orders. There was also a need to evaluate current interventions to establish What Works.

Demand for one of the main interventions, accredited sex offender programmes, exceeded supply that led to unacceptable delays. Consequently, case managers had to ensure that sex offenders remained motivated for long

periods of time before starting their programme, which was sometimes difficult.

Access to one other intervention – surveillance – was found to be limited, with requests having to be balanced against competing demands. This was a concern however with the increasing number of SOPOs being made which will need to be enforced.

In interview front line staff demonstrated an understanding of diversity issues, but this was not evidenced in the case files nor were diversity issues adequately addressed organisationally.

In our sample of 100 sex offenders, one had been reconvicted of a further sexual offence. However, any interpretation of this result should be made with caution due to the large number of variable factors involved. Sex offenders can be reconvicted many years after an initial sexual offence. No link can be made with any certainty between this result and the way the 100 cases were managed in the community.

### People

There was a lack of clarity about the number of RSOs an individual police officer could manage, with substantial differences between areas. Most police officers who managed RSOs were detectives and specialists but some police officers had additional unrelated tasks.

Specific training for both police and probation staff and members of the SMB was generally lacking. Support for staff, such as counselling services, was available but inconsistently promoted or applied within the organisations.

### Processes and procedures

In the majority of the cases inspected probation case managers were not completing OASys within 15 working days of the order or licence or reviewing OASys every 16

weeks. Therefore the assessment of risk of harm, risk management plans and ISPs were assessed as unsatisfactory mainly because they were not completed on time. Case managers were not reassessing risk after a significant incident had occurred.

The process for deciding at what MAPPA level a sex offender should be managed varied within and between areas. There was evidence of other types of meetings taking place that were not part of MAPPA. Some actions from MAPPA meetings were not executed or reviewed at subsequent meetings.

Police generally visited sex offenders as planned. There was no legal basis or power under an Act of Parliament for the police practice of visiting sex offenders at home. Guidelines on the purpose of home visits were not available in every area.

In MAPPA Level 2 or 3 cases an inter-agency approach for reviewing serious further offences would be beneficial.

### Performance management

SMBs were beginning to assess performance. Some police forces had made progress monitoring their work with sex offenders and calculating unit costs. Probation areas monitored accredited sex offender programmes.

Probation and police staff knew what worked when managing sex offenders in the community, but this was based mainly on their own experience rather than research. Case managers needed to consider methods that were most likely to be effective with sex offenders, based on research, and formally sharing good practice with each other. Although risk of harm had not been reduced in the majority of cases, risk had been contained which we believe was due in part to the use of MAPPA. Enforcement of orders and licences by probation staff was satisfactory but could be improved and more attention given to pre-release work.

### Partnerships

Links between the SMB and the Local Criminal Justice Board, Area Child Protection Committee and Crime and Disorder Reduction Partnership were weak. Apart from jointly funded posts there was little evidence of other joint initiatives under MAPPA, or joint performance management. The status and position of SMBs in relation to other bodies within the criminal justice system was unclear.

Regional work that was focused on public protection clearly added value to local arrangements in terms of consistency, performance and the transfer of MAPPA cases across borders.

Police and probation management oversight of high and very high risk of harm cases needed to be improved. In the majority of cases appropriate action had been taken in response to a public protection issue; however, police and probation staff were not always responsive to changes in risk of harm. Case manager contact with sex offenders by office and home visits in some cases was generally good, although there should be more liaison with others who provided interventions particularly the police.

Police and probation staff identified several ways they could work more effectively together including co-location. Police officers managing sex offenders wanted more recognition for the work they did, in terms of increased resources and legal powers, more training and specialised and intrusive supervision.

### RECOMMENDATIONS

The Home Office/ACPO/NPD/NOMS should ensure that:

1. SMBs have a statutory basis, are appropriately located within the criminal justice system, are accountable and are fulfilling their role as described in the MAPPA Guidance

2. a joint training programme for police and probation staff involved in working with sex offenders is developed including the following elements:
- assessment and management of risk of harm
  - current legislation and new powers that are available.

Chief Constables should ensure that:

3. properly trained specialist officers are managing sex offenders in the community who are supervised centrally and receiving dedicated 'intrusive supervision'.

The Home Office/ACPO/NPD/NOMS should ensure that:

4. a national agreed minimum standard is implemented setting out the joint use of Risk Matrix 2000 and OASys and the purpose and frequency of home visits to sex offenders commensurate with their risk of harm, and coordinating such visits with other agencies, in particular probation areas.

The Home Office/ACPO should ensure that

5. a review of legislation is commenced to support current police practice in the assessment and management of sex offenders in the community.

The NPD/NOMS/Probation Boards should ensure that:

6. a full and timely OASys is completed to an agreed standard for all sex offender cases.

### Glossary

ACPO	Association of Chief Police Officers
MAPPAs	Multi-Agency Public Protection Arrangements
NPD	National Probation Directorate
NOMS	National Offender Management Service
NPS	National Probation Service
OASys	Offender Assessment System
RSO	Registered sex offender
SMB	Strategic Management Board
SOPO	Sexual Offences Prevention Order

The full report of the inspection is published in *Managing Sex Offenders in the Community – A Joint Inspection on Sex Offenders*, available on HMI Probation's website (see below).

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