

DUNDEE CITY COUNCIL

**REPORT TO: COMMUNITY SAFETY AND PUBLIC PROTECTION COMMITTEE –
7 JANUARY 2019**

REPORT ON: ARRANGEMENTS FOR MANAGING HIGH RISK OFFENDERS

REPORT BY: EXECUTIVE DIRECTOR OF CHILDREN AND FAMILIES

REPORT NO: 23- 2018

1.0 PURPOSE OF REPORT

1.1 This report summarises the eleventh annual report on arrangements for managing high risk offenders across Tayside and covers the period 1 April 2017 - 31 March 2018. A copy of the report is appended.

2.0 RECOMMENDATIONS

It is recommended that the Community Safety and Public Protection Committee:

- 2.1 Notes the content of this report and the ongoing developments in relation to the risk assessment and risk management of high risk offenders.
- 2.2 Instructs the Executive Director of Children and Families to present such reports to Committee on an annual basis.

3.0 FINANCIAL IMPLICATIONS

3.1 There are no financial implications.

4.0 MAIN TEXT

4.1 The Management of Offenders etc. (Scotland) Act 2005 introduced a statutory duty on Responsible Authorities - Local Authorities, Scottish Prison Service (SPS), Police and Health - to establish joint arrangements for the assessment and management of the risk of harm posed by certain offenders. The Act also placed a duty on agencies who come into regular contact with high risk of harm offenders to co-operate in risk assessment and risk management processes. These 'Duty to Co-operate' agencies include, for example, Third Sector partners and suppliers of Electronic Monitoring. The Responsible Authorities are required to keep the arrangements under review and publish an annual report.

The introduction of Multi Agency Public Protection Arrangements (MAPPA) in 2007 created a consistent approach towards the implementation of the Act and initially focused on Registered Sex Offenders. In 2008, arrangements were extended to include Restricted Patients who are persons who, by virtue of their mental health, are confined for treatment under current Mental Health legislation and present a risk of harm to the public. In 2016, arrangements were further extended to include 'Category 3' persons, defined as anyone who has been convicted of an offence and by reason of that conviction, is considered to present a high or very high risk of serious harm to the public and requires multi-agency management. These people have typically committed a serious, violent offence(s) and are also subject to statutory supervision.

In Tayside, a MAPPA Strategic Oversight Group (SOG) oversees developments and consists of the Responsible Authorities, local Duty to Cooperate agencies and Victim Support. Where an RSO subject to Notification Requirements is also subject to a Community Payback Order or

License Conditions after serving a prison sentence of 4 years or more, they are managed jointly by the Local Authority and Police Scotland. Where only Notification Requirements apply, the lead agency is Police Scotland. The lead for Restricted Patients is the NHS and for Category 3 persons, the Local Authority. Individuals are assessed at Levels 1, 2 or 3 and managed proportionately. However, regardless of the level, the management of high risk of harm offenders is a complex task and requires appropriate information sharing, defensible decision making, collaborative actions, case reviews and robust enforcement. Whilst some emphasis is placed on rehabilitation, public safety is always paramount.

- 4.2. In April 2017, risk assessment processes were enhanced to require additional Risk of Serious Harm (ROSH) assessments in the 'critical few' cases where there are more serious initial concerns. These ROSH assessments involve a more detailed multi-agency risk assessment and management which includes scenario and contingency planning to help prevent, monitor and effectively respond to indications of heightened risk. In 2018, national minimum practice standards in respect of Level 1, the lowest risk, cases were also introduced. In Tayside, ROSH assessments are carried out on all appropriate cases and practice standards exceed the minimum requirement for Level 1 cases.

In the same period, a multi-agency audit of MAPPA meetings and the minutes was carried out and the overall findings were positive. Findings noted that meetings continued to reflect a purposeful level of multiagency information sharing, risk assessment and risk management planning. A small number of recommendations were made in relation to being even more explicit about the links between the risks identified and actions agreed to mitigate these risks. As a result, the minute template was amended to include the agreed level of risk within the body of the minute, a numbering of identified risk factors and direct cross-referencing within the risk management plan.

Over the period, there has also continued to be an increase both nationally and locally in the proportion of RSOs with convictions for internet offences. As of 31 March 2018, there were 364 RSOs across the region and 44% had been convicted of an internet offence. Given the serious nature of these offences, which do not automatically lead to contact offences but do always cause children significant harm, it presents particular challenges. In response, this is a joint priority with the Child Protection Committee and from a preventative perspective the Responsible Authorities work to promote awareness raising and internet safety in schools and with children and families. When a person has been convicted and sentenced or is due to be released from prison, the Responsible Authorities also work with the Sheriff Court and Parole Board to ensure appropriate conditions can be applied to monitor and effectively respond to internet access and activity. Nationally, legislative changes also extend the powers available to address such behaviour. The Abusive Behaviour and Sexual Harm (Scotland) Act 2016, for instance, introduces a new offence of disclosing, or threatening to disclose, an intimate image. This extends beyond downloading indecent images and includes sharing photographs via social networking sites and mobile phones. Specific tools to help assess the type and level of risk posed by internet sex offenders are also being developed.

The changes to the profile of RSOs and the types of offences which are increasingly being committed have also prompted an announcement by the Scottish Government and Scottish Prison Service that they intend to make changes to the accredited Moving Forward Making Changes (MFMC) programme for sex offenders. It is likely that a new programme or programmes will involve distinct components relating to internet and contact offences. Whilst the process of re-development is underway, the existing MFMC remains available to the Court as a programme requirement within a sentence.

- 4.3 Over the same period, the Tayside MAPPA SOG continued to have oversight and scrutiny of the assessment and management of individuals managed under the framework who re-offend. This involved the Chair of the MAPPA SOG, currently the Chief Social Work Officer in Angus, being notified of 4 individuals from across Tayside, 2 of which resulted in a Serious Case Review (SCR) being commissioned to examine the circumstances in more depth. One of these cases was managed in Dundee and this will be reported on in the near future. These reviews are important as they examine whether policies, processes were followed and where improvements are suggested plans they ensure these are put in place promptly.

Awareness raising is an agreed priority of the SOG and two briefing sessions were held with Dundee elected members over the last 12 months involving the full range of MAPPA partners. In addition the Chief Social Work Officer undertook presentations to the Council Management Team and elected members on protecting people in Dundee which included information on work with high risk of harm individuals. All MAPPA Responsible Authorities also continued to work with other Protecting People partners involved, for instance, in Child Protection, Adult Support and Protection and Violence Against Women. Locally, this integrated approach towards the protection of vulnerable groups continued to be overseen by the Chief Officer Group for Protecting People.

5.0 KEY DATA

- 131 of the 364 RSOs are managed jointly by Police Scotland and Social Work, a decrease of 43 from the previous report.
- 36% of RSOs are on statutory supervision involving a Community Payback Order with supervision requirements or License Conditions from custody.
- The distribution of RSOs across the 3 authorities is Dundee 148, Angus 105 and Perth and Kinross 111.
- There are 21 Restricted Patients managed by NHS Tayside, a decrease of 6 from the last report.
- The number of RSOs returned to custody for a breach of statutory conditions was 5. This is 1.3% of the total.

6.0 PRIORITIES IN 2018-2029

- In the 2018/19 reporting period the 2 SCRs undertaken by Independent Reviewers to examine practice will be completed and recommendations will be considered and acted upon by Responsible Authorities.
- Learning from SCRs will also be enhanced by ongoing self-evaluation mechanisms, such as case file audits, reviews of the use of the Violent and Sex Offender Register (VISOR) and reviews of Initial Notifications that are assessed not to require a SCR.
- An Independent Chair of the SOG will be recruited to bring oversight of MAPPA into line with other Protecting People Forums, such as the Child Protection Committee, Adult Support and Protection Committee and Violence Against Women Partnership.
- The Responsible Authorities will contribute towards and respond to developments relating to the risk assessment of people who commit internet offences and an accredited programme to replace MFMC.

7.0 POLICY IMPLICATIONS

7.1 This report has been screened for any policy implications in relation to Sustainability, Strategic Environmental Assessment, Anti-poverty, Equality Impact Assessment and Risk Management. The effective management of known sex offenders and restricted patients within our communities is in-keeping with the Council's Risk Management Strategy of identifying, evaluating and controlling risk.

7.2 An Integrated Impact Assessment is attached to this report.

8.0 CONSULTATIONS

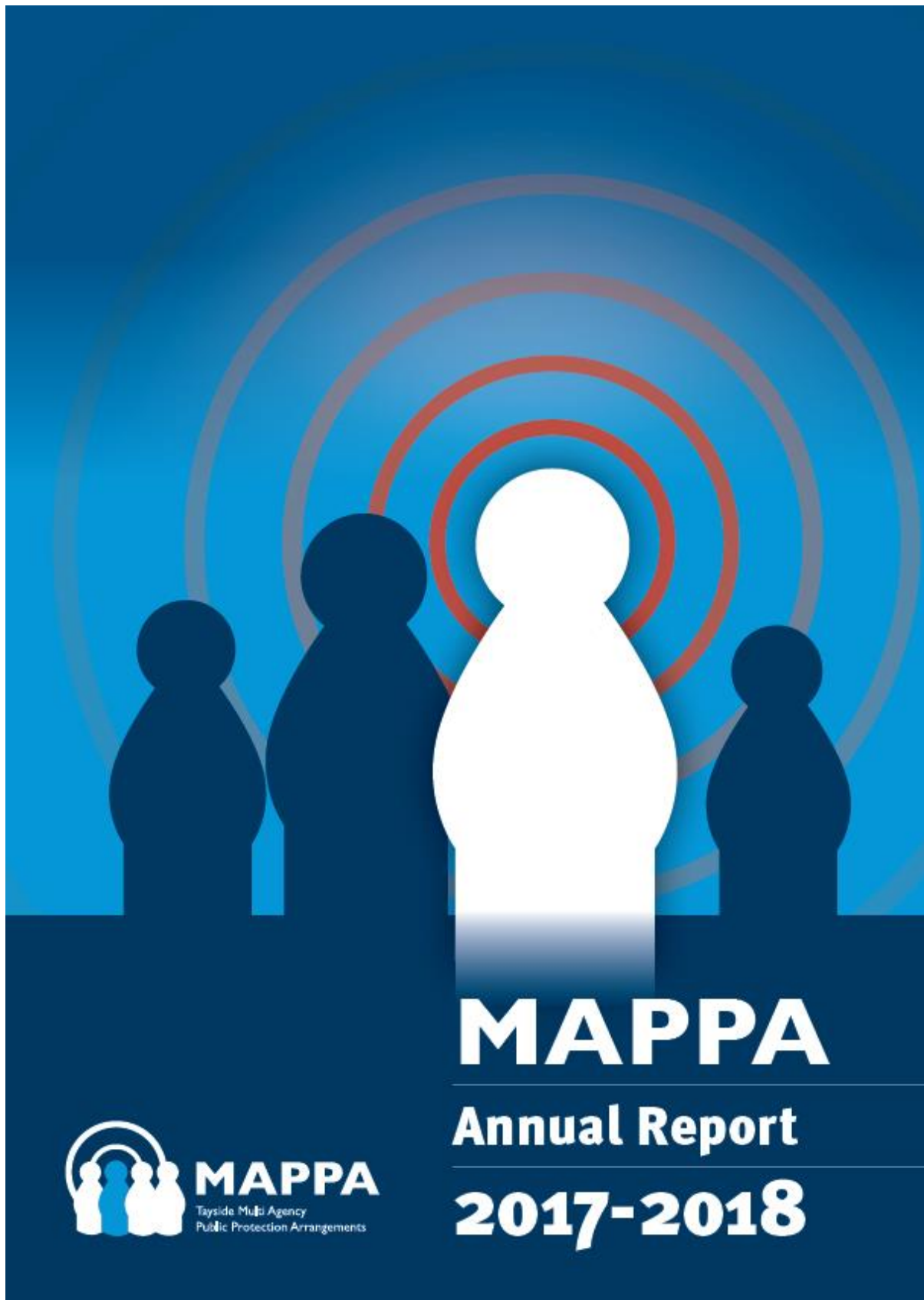
8.1 The Council Management Team have been consulted in preparation of this report.

9.0 BACKGROUND PAPERS

9.1 None.

Paul Clancy
Executive Director of Children and Families

December 2018



FOREWORD

Welcome to the 2017/2018 annual report on Tayside's Multi Agency Public Protection Arrangements (MAPPA).

MAPPA is the framework which joins up the agencies who manage offenders. The fundamental purpose of MAPPA is public safety and the reduction of serious harm. The introduction of MAPPA across Scotland in April 2007 gave a consistent approach to the management of offenders across all local authority and police force areas, providing a framework for assessing and managing the risk posed by some of those offenders.

By embracing joint working within MAPPA we can communicate more effectively, reduce duplication and ensure a strong partnership response. No single agency can tackle these challenges alone and it is vitally important that agencies continue to support and inform the MAPPA process. This way, together, I believe we are able to offer the best protection for the public of Tayside.

This annual report reflects the contributions made by all of the agencies involved in MAPPA across Tayside and sets out our commitment to continue to develop strong partnerships and explore new ways of working to face the challenges of protecting the public from serious harm.

I hope that you find this report informative and that it helps answer some key questions about the operation of MAPPA in Tayside.

Kathryn Lindsay
Chair of Tayside MAPPA Strategic Oversight Group
MAPPA

THE LAST 12 MONTHS

Multi-Agency Public Protection Arrangements in Tayside

Multi-Agency Public Protection Arrangements (MAPPA) provide a framework to manage the risk posed by registered sex offenders, restricted patients (mainly violent offenders, with a small number of sex offenders) and offenders who by reason of their conviction are subject to supervision in the community and are assessed as posing a high or very high risk of serious harm to the public which requires which requires active multi-agency management at MAPPA Level 2 or 3.

MAPPA bring together professionals from the police, social work, housing, health and the Scottish Prison Service. These agencies are known as the 'responsible authorities'. While the Tayside arrangements are co-ordinated by a central unit based in Dundee, the practical management of offenders remains the responsibility of these agencies at a local level.

The geographic area covered by our arrangements incorporates the local authority areas of Dundee City, Perth and Kinross, and Angus. Services cover a mixture of urban and rural areas.

The responsible authorities represented are:

- [The Dundee City Council](#)
- [Perth and Kinross Council](#)
- [Angus Council](#)
- [Police Scotland](#)
- [Scottish Prison Service](#)
- [NHS Tayside](#)



ROLES AND RESPONSIBILITIES

The responsible authorities for each area are required to involve other key agencies in the management of offenders. This is an important part of MAPPA, involving the exchange of information and drawing on the collective knowledge and expertise of numerous agencies.

Police Scotland is responsible for the operation of the Sex Offender Notification Requirements (SONR). They will normally be the responsible authority for those RSOs, who are not subject to statutory supervision by the local authority. In cases where the statutory supervision ends, but the RSO is still subject to SONR, the police will become the lead responsible authority. There are a small number of cases where an RSO receives a community sentence disposal, but there are no licence conditions and no involvement by local authority criminal justice social work. In such cases the police will be the responsible authority.

Activities include enforcement of notification and compliance requirements of sex offender registration, policing activities, risk assessment, preventative and monitoring strategies, coupled with investigation and prosecution of any registered sex offender who re-offends.. These duties are carried out in partnership with all responsible authorities and 'duty-to-cooperate' agencies.

The local authority is the responsible authority for registered sex offenders who are subject to statutory supervision. Each Council's criminal justice social work service is responsible for the supervision of such offenders, but housing, adult social care and children and families services also play a key role in the effective management of sex offenders in the community.

Criminal justice social work makes a significant contribution to public protection by supervising and managing registered sex offenders in accordance with the requirements of MAPPA and other public protection-related legislation.

Social workers supervise offenders subject to community payback orders and those who have been released from prison and remain subject to formal supervision like parole. Social workers use nationally recognised, accredited risk assessment tools and in collaboration with other agencies, develop plans for the risk management and supervision of offenders.

Local authority housing officers are responsible for offenders' access to housing, which includes accessing temporary accommodation and identification of suitable permanent housing.

The role of the housing service is to contribute to the responsible authorities' management of risk through:

- providing suitable accommodation
- contributing to environmental risk assessments to ensure accommodation is appropriate
- liaising with the responsible authorities regarding the ongoing management and monitoring of the risk of the offender as a tenant, including any tenancy moves or evictions
- having regard to community safety and having in place contingency plans for when a property is no longer suitable and/or the offender's safety is at risk.



NHS Tayside continues to play an important role in MAPPA locally, as the responsible authority for mentally disordered, restricted patients, and in fulfilling the wider duty to cooperate in the management of other registered sex offenders. NHS Tayside have an identified MAPPA liaison officer, to promote consistent approaches to information sharing and joint working between NHS Tayside and other MAPPA agencies.

The Tay Project, a partnership project across the three local authority criminal justice social work services continues to support risk management through supporting assessments of relevant offenders and delivering community-based group treatment programmes and individual interventions to address the behaviour and attitudes associated with sexual offending.

PRACTICE DEVELOPMENTS

In 2016/17 we said we would

- Raise awareness of MAPPA
- Link with other public protection fora
- Carry out an audit of MAPPA activity
- Progress the work of the MOG (operational group) in ensuring learning from self-evaluation activities and inspection is implemented across all agencies

The MAPPA Co-ordinator continues to link with other lead officers in Child and Adult Protection across Tayside and attends the Protecting People Angus and Protecting People in Dundee meetings.

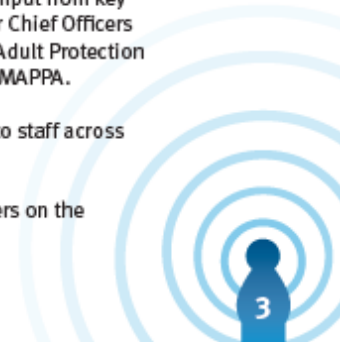
In April 2017, guidance was issued by Social Work Scotland Criminal Justice Standing Committee to improve the interface between social work staff and MAPPA by embedding Risk of Serious Harm processes into practice to assist with decisions relating to MAPPA management levels.

National minimum practice standards in respect of MAPPA Level 1 were introduced in 2018. Within Tayside, our local practice standards continue to exceed the national minimum standards.

In March 2018, Protecting People Angus hosted their first conference, with 113 participants including Chief Officers and Elected Members. There was input from key speakers, six workshops for professionals and a separate workshop for Chief Officers and Elected Members. Workshops covered a range of topics including Adult Protection and Sexual Exploitation, Social Media and Sexting and Understanding MAPPA.

The MAPPA Co-ordinator has delivered lunchtime awareness sessions to staff across all areas of Angus Council.

In Dundee, a series of briefing meetings were held with Elected Members on the implementation of MAPPA.



The MAPPA Operational Group (MOG) continue to meet and have carried out a number of key actions this year, including:

- Audit of MAPPA meetings
- Multi-agency MAPPA Chair event to discuss and review use of key risk assessment and risk management documents
- Implementation of recently developed Risk Assessment & Risk Management Plan templates for all Level 2 offenders

STRATEGIC OVERVIEW ARRANGEMENTS

Tayside Strategic Oversight Group

This group is responsible for the overview and co-ordination of the Multi-Agency Public Protection Arrangements, ensuring the sharing of best practice and learning from significant case reviews. The group also provides a strategic lead for developing local multi-agency policy and strategy in relation to shared priorities regarding the management of offenders.

A critical role for the Tayside MAPPA SOG is to consider the circumstances of any re-offending by a person managed under MAPPA. Statistically, very few offenders subject to MAPPA processes re-offend. This rarity needs to be balanced with serious harm than can result from any single instance of reoffending by such an offender and the legitimate level of public interest generated in such cases. Four individuals subject to MAPPA in Tayside were reconvicted this year. The MAPPA Strategic Oversight Group considers every reported case to establish whether a review should take place. Within the last annual reporting period, two cases have been identified as requiring a review and external reviewers have been commissioned to conduct a Serious Case Review (SCR).

Tayside MAPPA Operational Group

This multi-agency operational group supports the work of the Strategic Oversight Group. The remit of the group is to share learning, develop best consistency of practice.

One of the tasks this year was to carry out an Audit of MAPPA meeting minutes. The Audit examined cases from across the Tayside area and across all three levels of MAPPA. The minutes of MAPPA meetings were found to demonstrate a good standard. The Strategic Oversight Group has asked the group to conduct twice yearly audits to ensure standards are maintained.



SUMMARY AND FORWARD PLANS

The structures and processes that contribute to the operation of MAPPA have continued throughout the past year. The following information is of note:

- The management of over 450 offenders (includes community and custody figures) through all levels of MAPPA arrangements
- The continued development of the MAPPA Operational Group
- Implementation of the Risk Assessment & Risk Management Plans for all Level 2 offenders
- The audit of MAPPA meetings across the three local authority areas
- Continued involvement with Protecting People in Dundee and Protecting People Angus

The following priorities have been identified for 2018/2019:

- Deliver an agreed programme of quality assurance audits
- Examine and action any recommendations from reviews of practice and self-evaluation
- Continued effort to increase the usage of the VISOR database by all relevant agencies.

STATISTICAL INFORMATION

As of 31 March 2018 there were 364 Registered Sex Offenders managed in the community in Tayside, an increase of 3 offenders on the previous year. Of these, 131 (36%) were subject to a statutory supervision order with Community Justice Social Work and managed jointly with Police Scotland Offender Management officers.

The number of offenders managed in each area is detailed below;

- **ANGUS** - 105
- **DUNDEE** - 148
- **PERTH & KINROSS** - 111

Crime trends change over time and an increasing part of the management of offenders is the supervision and monitoring of offenders who have committed 'cybercrime' or computer oriented crime.

Of the 131 offenders subject to statutory supervision, 58 (44%) have committed cybercrime or computer oriented crime having been found in possession of indecent imagery of children.

In March 2016, certain high risk offenders became eligible for management through MAPPA (known as Category 3). This year, five offenders across Tayside have been considered under Category 3 processes.



APPENDIX A

STATISTICS FROM 1 APRIL 2017 UNTIL 31 MARCH 2018

Table 1: Registered Sex Offenders	
REGISTERED SEX OFFENDERS (RSO's)	
a) Number of Registered Sex Offenders:	
1) At liberty and living in your area on 31st March :	364
2) In custody as of 31st March:	120

Table 2: Civil Orders applied and granted in relation to RSO's.	
THE NUMBER OF	
a) Sexual Offences Prevention Orders (SOPO'S) in force on 31 March	50
b) SOPO'S imposed by courts between 1 April & 31 March	5
c) Risk of Sexual Harm Orders (RSHO's) in force on 31 March	0
d) Number of RSO's convicted of breaching SOPO conditions between 1 April & 31 March	15
e) Number of people convicted of a breach of a RSHO between 1 April & 31 March	0
f) Number of Foreign Travel Orders imposed by courts between 1 April & 31 March	0
g) Number of Notification Orders imposed by courts between 1 April & 31 March	0



Table 3: Registered Sex Offenders	
REGISTERED SEX OFFENDERS (RSO's)	
a) Number of RSOs managed by MAPPA level as at 31 March:	
1) MAPPA Level 1:	337
2) MAPPA Level 2:	29
3) MAPPA Level 3:	0
b) Number of Registered Sex Offenders convicted of a further group 1 or 2 crime between 1st April and 31st March:	
1) MAPPA Level 1:	<5
2) MAPPA Level 2:	<5
3) MAPPA Level 3:	0
c) Number of RSO's returned to custody for a breach of statutory conditions between 1 April and 31 March (including those returned to custody because of a conviction for a group 1 or 2 crime):	5
d) Number of indefinite sex offenders reviewed under the terms of the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011 between 1 April and 31 March:	0
e) Number of notification continuation orders issued under the terms of the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011 between 1 April and 31 March:	0
f) Number of notifications made to Jobcentre Plus under the terms of the Management of Offenders etc. (Scotland) Act, 2005 (Disclosure of Information) Order 2010 between 1 April and 31 March:	54
g) Number of RSO's subject to formal disclosure:	0



Table 4: Restricted Patients	
RESTRICTED PATIENTS (RP'S):	
a) Number of RP's:	
1) Living in the Tayside area on 31st March:	21
2) During the reporting year:	0
b) Number of RP's per order:	
1) Compulsion Order with Restriction Order (CORO):	27
2) Hospital Detention (HD):	0
3) Temporary Treatment Detention (TTD):	0
c) Number within hospital/community:	
1) State Hospital:	45
2) Other hospital no suspension of detention (SUS):	45
3) Other hospital with unescorted SUS:	0
4) Community (Conditional Discharge):	5
d) Number managed by MAPPA level on 31 March:	
1) MAPPA Level 1	0
2) MAPPA Level 2	0
3) MAPPA Level 3	0
e) Number of RPs convicted of a further group 1 or 2 crime between 1 April and 31 March:	
1) MAPPA Level 1:	0
2) MAPPA Level 2:	0
3) MAPPA Level 3:	0
f) No of RPs on Suspension of detention:	
1) who did not abscond or offend:	5
2) who absconded:	0
3) who absconded and then offended:	0
4) where absconcion resulted in withdrawal of suspension of detention:	0
g) No. of RPs on Conditional Discharge:	
1) who did not breach conditions, were not recalled, or did not offend:	5
2) who breached conditions (resulting in letter from the Scottish Government):	0
h) recalled by Scottish Ministers due to breaching conditions:	0
i) recalled by Scottish Ministers for other reasons:	0



Table 5: Delineation of RSO'S by age on 31st March:	
Age	
a) Under 18	45
b) 18-20	25
c) 21-30	84
d) 31-40	110
e) 41-50	69
f) 51-60	103
g) 61-70	63
h) 71 and above	31
Total	471

Table 6: Delineation of population of RSO's on 31st March:	
Sex	
a) Male	483
b) Female	45
Total	486



Table 7: Delineation of RSO's by ethnicity on 31st March:	
Ethnic Origin	
White Scottish	358
Other British	65
Irish	<5
Gypsy Traveller	<5
Polish	5
Other white ethnic group	9
Mixed or multiple ethnic group	<5
Pakistani, Pakistani Scottish or Pakistani British	5
Indian, Indian Scottish or Indian British	0
Bangladeshi, Bangladeshi Scottish or Bangladeshi British	0
Chinese, Chinese Scottish or Chinese British	<5
Other Asian	0
African, African Scottish or African British	0
Other African	0
Caribbean, Caribbean Scottish or Caribbean British	<5
Black, Black Scottish or Black British	0
Other Caribbean or Black	0
Arab, Arab Scottish or Arab British	<5
Other ethnic group	0
Subject declined to define ethnicity	<5
Data not held	33
Total	486

Table 8: Number of RSO's managed under statutory conditions and/or notification requirements on 31st March:	
Number of RSO's	
a) On Statutory supervision:	170
b) Subject to notification requirements only:	316
Total	486

For further information on MAPPA, the national picture and MAPPA Guidance please see the Scottish Government website at <https://beta.gov.scot/publications/>



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