



THE SCOTTISH OFFICE

Home Department : Social Work Services Group

BACK

A Commitment to Protect

Supervising Sex Offenders: Proposals for More Effective Practice 1997

- [The Review](#)
- [Current Initiatives to Strengthen Public Protection](#)
- [Conclusions](#)
- [Future Action](#)

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THE SCOTTISH OFFICE

Home Department : Social Work Services Group

[BACK](#)

A Commitment to Protect

The Secretary of State for Scotland requested a review of arrangements for the supervision of sex offenders in the community. *A Commitment to Protect* is the first report of that review. It gives an overview of the arrangements and a broad assessment of their strengths and weaknesses, together with recommendations for improvement.

THE REVIEW

A team from Social Work Services Inspectorate (SWSI) carried out the review, with assistance from many organisations and individuals. *A Commitment to Protect* is the report of their initial work from April to September 1997, and it also reflects where possible more recent developments.

The team considered comments and submissions from criminal justice and legal interests, social work, the police, health, housing and education interests, voluntary organisations and others dealing with sex offenders. Team members studied the available research and practice literature, and the existing community programmes aimed at bringing about changes in sex offenders' behaviour ('personal change programmes'). They visited local authorities, special projects and initiatives in the community, a prison, a hospital and other services.

The report describes what is known about sex offending in Scotland and what we may learn from elsewhere. It contains information on the number of sex offences recorded by the police and on sex offenders and how they are dealt with. The report concerns itself primarily with those convicted of crimes involving exploitation or assault. These include rape, sexual assault, homosexual assault, lewd, indecent or libidinous behaviour or practices, shameless indecency, and the possession of pornographic images of children under the age of 16. These are offences which require convicted sex offenders to register their names and addresses with the police in the area where they live.

The largest offence category in 1995 was lewd and libidinous practices (2,381 recorded crimes of which 1,118 were offences against children). There were 1,638 recorded crimes of sexual assault (including 403 rapes) and 1,528 other crimes including defilement of under-age girls, incest and homosexual acts.

Almost all convicted sex offenders are men. Of those convicted of sexual assault between 1988 and 1995, 670 were men and only two were women. Their victims are almost always women and children. Most sexual offences are committed by people known to their victims, and random attacks by strangers are rare. Most of those who offend against children are in positions of responsibility, authority and trust, and many are fathers and stepfathers. Many sex offenders target those least able to protect themselves. Sex offenders are often convicted at a later age than offenders generally.



"Some commentators suggest that the concern about sex offending over recent years and months reflects a form of 'moral panic', a preoccupying worry about a particular issue which sweeps across society and then abates. We do not think that the continuing expression of concern about sex offenders is a moral panic. Rather they reflect a determination that we should find more effective ways of dealing with sex offending to protect communities better. This report makes recommendations to achieve that step by step."

The review considered the new arrangements for **monitoring** introduced by the Sex Offenders Act 1997. These are routinised arrangements for maintaining up-to-date information about the whereabouts of convicted sex offenders. It also looked at the importance of **risk assessment**, and how **supervision** might be strengthened and extended.

The review focuses predominantly on **work to bring about change in sex offenders** who are supervised in the community or who are in prison. It describes the personal change programmes available in Scotland.

The review also looked at **how sex offenders are dealt with elsewhere**.

In the USA and Canada sex offenders have been treated for some time as a distinct category of offenders and each country has programmes widely available for them. Public notification of sex offenders released from prison has become common, stemming partly from problems in the management of monitoring systems. The messages from the American experience are, however, that sound information management is essential for public protection, and that public notification does not reduce sex offending.





THE SCOTTISH OFFICE

Home Department : Social Work Services Group

BACK

A Commitment to Protect

CURRENT INITIATIVES TO STRENGTHEN PUBLIC PROTECTION

The *Sex Offenders Act 1997* requires persons convicted of certain sex offences to register their name and address with the police and to keep the police notified of any changes for a set period of years. It was implemented on 1 September, 1997.

The Scottish Office is consulting on the proposed introduction of *Community Protection Orders* which would prohibit convicted sex offenders from specified activities such as visiting school playgrounds, making them liable for up to five years' imprisonment if they breached these bans.

The *Code of Guidance on Homelessness* is in force from 1 December 1997. This says that recently discharged prisoners may be vulnerable and hence eligible for help with accommodation. Local authorities will need to collaborate to make best use of scarce community resources.

These and other initiatives will strengthen public protection by complementing the existing services provided by the police and local authorities, including the investigation by police and social workers of cases of alleged abuse of children. Collaboration with health and education authorities are vital to these services.





A Commitment to Protect

CONCLUSIONS

The review team found that:

Sex offending cannot be eradicated, but further steps can and should be taken to reduce the risk of sex offences.

Strategic and operational collaboration between the agencies involved should be improved at national and local levels.

Professionals responsible for registration must manage information about sex offenders carefully to minimise risk. The public needs to be informed about how information is shared between agencies in order to retain their confidence.

Additional statutory orders are necessary to monitor serious sex offenders who are not covered by the Sex Offenders Act 1997.

More use should be made of existing sentencing options.

Some sex offenders should be supervised for extended periods of up to ten years or longer.

Supervision practice should be strengthened to include more rigorous oversight of offenders' activities.

Assessing risk is vital. Supervision plans should be based on systematic risk assessments, which should be written down.

Clear distinctions should be made between monitoring, supervision, treatment and personal change programmes so that all can be more certain of the implications of different orders and plans.

The skill-mix in local authority criminal justice services should be developed with the deployment of a wider range of professionals.

A Scottish residential facility for adult sex offenders may be necessary.

Specialist residential provision for young sex offenders within secure units should be urgently considered.

Decisions about accommodation for sex offenders must be made on the basis of each individual's circumstances, taking account of the importance of keeping track of offenders and local public concerns.

Very few men are sex offenders, but almost all sex offenders are men.

Improvements will require training initiatives, further investment in research and the application of research findings in practice.





A Commitment to Protect

FUTURE ACTION

Summary of the review team's seven recommendations:

1. The Scottish Office should consult judicial, local authority and other interests to determine ways in which **fuller use could be made of existing sentencing options** with a view to making greater use of supervised release orders, additional requirements attached to probation orders, and discretionary life sentences; and determining the length of supervision and probation orders in relation to the risk of re-offending.
2. The **statutory requirement to register should be extended** to include offenders convicted of serious crimes where the crime had a sexual element. Legislation providing for longer supervision (for up to ten years) of offenders following release from custody should be introduced and the effect of this should be monitored.
3. **Criminal justice social work services should be planned and organised as providing a portfolio of services including supervision, advice and assistance and work with offenders on personal change.** Supervision plans should be based on systematic risk assessments. Local authorities and police forces should make local agreements for collaboration in risk assessment and management.
4. The Scottish Office should consult on whether a specialist **residential facility for assessment and personal change programmes** should be established and, if so, how the facility should be funded and run. Consideration should be given to establishing specialist provision for younger sex offenders.
5. The Scottish Office should review with local authorities the skill-mix of staff in criminal justice social work services in order to **increase the availability of a wider range of professional disciplines to support the work of qualified social workers in personal change programmes**; and consider greater use of unqualified staff in carrying out supervision tasks whilst retaining the responsibility for supervision case management with social workers.
6. The Scottish Office and local authorities should consider **piloting projects specifically focused on developing the relationship and parenting skills of boys and men.** All education authorities should have in place a Personal Safety programme for pupils.



7. Ministers should consider the appointment, for three years, of an **Expert Panel on Sex Offending to assist the strategic collaboration** of the local authority, prison service, police, health and voluntary organisations involved in dealing with sex offending.

The Panel's prime remit should be to take forward the recommendations of the review and the strengthening of services contingent on them.

Copies of the full report *A Commitment to Protect* are available price £5.80 from:

The Stationery Office Bookshops

Mail, Telephone and Fax orders

PO Box 276,

London SW8 5DT

General enquiries: 0171 873 0011

Telephone orders: 0171 873 9090

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Purpose and responsibilities

Our purpose is to work with others to continually improve social work services so that:

- they genuinely meet people's needs; and
- the public have confidence in them.

The Social Work Services Inspectorate

James Craig Walk

Edinburgh

