

DUNDEE CITY COUNCIL

**REPORT TO: COMMUNITY SAFETY AND PUBLIC PROTECTION COMMITTEE
11 JANUARY 2021**

REPORT ON: ARRANGEMENTS FOR MANAGING HIGH RISK OFFENDERS

REPORT BY: EXECUTIVE DIRECTOR OF CHILDREN AND FAMILIES SERVICE

REPORT NO: 37-2021

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 2019 - 31 March 2020. A copy of the report is attached as Appendix 1.

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 of harm 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 None.

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 national approach towards the implementation of the Act and initially focused on Registered Sex Offenders (RSOs). 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 so-called 'Category 3' persons, defined as anyone who has been convicted of an offence; who by reason of that conviction is considered to be a high or very high risk of serious harm to the public; and who therefore requires multi-agency management.

In Tayside, a MAPPA Strategic Oversight Group (SOG) oversees developments and consists of the Responsible Authorities and local Duty to Cooperate agencies. 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. In all cases, offenders are assessed at Levels 1, 2 or 3 and managed proportionately

in accordance with risk. However, the management of MAPPA offenders can be a complex task and constantly involves information sharing, analysis, defensible decision making, collaborative actions, case reviews and case planning.

4.2 Developments in MAPPA in 2019-20

4.2.1 In 2019-20, the responsible authorities continued to work together to maintain and strengthen arrangements for managing offenders in the Tayside area. In our 2018-19 report we said we would:

4.2.2 Examine and action recommendations from the Significant Case Reviews that were anticipated to conclude in 2019-20

2019-20 saw the publication of 2 Significant Case Reviews, both carried out by external reviewers. The actions from these reports have been reviewed and scrutinised as part of the MAPPA SOG assurance processes.

1 May 2019 saw the publication of SCR – Person X, which included 14 recommendations, with 5 for the MAPPA Strategic Oversight Group (SOG), 3 for NHS and 6 for Police Scotland. Since publication all agencies have accepted and reviewed the recommendations and progressed the agreed actions as required in the action plan. As a result of this SCR the practices of MAPPA Level 1 have been reviewed and additional MAPPA chair training has been carried out. Police Scotland has also ensured that training for newly appointed Offender Management Officers in Tayside is completed as soon as possible after appointment. Police Scotland ViSOR Unit has introduced a new information sharing process with Home Office Immigration in relation to foreign nationals' subject to Sex Offender Notification Requirements. The NHS now have alerts on all managed individuals and are progressing a Public Protection framework.

26 November 2019 saw the publication of SCR – Prisoner Z, which included 10 recommendations, with 5 for SPS, 2 for Scottish Government, 1 for Tayside MAPPA SOG, 1 for National SOG and 1 for Police Scotland. All the agencies have accepted and reviewed the recommendations and changes have been made to policy and practice at both local and national level. SPS have implemented a new Risk Management Progression and Temporary Release Guidance which incorporates a revised Community Access Risk Assessment (CARA). The CARA provides details of risk factors, early warning signs, protective factors and the risk management plan. The SPS have also held an external review of the processes and the findings all of which will be shared with MAPPA partners. Scottish Government along with partner agencies are continuing with a review of national MAPPA Guidance, which will include a review of the interface between SPS decision making and MAPPA, for prisoners granted community access, who meet the criteria for MAPPA.

While the new guidance is awaited, within Tayside we have ensured that all MAPPA relevant prisoners, with community access, are subject to a MAPPA Level 2 meeting with all appropriate agencies attending. The minutes of these meetings are shared with the SPS Risk Management Team. An audit of MAPPA minutes for individuals currently in prison but with community access was undertaken as part of the assurance process for Prisoner Z SCR. The audit confirmed that MAPPA meetings were appropriately analysing risk relating to the offender in the community and clearly communicating their recommendations to the SPS Risk Management Team. The published SCRs and recommendations can be found on the local council websites. Person X can be found on Dundeeprotects.co.uk and Prisoner Z on Angus Council website

4.2.3 Progress audits across the 3 local authorities

In this year a national audit assessment tool was devised so that practice in each MAPPA area of Scotland could be consistently scrutinised. We in Tayside have examined a number of cases examining relevant risk assessments and risk management plans and the multi-agency arrangements for each individual. In each case we examined the impact of the MAPPA process and evidenced any positive outcome for the individual. This audit highlighted the good information sharing between agencies and also instances of proactive policing with new internet offences being discovered through examination of devices. Similar audits will be carried out 4 times a year and the findings will be reported to the MAPPA SOG

A further audit was carried out on the MAPPA minutes concerning prisoners accessing the community, which is referred to in the section above.

4.2.4 Improve data collection and reporting to the Strategic Oversight Group

Data collection has been improved with an enhanced range of statistical information being provided at each SOG meeting. This provides management information to help analyse trends and examine practice. Information is now gathered prior to each SOG meeting setting out the number of warnings and breaches of orders, the number of MAPPA managed individuals released from prison in each area and the number of recalls to custody. It should be noted that all sexual re-offending by a MAPPA managed individual requires an Initial Notification to be sent to the chair of the MAPPA SOG to determine if a fuller SCR is needed and a process is in place to review cases further where required. If a MAPPA SCR is judged not to be required and the individual is subject to a Community Justice Order, then an Initial Analysis of the circumstances must be compiled by a manager independent of the practice and submitted to the Care Inspectorate. This highlights that there are built-in mechanisms to continually examine practice, particularly in the small number of cases where re-offending has occurred

4.2.5 Continue to deliver training across the Tayside Partnership with a focus on learning from audits and significant reviews to improve our practice

During this year training has taken place for all MAPPA Chairs with a particular focus of defensible decision making and preparation of risk management plans. This training is given to all persons who will chair a MAPPA meeting at Level 1, 2 or 3. This year 15 staff members were trained and continue to chair the MAPPA meetings. Training will continue to be a priority in the coming year and will need to be adapted due to the impact of the current restrictions on face to face meetings due to the pandemic

4.2.6 Review and streamline the arrangements for undertaking Initial Case Reviews

A further focus for the SOG this year was a review of the management of reported further offending and to clarify the process for submission of a notification for consideration by the SOG chair for progression to an Initial Case Review or Significant Case Review. A revised process has been agreed and implemented. When a notification is submitted to the SOG chair and if further information is required an ICR Panel will be called to consider the circumstances. This panel will be made up of a representative from CJSW, Police, NHS, the MAPPA Co-ordinator and SOG chair. This panel will then consider whether the case needs to progress to a SCR and if there are any areas of good practice or areas for learning, before making proposals to the chair.

4.3 Key Data

- As of 31 March 2020, there were 407 Registered Sex Offenders (RSO) within Tayside, an increase of 27 since March 2019.
- There has been an increase of 113 more RSOs managed in the community within Tayside over the last ten years. A significant proportion relates to an increase in individuals convicted for downloading indecent images of children.
- 144 RSOs are managed jointly by Police Scotland and Social Work, an increase of 14 from the previous report.
- 35% 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 167 in Dundee, 116 in Angus and 124 in Perth and Kinross

4.4 Areas for Further Improvement 2019/2020

The following priorities have been identified for the coming year 2020/2021

- Further development of Risk Register for SOG following impact of Covid 19
- Implement the Strategic Plan
- Training plan to be developed and agreed
- Communication plan to be agreed and implemented
- Further progress with data collection and analysis

4.5 Operation of MAPPA during Covid

This report relates to 2019-20 and the public health arrangements required to address the pandemic came into operation during the final month of this reporting year. The operation of MAPPA under Covid will be reported on within next year's annual report but it is relevant to state that all multiagency MAPPA meetings from Level 1 to 3 continued via teleconference. Arrangements were also put in place to ensure that initial meetings, for new community-based referrals, were held after conviction rather than sentencing, to counteract the delays in sentencing resulting from reduced court sittings. As a co-ordinating body, the MAPPA SOG continued to meet virtually on a regular basis to ensure that the multiagency management of risk continued during Covid. Operationally, the key agencies undertook a prioritisation exercise to ensure that highest risk individuals were subject to a proportionate and risk assessed level of face to face contact. Friarfield House, which hosts the Police Offender Management Unit, the CJS Public Protection Team, the MAPPA co-ordinator and the multiagency ViSOR database was retained as an essential hub during the whole Covid period. These measures emphasise the ongoing importance of effective MAPPA management. Regular up dates were provided by the MAPPA SOG to the multiagency Chief Officers' Group.

5.0 POLICY IMPLICATIONS

This report has been subject to an assessment of any impact on Equality and Diversity, Fairness and Poverty, Environment and Corporate risk. A copy of the Impact Assessment is available on the Council's website at www.dundee.gov.uk/ia/reports.

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.

6.0 CONSULTATIONS

The Council Management Team have been consulted in preparation of this report and are in agreement with its content.

7.0 BACKGROUND PAPERS

PAUL CLANCY

EXECUTIVE DIRECTOR CHILDREN AND FAMILIES

DATE: 14 DECEMBER 2020

ANNUAL REPORT

2019-2020



MAPPA

Tayside Multi Agency
Public Protection Arrangements

ANNUAL REPORT 2019 -2020

Welcome to the 2019/2020 annual report on Tayside's Multi Agency Public Protection Arrangements (MAPPA). Protecting the most vulnerable in our communities is the priority of all agencies working in partnership within MAPPA. The agencies are committed to working together to prevent people becoming victims of serious harm and to support and monitor offenders to manage the risk of further offending. Whilst it is never possible to totally eliminate risk entirely, all reasonable steps need to be taken to reduce the risk of serious harm to the public from known offenders.

This year has seen the publication of two Significant Case Reviews and a range of actions have been identified to improve MAPPA processes at both national and local level and many of which these have already been implemented. This coming year a priority of the MAPPA Strategic Oversight Group will be to ensure these are fully implemented and strengthen our local arrangements.

The agencies within Tayside have continued to work effectively together and place the protection of the public as their highest priority. This report sets out the work undertaken by MAPPA and reflects the determination of all involved to ensure that this important area of work remains at the forefront. I acknowledge this and wish to thank all partner agencies for their continued support and commitment to the work of MAPPA in Tayside.

Elaine Torrance
Independent Chair
Tayside MAPPA Strategic Oversight Group (SOG)

MAPPA In Tayside

The foundation of MAPPA is the partnership work between a range of agencies. By sharing information, joint management, assessing risk and co-ordinated activity, we are in a better position to protect the public from harm.

In Tayside while Community Justice Social Work (CJSW), Police, Scottish Prison Service (SPS) and Health (NHS Tayside) hold the prime responsibility for the effectiveness of MAPPA they are actively supported by a diverse group of organisations and services which have a duty to co-operate, including Children's Services, Housing, third sector agencies and electronic monitoring providers. The aim is always to get the right agencies around the table for each individual case to assess risk and provide appropriate monitoring and support.

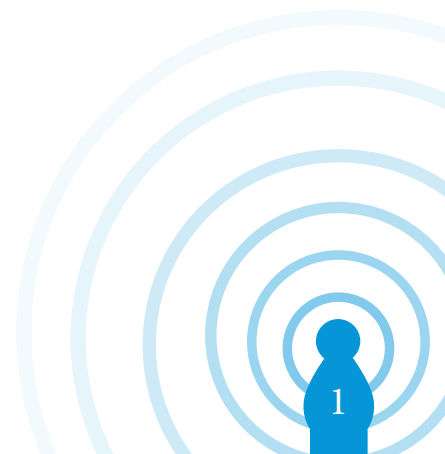
The MAPPA process often commences when the offender is still in prison or detained in hospital. When release/discharge conditions are being considered public safety is of the highest priority.

The MAPPA process becomes vitally important when the offender is released into the community and the management of risk is continually assessed and regularly reviewed at formal multiagency meetings.

It is recognised that no system can provide an absolute guarantee that an offender assessed as dangerous will not reoffend. However, last year more than 99% of MAPPA offenders who were being supported and monitored did not commit a serious further offence and we will continue our efforts to reduce the risk posed by high risk of serious harm offenders in Tayside.

The responsible authorities of Tayside are:

- Dundee City Council
- Perth & Kinross Council
- Angus Council
- Police Scotland
- Scottish Prison Service
- NHS Tayside



Violent and Sex Offender Register (ViSOR)

The Violent and Sex Offender Register is a UK-wide IT system to assist the multi-agency management of people who pose a serious risk of harm to the public. Since implementation of ViSOR, the responsible authorities, Police, Social Work, Health and SPS, are able to share risk assessments, risk management plans and risk information on individuals in a timely way.

In Tayside ViSOR is used by Police, CJSW, Health and SPS. The system can be accessed 24/7 by Police Scotland so if a Police officer on patrol wishes to know anything about an offender all the information they require is at hand, for example licence conditions or Sexual Offences Prevention Order (SOPO) conditions.

Managing dangerous offenders is all about identifying risks, making decisions and putting plans together to deal with the risk. ViSOR is at the heart of this and contributes to the reduction of further offending and protection of the public.

WHAT WE SAID WE WOULD DO in 2019/2020

In our last annual report the following priority actions were agreed and a summary of progress is provided for each below

- Examine and action recommendations from the Significant Case Reviews that are currently on going
- Progress audits across the 3 local authorities
- Improve data collection and reporting to the Strategic Oversight Group
- Continue to deliver training across the Tayside Partnership with a focus on learning from audits and significant reviews to improve our practice
- Review and streamline the arrangements for undertaking Initial Case Reviews



Examine and action recommendations from the Significant Case Reviews that are currently on going

Within this year we saw the publication of 2 Significant Case Reviews, both carried out by external reviewers who closely examined each case and the management of the individuals involved to inform the reports, Person X and Prisoner Z. The actions from these reports have been regularly reviewed and scrutinised as part of the MAPPA SOG assurance processes.

1 May 2019 saw the publication date of SCR – Person X, which included 14 recommendations, with 5 for the MAPPA Strategic Oversight Group (SOG), 3 for NHS and 6 for Police Scotland. Since publication all agencies have accepted and reviewed the recommendations and progressed the agreed actions as required in the action plan. As a result of this SCR the practices of MAPPA Level 1 have been reviewed and additional MAPPA chair training has been carried out. Police Scotland has also ensured that training for newly appointed Offender Management Officers in Tayside is completed as soon as possible after appointment. Police Scotland ViSOR Unit has introduced a new information sharing process with Home Office Immigration in relation to foreign nationals' subject to Sex Offender Notification Requirements. The NHS now have alerts on all managed individuals and are progressing a Public Protection framework. 26 November 2019 saw the publication of SCR – Prisoner Z, which included 10 recommendations, with 5 for SPS, 2 for Scottish Government, 1 for Tayside MAPPA SOG, 1 for National SOG and 1 for Police Scotland. All the agencies have accepted and reviewed the recommendations and changes have been made to policy and practice at both local and national level.

SPS have implemented a new Risk Management Progression and Temporary Release Guidance which incorporates a revised Community Access Risk Assessment (CARA). The CARA provides details of risk factors, early warning signs, protective factors and the risk management plan. The SPS have also held an external review of the processes and the findings all of which will be shared with MAPPA partners. Scottish Government along with partner agencies are continuing with a review of national MAPPA Guidance which will be consulted on in the coming months.

Locally, in Tayside we have ensured that all MAPPA relevant prisoners, with community access, are subject to a MAPPA Level 2 meeting with all appropriate agencies attending. The minutes of these meetings are shared with the SPS Risk Management Team. An audit of MAPPA minutes for individuals currently in prison but with community access was undertaken as part of the assurance process for Prisoner Z SCR. The audit confirmed that MAPPA meetings were appropriately analysing risk relating to the offender in the community and clearly communicating their recommendations to the SPS Risk Management Team. The published reports and recommendations can be found on the local council websites. Person X can be found on Dundeeprotects.co.uk and Prisoner Z on Angus Council website.

Progress audits across the 3 local authorities

In this year a national audit assessment tool was devised so that data collected in each MAPPA area of Scotland can be scrutinised. We in Tayside have examined a number of cases examining relevant risk assessments and risk management plans and the multi-agency arrangements with each individual. In each case we also examined the impact of the MAPPA process and evidenced any positive outcome for the individual. This process highlighted the good information sharing between agencies and also proactive policing with new offences being discovered. Similar audits will be carried out 4 times a year and the findings will be reported to the SOG.

Improve data collection and reporting to the SOG

Data collection has been improved with an enhanced range of statistical information being provided at each SOG meeting. This provides management information to help analyse trends and examine practice. Of particular interest to the SOG are further offending, warnings and breaches of orders, number of meetings held, prison releases and recalls to custody.

It should be noted that all sexual re-offending by a MAPPA managed individual requires an Initial Notification to be sent to the chair of the MAPPA SOG to determine if a fuller SCR is needed and a process is in place to review cases further where required. If a MAPPA SCR is judged not to be required and the individual is subject to a Community Justice Order, then an Initial Analysis of the circumstances must be compiled by a manager independent of the practice and submitted to the Care Inspectorate. This highlights that there are built-in mechanisms to continually examine practice, particularly in the small number of cases where re-offending has occurred.



Continue to deliver training across the Tayside Partnership with a focus on learning from audits and significant reviews to improve our practice

During this year training has taken place for all MAPPA Chairs with a particular focus of defensible decision making and preparation of risk management plans. This training is given to all persons who will chair a MAPPA meeting at Level 1, 2 or 3. This year 15 staff members were trained and continue to chair the MAPPA meetings. Training will continue to be a priority in the coming year and will need to be adapted due to the impact of the current restrictions on face to face meetings due to the pandemic.

Review and streamline the arrangements for undertaking ICR's

A further key focus for the SOG this year was a review of the management of reported further offending and to clarify the process for submission of a notification for consideration by the SOG chair for progression to an Initial Case Review or Significant Case Review. A revised process has been agreed and implemented. When a notification is submitted to the SOG chair and if further information is required an ICR Panel will be called to consider the circumstances. This panel will be made up of a representative from CJSW, Police, NHS, the MAPPA Co-ordinator and SOG chair. This panel will then consider whether the case needs to progress to a SCR and if there are any areas of good practice or areas for learning, before making proposals to the chair.



STATISTICAL INFORMATION

As of 31 March 2020, there were 407 Registered Sex Offenders managed in the community in Tayside, an increase of 27 offenders on the previous year. Of these, 144 (35%) were subject to a statutory supervision requirement 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 – 116 - an increase of 14 on the previous year

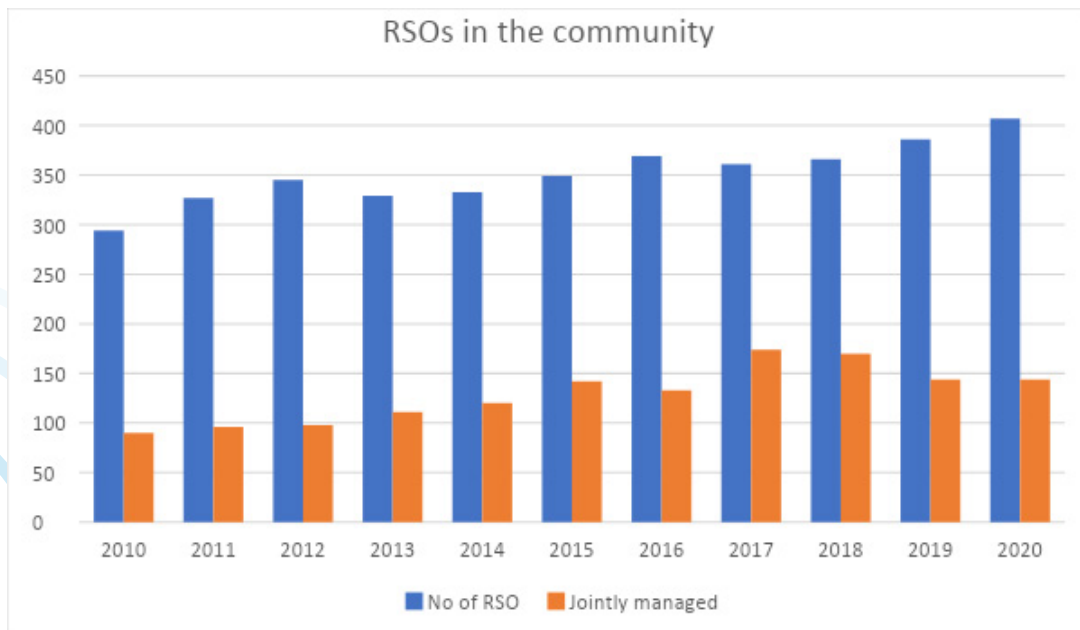
DUNDEE – 167 – an increase of 11 on the previous year

PERTH & KINROSS – 124 – an increase of 2 on the previous year

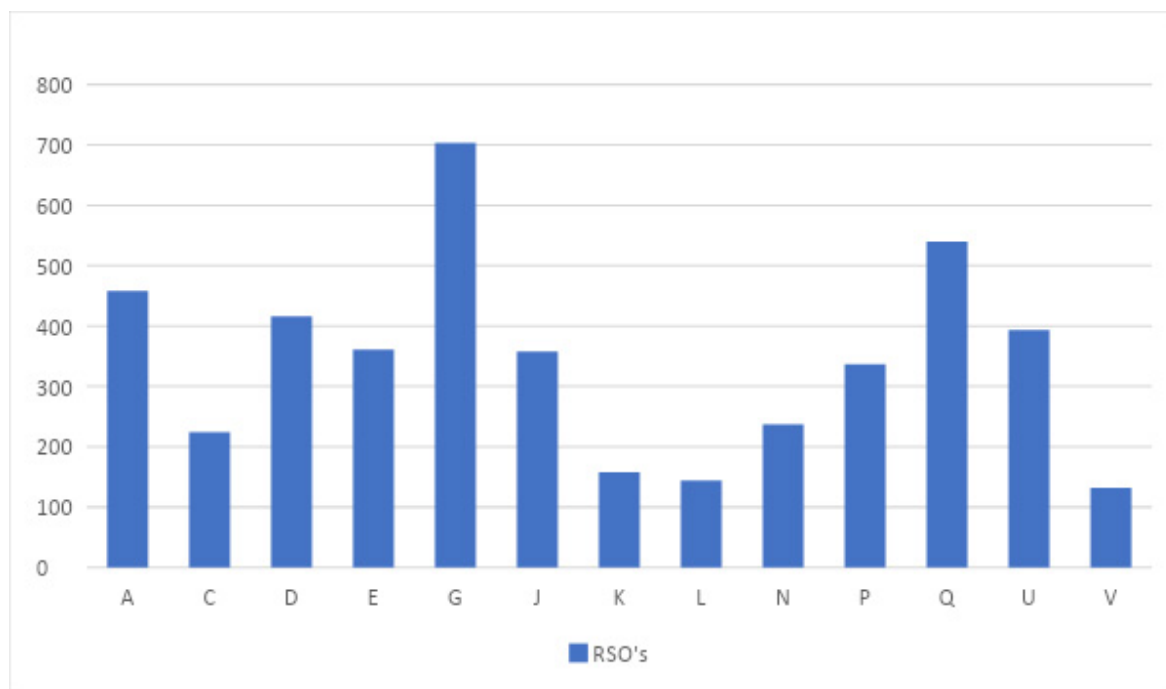
In March 2016 MAPPA was extended to include Category 3 offenders, who are certain high-risk individuals subject to a statutory order and require multi-agency management. This year 4 individuals have been considered under the Category 3 process.

If an offender is convicted of a sexual offence overseas and thereafter moves to the UK or is deported back to the UK then the police can apply to the courts for a Notification Order. This order then makes that individual a registered offender and subject to Sex Offender Notification Order requirements as if convicted in this country. At this time there are 6 offenders managed by such an order in Tayside.

Over the past 10 years there has been an increase of 113 offenders in the community and to accommodate this increase the Offender Management Units and Social Work Public Protection teams have added to their staff numbers. The following graph shows that increase and also included is the number of offenders who are jointly managed, by Community Justice Social Work by means of an order eg licence or Community Payback Order and are Registered Sex Offenders.



The following graph provides a comparison between the areas of Scotland. The information was drawn from ViSOR.



A Aberdeen, Aberdeenshire & Moray	J Lothians & Scottish Borders	Q Lanarkshire
C Forth Valley	K Renfrewshire & Inverclyde	U Ayrshire
D Tayside	L Argyll & West Dumbartonshire	V Dumfries & Galloway
E Edinburgh	N Highlands & Islands	
G Glasgow	P Fife	



FORWARD PLANS

The following priorities have been identified for the coming year 2020/2021

- Further development of Risk Register for SOG following impact of Covid 19
- Implement the Strategic Plan including outstanding actions identified from Significant case Reviews
- Training plan to be developed and agreed
- Communication plan to be agreed and implemented
- Further progress with data collection and analysis

As the year 2019/2020 ended, the Pandemic Covid 19 necessarily caused a change in the way we operated both as a MAPPA SOG and at an operational level. As we went into lock down all our MAPPA meetings at Level 1,2 and 3 changed from being face to face and are now conducted using teleconference technology. This has meant that all required MAPPA meetings have been held in required timescales with all partners able to engage in the meetings and contribute.

The Offender Management Unit and Community Justice Social Work workforce have continued to contact their clients by telephone and offer secure office appointments and home visits where required all acknowledging social distancing and the use of personal protective equipment. At HMP Castle Huntly home leave prisoners were unable to access the wider community and this restriction remains.

The MAPPA SOG has continued to meet by teleconference more regularly to monitor the arrangements and has made a priority of establishing a Risk Register to share information and analysis of the evolving risks as the management of the Pandemic progressed. MAPPA figures and analysis were also part of a wider Protecting People dataset managed by each Chief Officer's Group in Angus, Dundee and Perth & Kinross. Although the vast majority of these actions took place in the 20-21 reporting period it is important to explain the arrangements that were put in place in late March 2020 to respond to the Public Health crisis and will be further developed over the coming year.



MAPPA Co-ordinator
Friarfield House
Barrack Street
Dundee, DD1 1PQ

Tel: 01382 435518
Fax: 01382 435080



MAPPA
Tayside Multi Agency
Public Protection Arrangements

