

DUNDEE CITY COUNCIL

REPORT TO: SOCIAL WORK AND HEALTH COMMITTEE - 14TH SEPTEMBER 2009

REPORT ON: MULTI-AGENCY INSPECTION: ASSESSING AND MANAGING OFFENDERS WHO PRESENT A HIGH RISK OF SERIOUS HARM

REPORT BY: DIRECTOR OF SOCIAL WORK

REPORT NO: 413-2009

1.0 PURPOSE OF REPORT

This report provides members with the findings of a multi-agency inspection conducted by the Social Work Inspection Agency, Her Majesty's Inspectorate of Prisons and Her Majesty's Inspectorate of Constabulary on the assessment and management of high risk of serious harm offenders. The report includes an overview of the findings of the inspection, provides specific details of the recommendations where they relate directly to Local Authorities and gives an update on the current position in Criminal Justice Social Work in Dundee. A copy of the Multi-agency inspection: assessing and managing offenders who present a high risk of serious harm 2009 has been passed to each of the leaders of the political groups, the Lord Provost and Depute Lord Provost.

A summary of the recommendations for Local Authorities and the actions taken locally to progress them is included as Appendix 1.

2.0 RECOMMENDATIONS

It is recommended that members:

- Note the findings of the inspection and the actions being taken locally to continually improve standards;
- Note that a presentation on the risk assessment and management of high risk of harm offenders was presented to elected members on 8 September 2009.

3.0 FINANCIAL IMPLICATIONS

None.

4.0 MAIN TEXT

4.1 Following the successive introduction of new policy, legislation and practice guidelines on the multi-agency risk assessment and risk management of sexual offenders, the joint thematic inspection was carried out in 2008. The aims of the inspection were to review the quality of pre and post-release arrangements for offenders who posed a serious risk of harm to the public and to identify ways of improving the effective management of this category of offender, with particular reference to sharing information and working together. It therefore involved a focus on both sexual and violent offenders, with a risk of serious harm defined as:

- 'A risk of harmful behaviour which is life threatening and/or traumatic and from which the victim's recovery, whether physical or psychological, can be expected to be difficult or impossible'.

- 4.2 The inspection focused on a random sample of cases throughout Scotland, four of which were in Dundee. All cases had previously received a long-term custodial sentence and were currently subject to supervision in the community. The report, published in June 2009, does not refer specifically to individual areas but sought instead to identify common themes and issues. It notes variations in risk assessment and risk management practice across the country and makes a total of 19 recommendations, 16 of which are directly relevant to Scottish Ministers, Police and the Scottish Prison Service. The 6 which are directly relevant to all Social Work Departments are as follows:
- 4.2.1 That all Home Background Reports (HBRs), which are prepared for the Parole Board on long-term prisoners to inform its decisions on release, involve an interview with the prisoner, a visit to the prospective release address and address risk issues.
- 4.2.2 That all sex offenders and serious violent offenders on statutory supervision have a full and current risk of harm assessment available to all those tasked with the responsibility of risk management.
- 4.2.3 That all sex offenders and serious violent offenders on statutory supervision have an effective risk management plan which is tailored to address the risk of them re-offending and any relevant needs.
- 4.2.4 That all staff involved in Multi Agency Public Protection Arrangements (MAPPA), which routinely involves Social Work, receive appropriate training to ensure they understand and meet the needs of the Parole Board.
- 4.2.5 That all staff dealing with high risk offenders are formally selected and given appropriate support, training and advice, including training on giving evidence in court, in order to adequately equip them for this area of work.
- 4.2.6 That MAPPA responsible authorities establish local strategic boards to oversee the performance management and quality of local MAPPA operations and plan for the future improvement and development of the system
- 4.3 In Dundee, the Criminal Justice Service had been responding to ongoing national initiatives and carrying out quarterly performance and quality assurance audits on this category of offender prior to the inspection. Local developments had included contributing to the establishment of a MAPPA Strategic Oversight Group, which is chaired by the Assistant Chief Constable; establishing a Sex and Violent Offender Advisory Group (SAVOAG), consisting of representatives from the Police, SPS, MAPPA Coordinator and Criminal Justice colleagues in Angus and Perth and Kinross, to oversee risk management practice; co-locating Social Workers and Police Offender Management Officers responsible for supervising and monitoring sexual offenders; setting up Sex Offender Liaison Officer (SOLO) posts within Housing and Health; training staff in accredited risk assessment tools, an accredited offending behaviour treatment programme for sexual offenders and giving evidence in formal legal proceedings; and implementing the Violent and Sex Offender Register (VISOR).
- 4.4 In 2008-09, in partnership with Criminal Justice Service colleagues in Angus and Perth and Kinross, relevant audits had been conducted on sex offenders subject to MAPPA, HBRs, Social Enquiry Reports and the use of VISOR as an information sharing and risk management tool. The results were positive and particular strengths included levels of contact with high risk offenders in accordance with risk, appropriate enforcement in response to non-compliance and information sharing which met or exceeded ViSOR Minimum Standards. In response to a Government requirement, all sex offenders were also assessed using an accredited tool.
- 4.5 A further local audit of all community based sexual and violent offenders subject to statutory supervision has also since confirmed that each of the above recommendations of the inspection are being met in respect of sexual offenders. Where there are concerns about the future risk of harm a further, more detailed, assessment is conducted in order to inform the balance and intensity of treatment and monitoring in the risk management plan. These plans are then strengthened by other agencies through MAPPA and, in very high risk sex offender cases, have included additional conditions attached to a Sex Offender Protection Order (SOPO).

- 4.6 In terms of violent offenders, there is currently no national guidance on their risk assessment and risk management and they are not currently subject to MAPPA or VISOR. However, the recent local audit showed that all violent offenders supervised by the Criminal Justice Service have a risk assessment and risk management plan in place. The area for improvement was a continued need for Social Workers to focus more explicitly on risk factors in the HBR, for instance by extrapolating relevant information succinctly in the form of bullet points, in order to more clearly inform the Parole Board. This is therefore a current priority and all such reports are quality assured by a Team Manager. In partnership with the SPS, the Criminal Justice Service is also exploring the joint implementation of a programme for high risk violent offenders on release from prison to the community.
- 4.7 Work is also ongoing with Tayside Police to support the implementation across Tayside of a Sex Offender Disclosure Pilot whereby parents, guardians or carers, with a demonstrated significant relationship with a child, may apply for advice as to whether or not an individual they know to have significant contact with the named child, has convictions for sexual offences against children. This scheme will run as a pilot from September 2009 to May 2010, with an evaluation due to be available in summer 2010. Similar pilots operating in England have not prompted overwhelming enquiries but increased protection and/or reassurance for the individuals concerned.
- 4.8 Clearly, the joint thematic inspection occurred shortly after, and during, significant change in respect of the tools and frameworks available to promote the risk assessment and risk management of sexual offenders and without any national guidance in respect of violent offenders. Locally, in partnership with other agencies, the Criminal Justice Service had contributed towards the integration of Housing, Health, co-located Social Work and Police units and MAPPA strategic boards. All relevant staff have been trained in, and are using, accredited risk assessment tools, an accredited offending behaviour treatment programme for sexual offenders and VISOR.
- 4.9 The Criminal Justice Service will also continue to carry out quarterly audits of all sexual and violent offender cases to ensure the recommendations in respect of HBRs, risk assessments and risk management plans are being met. There will be a particular focus on explicitly confirming risk factors in HBRs on violent offenders and the Service will work with the SPS on the joint implementation of a targeted offending behaviour programme for violent offenders on their release from prison. The Service will also continue to respond positively to Government requirements and work in partnership with other agencies to minimise risk and enhance public protection.

5.0 POLICY IMPLICATIONS

This report has been screened for any policy implications in respect of Sustainability, Strategic Environment Assessment, Anti Poverty, Equality Impact Assessment and Risk Management.

There are no major issues.

6.0 CONSULTATIONS

The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance), Head of Finance and Tayside Police have been consulted in preparation of this report.

7.0 BACKGROUND PAPERS

A copy of the Multi-agency inspection: assessing and managing offenders who present a high risk of serious harm 2009.

Alan Baird
Director of Social Work

DATE: 03/09/2009

RECOMMENDATIONS FOR AGENCIES

- 1 That all Home Background Reports (HBRs), which are prepared for the Parole Board on long-term prisoners to inform its decisions on release, involve an interview with the prisoner, a visit to the prospective release address and address risk issues

Within Dundee, all Home Background Reports are approved by a team manager prior to submission. Audits have been conducted on sex offenders subject to Home Background reports during 2008/09 jointly with colleagues in Angus and Perth and Kinross. These have indicated strengths in relation to contact levels, enforcement and information sharing

Work is ongoing to ensure social workers consistently focus on risk factors in their reports

- 2 That all sex offenders and serious violent offenders on statutory supervision have a full and current risk of harm assessment available to all those tasked with the responsibility of risk management

See 3 below

- 3 That all sex offenders and serious violent offenders on statutory supervision have an effective risk management plan which is tailored to address the risk of them re-offending and any relevant needs

A local audit of community based sexual and violent offenders subject to statutory supervision confirms that these recommendations are being met in relation to sexual offenders. These plans are strengthened by the involvement of other agencies through the Multi-Agency Public Protection Arrangements

In terms of violent offenders there is no national agreed framework for risk assessment and they are not covered by the MAPPAs arrangements or Violent and Sex Offender Register (VISOR).

However the recent audit showed that all violent offenders supervised by Criminal Justice Services have a risk assessment and risk management plan in place

- 4 That all staff involved in Multi Agency Public Protection Arrangements (MAPPAs), which routinely involves Social Work, receive appropriate training to ensure they understand and meet the needs of the Parole Board

See 5 below

- 5 That all staff dealing with high risk offenders are formally selected and given appropriate support, training and advice, including training on giving evidence in court, in order to adequately equip them for this area of work

Staff working with high risk offenders are formally selected

Training has been a high priority and has focussed on training in the use of accredited risk assessment tools, programme delivery and in implementing the Violent and Sex Offender Register (VISOR). Much of this training is done jointly with the Police and Scottish Prison Service

Training in relation to the Parole Board will be scheduled in the coming year

- 6 That MAPPAs responsible authorities establish local strategic boards to oversee the performance management and quality of local MAPPAs operations and plan for the future improvement and development of the system

Tayside established a MAPPAs Strategic Oversight Group in 2007 when MAPPAs was first introduced. This meeting is chaired by the Assistant Chief Constable and comprises representation from the responsible authorities