

## **The Multi Agency Public Protection Arrangements in Scotland**

### **Annual Reports 2007 / 2008.**

The Management of Offenders etc (Scotland) Act 2005 introduced statutory functions and duties on the responsible authorities (Local Authority, Scottish Prison Service, Police and Health Service) to establish joint arrangements for assessing and managing the risks posed by certain offenders.

The responsible Authorities, as part of those arrangements, are required to jointly prepare an annual report and publish it in the area of the local authority and submit it to the relevant Community Justice Authority area. This joint publication satisfies that requirement and has been agreed by the responsible authorities.

This publication also satisfies the requirement placed on Community Justice Authorities under terms of section 3 (10) of the aforementioned Act, to send a copy of the annual report to Scottish Ministers.

These are the first of such annual reports produced by the responsible authorities in Scotland.

Willie Manson  
National MAPPA Coordinator..



**MAPP**A

Tayside Multi Agency  
Public Protection Arrangements

# Tayside's annual report on High Risk Offenders



## **ANNUAL REPORT**

The Management of Offenders etc (Scotland) 2005 introduced a statutory function for Responsible Authorities - Local Authorities, Scottish Prison Service, Police and Health Service to establish joint arrangements for the assessment and management of the risks posed by certain offenders who pose a risk of harm to the public. These Responsible Authorities are required to keep arrangements under review and publish an annual report - this is the 1st annual report.

The introduction of Multi Agency Public Protection Arrangements (MAPPA) across Scotland in April 2007 introduced a consistent approach to the management of offenders across all local authority and police force areas providing a framework for assessing and managing certain offenders. The fundamental purpose of MAPPA is public safety and reduction of serious harm.

In Scotland the implementation of MAPPA has been phased and currently extends to registered sex offenders. Work is, however, on-going to agree the operational detail of extending the arrangements to violent offenders but for the purpose of this report the focus will be on registered sex offenders.

There have always been sexual offenders and they are present in every community. There is no typical sexual offence and no typical sex offender - not all sexual offences and offenders are inherently problematic or dangerous to the public. The vast majority of sexual offending is committed by people known to their victim, either a family member, friend or acquaintance.

Sexual offences cause considerable anxiety and, although reconviction rates are very low, the public is understandably concerned about sex offenders and the risk they may present. Managing the risks posed by sexual offenders within the community is a complex task cutting across the organisational boundaries of local authorities, police, prisons, housing and health services. It is recognised that one of the most important partners in public protection are members of the public and it is vital that they are aware of their responsibility to protect vulnerable members of the community and have confidence to report any concerns they may have. Although risk can never be eradicated the authorities are continually strengthening arrangements and are committed to improving public information and it is hoped that this first annual report will improve awareness of how known sex offenders are managed across Scotland and of recent improvements in public protection.

### **National Picture in Scotland**

#### What is MAPPA?

- MAPPA is a set of arrangements established by Police, Local Authorities, the Scottish Prison Service and the Health Service (responsible authorities) to assess and manage the risk posed by certain sexual and violent offenders.
- The fundamental purpose of MAPPA is public safety and reduction of serious harm.
- A number of other agencies are under a duty to co-operate with the Responsible Authorities. These are commonly known as Duty to Co-operate agencies and examples include housing providers, the voluntary sector and the Children's Reporter. The duty to co-operate includes sharing of information and is reciprocal in that it is intended as a means of enabling different agencies to work together, within their legitimate or statutory role whilst retaining responsibility for action.
- The Responsible Authorities oversee arrangements locally.

### How do the MAPPA work?

- Information about registered sex offenders is gathered/shared across relevant agencies. The nature and level of the risk of harm they pose is assessed and a risk management plan is implemented to protect the public.
- The majority of offenders will be assessed as presenting a low or medium risk of harm and will be managed by one agency without the significant or on-going involvement of others. A number of offenders will, however, require active multi-agency management and their risk management plans will be agreed via MAPPA meetings attended by various agencies.
- Every Community Justice Authority area in Scotland is supported by at least one MAPPA coordinator whose responsibilities include co-ordinating MAPPA arrangements, collating information and attendance at meetings for those offenders deemed to present the greatest risks. There are 11 MAPPA co-ordinators across Scotland.

### Who are the MAPPA offenders?

There are three categories of offender eligible for MAPPA:

**Registered sexual offenders** (Category 1) - sexual offenders who are required to notify the police of their name, address and other personal details and notify any changes subsequently.

**Violent offenders** (Category 2) – offenders convicted on indictment of a crime inferring personal violence and who are on probation or subject to licence following release.

**Other Offenders** (Category 3) – offenders who do not qualify under categories 1 or 2 but who have been convicted of an offence which leads the responsible authorities to believe that they continue to pose a risk of serious harm to the public and require multi agency management.

### How are they managed?

There are three levels of management which are based upon the level of multi-agency co-operation required to implement the risk management plan effectively. Offenders will be moved up and down levels as appropriate:

**Level 1 - Ordinary Management** - The identified risk can be managed by one agency without significant active involvement by other agencies. There is still an expectation that information will be shared and there will be joint working and collaboration between agencies.

**Level 2 - Multi-agency Management** - The risk management plans for these offenders require the active involvement of several agencies via regular multi-agency public protection meetings.

**Level 3 - Multi Agency Public Protection Panel** - As with Level 2 but these cases additionally require the involvement of senior officers to authorise the use of special resources and/or to provide ongoing senior management oversight. These cases are generally assessed as presenting a high or very high risk of harm and are the critical few.

## **Further Information**

Further detailed information about the National development of MAPPA and related matters can be found on the Scottish Government website.

<http://www.scotland.gov.uk/Publications/2008/04/18144823/0>

## **TAYSIDE ARRANGEMENTS**

The multi agency approach to assessing and managing offenders who are assessed as posing a risk of harm to others is well established in Tayside. Joint working between Social Work and Police dates back to 1997 following the introduction of the Sex Offenders Act 1997. At this time a joint protocol between Tayside Police, Dundee City Council, Angus Council and Perth & Kinross Council was introduced and regular joint agency meetings were held to share information and agree responses to certain categories of high risk offenders.

The Management of Offenders etc (Scotland) Act 2005 and the introduction of Multi Agency Public Protection Arrangements in April 2007 has provided an opportunity to review and strengthen existing relationships and develop closer working arrangements with a range of other agencies who also have a role in managing offenders.

Both Social Work and Police now have specially trained officers who work with high risk offenders - Offender Management teams within the Police and Criminal Justice Services Public Protection Teams within Social Work. Joint working between these teams is critical to the process and ensures that responses to high risk offenders are closely linked to arrangements for the protection of children and vulnerable adults.

The management of registered sex offenders and other offenders can only be successful if partner agencies work together and actively share information. MAPPA provides the framework for the assessment and management of risk with partner agencies working together to protect the public from sexual, violent or other dangerous offenders.

### **Roles and Responsibilities**

Section 10 of the Management of Offenders etc (Scotland) Act 2005 requires the "responsible authorities" to jointly establish arrangements for the assessment and management of the risks posed by serious sexual offenders, and to co-operate with each other in the establishment and implementation of these arrangements.

The Responsible Authorities are defined by legislation and are as follows:

#### Police

The Police have a statutory responsibility for the management of sex offenders and work in partnership with other responsible authorities to effectively manage sex offenders in the community. They have the primary responsibility in relation to registered sex offenders and, if there is no other form of statutory supervision, the Police will be the responsible authority for that offender - the majority of sex offenders are not subject to statutory supervision.

Tayside Police have three Offender Management Units based within the three divisions of the force, Dundee, Angus and Perth & Kinross. These divisions are co-terminous with the local authority areas. The officers within these units work closely with criminal justice social workers to provide robust risk management of the offenders in each area. In order to do this it is vital that officers have a detailed knowledge of offenders in terms of their offending history, potential access to victims and current lifestyle. This is an ongoing process and regular assessments are required in order to identify any significant changes. The following gives an indication of some of the methods used to gather information:

- announced and unannounced visits to the offenders home or any other address registered by them;
- regular contact with criminal justice social workers and Scottish Prison Service for intelligence;
- monitoring of internal and national databases to identify further incidents involving the offender;

- briefings and bulletin entries are used to ensure other staff within the Division are aware of the offenders in their area.

### Local Authorities

Local Authorities are responsible for the provision of a range of services including Housing, Social Work and Education. They provide social work and social care services, including the provision of criminal justice social work services whose responsibilities include the assessment and management of certain offenders who may pose risks as identified by the Management of Offenders etc (Scotland) Act 2005. In addition they also have a lead role in ensuring the protection of children and vulnerable adults

### ***Criminal Justice***

Social workers within Criminal Justice make a wide ranging contribution to arrangements for managing high risk offenders and the operation of MAPPA. Each of the three Local Authority areas has a dedicated team of Social Work staff who have been trained in the assessment and management of sexual offenders. Staffing within these teams has been relatively stable over the past year which has allowed high levels of expertise and knowledge to be developed.

Staff assess, supervise and manage sex offenders and other high risk offenders who are subject to community supervision or released from prison on licence. For offenders subject to statutory supervision, there are National Standards stipulating minimum supervision contact levels, frequency of reviews and breach procedures. Additionally, conditions specifically designed to reduce the risks posed by offenders may be attached to a post release supervision licence or probation order for example, "not to be in a place where children habitually resort" or "to participate in offence focused work as directed" or "not to undertake paid or unpaid or voluntary work that may bring you into contact with children under the age of 17 years". Such conditions are rigorously enforced by the supervising officer. When a sex offender is released from Prison he/she will always be visited by both Police and Social Work immediately after release to explain the conditions attached to their order, allow the agencies to explain their respective roles and responsibilities and also emphasise the offenders own responsibilities.

Criminal justice staff work closely with staff from the other Responsible Authorities and Duty to Co-operate Agencies. As part of the Social Work Service they also work closely with child protection staff and those responsible for the protection of vulnerable adults to share information and ensure plans for managing high risk offenders do not compromise the safety of children or vulnerable adults.

In addition to statutory supervision, Social Work are also responsible for the delivery of a sex offender treatment programme and a specialist team, the Tay Project, provides this service across Tayside.

The Tay Project is responsible for the delivery of sex offender treatment programmes across the Tayside area working with offenders in the community. The project offers a range of programmes, both accredited and non-accredited, delivered on a group or individual basis as appropriate. Programmes aim to reduce the risk of re-offending posed by convicted sexual offenders and have been designed to target specifically those areas shown by research to be associated with increased risk of further offending. Offenders are placed on programmes following a comprehensive assessment where key areas to be addressed are identified. The level of risk also informs the duration and intensity of the programme provided. Community-based treatment programmes build on work already completed (for example in the custodial setting) where this is relevant.

Sexual offender treatment programmes are always delivered within the context of an ongoing case management process which is provided by local criminal justice social workers, enabling local links with other services involved in the risk management of individual offenders to be maintained. Offenders are required to attend and participate in

programmes designed to address their offending behaviour and non-compliance is rigorously managed as part of the broader risk management process.

Where the Tay Project has involvement in a MAPPA case, a relevant representative attends MAPPA meetings. The following table provides information on the numbers of cases managed by the Tay Project during the year 2007/08.

<b>Tay Project Assessments and Cases 2007/08</b>		
	<b>Assessments</b>	<b>Cases</b>
<b>Angus</b>	20	13
<b>Dundee</b>	49	16
<b>Perth and Kinross</b>	20	10
<b>Total</b>	<b>89</b>	<b>39</b>

Assessments do not always convert to cases because the offender may be a low risk of reoffending and harm and/or they may receive a custodial sentence. In respect of the latter, further assessments will be conducted prior to release from prison and conditions imposed as appropriate.

### ***Housing***

Research indicates that stable housing arrangements and effective monitoring are key to minimising the risks posed by sex offenders. Stable accommodation contributes both to the successful rehabilitation of the offender and to the protection of the community in which that person lives.

Each of the three Local Authorities has a designated MAPPA Liaison Officer who is attached to the Housing Department within the Local Authority. These officers are the first point of contact when accommodation is being sought for a sexual offender, they hold information centrally on sex offenders who are accommodated through the local authority and work closely with the Police and Social Work in order to profile addresses and determine the appropriateness of allocations. They attend all MAPPA meetings and provide a valuable link to other housing providers.

### **Scottish Prison Service (SPS)**

The Scottish Prison Service (SPS) is responsible for carrying out risk and needs assessments to assist in the management of prisoners during sentence, and in preparation for pre-release planning and release. SPS work in conjunction with both the Prison and community based Criminal Justice Social Work teams. This process is known as Integrated Case Management (ICM) which ensures that SPS, along with the Police and Criminal Justice Services, meet the statutory requirements to establish joint arrangements for assessing and managing the risk posed by offenders, including the sharing of information. This ensures continuity between Prisons and community and that plans are in place on release.

Part of the ICM process is multi agency case conferences which are held within the Prison shortly before the prisoner's release, these are attended by the prisoner. This process identifies offenders who will be subject to MAPPA considerations.

### **NHS Tayside**

NHS Tayside are required to co-operate with the Police, SPS, Local Authorities and other Duty to Co-operate agencies in respect of sex offenders covered by The Management of Offenders Act.

On 30 April 2008 the legislation also provided the Health Service with a statutory function as a responsible authority to establish joint arrangements for the assessment and management of risk posed by mentally disordered restricted patients. To enable the Health service to

meet these statutory duties the use of Care Programme Approach (CPA) became mandatory for all restricted patients. A restricted patient is an offender in respect of whom a Restriction Order is made under Sections 57 or 59 of the Criminal Procedure (Scotland) Act 1995 or Section 136 of the Mental Health (Care and Treatment) (Scotland) Act 2003.

The mandatory CPA process involves regular multi-disciplinary review meetings, with standardised documentation for care Plans incorporating risk issues and contingency plans. The Police and other relevant agencies are involved in the CPA process.

All restricted patients will be managed through the CPA process and the MAPPA role is the scrutiny of the risk assessment/management plans.

#### Duty to Co-operate

It is recognised that public protection often depends on more than a Criminal Justice response and other agencies also have an important role. The Management of Offenders Act imposes a 'Duty to Co-operate' on certain agencies. Such agencies include registered social landlords, providers of electronic monitoring, Scottish Children's Reporter and agencies providing services on behalf of the responsible authorities. Duty to Co-operate agencies have been identified across Tayside and include Apex Scotland, Action for Children and Salvation Army. Training in relation to information sharing has been delivered locally involving a number of these agencies.

A Memorandum of Understanding has been signed between the Responsible Authorities and the Duty to Co-operate Agencies to facilitate information sharing.

## **The Operation of MAPPA in Tayside**

MAPPA operates well across Tayside. Each area has specific "MAPPA days" when meetings take place which helps to ensure regular attendance. It should, however, be noted that if a case requires urgent consideration meetings will be accommodated outwith these set dates.

Each meeting is either chaired by a Service Manager, Criminal Justice Services or a Detective Chief Inspector, Tayside Police with a core group of members being Criminal Justice Services, Police and the Local Authority Housing Department. All MAPPA chairs have undergone specific training. Other agencies who have a direct involvement/responsibility for management of the offender, eg Health Service, voluntary organisations will also be invited to attend as appropriate. A key purpose being to share appropriate information and each case is examined in terms of the risks and needs presented by the offender.

At the conclusion of the meeting a risk management plan is compiled which is specific to the risks presented and a date for a review meeting is set. This plan clearly sets out the roles and responsibilities of all agencies involved and provides a robust framework for the management of the offender.

The need for disclosure is considered at every meeting and is part of an overall plan for managing risk, balancing the need for public protection with public order and the individual's right to privacy. Disclosure must be seen as proportionate and necessary to protect the public from serious harm. Any recommendation to disclose information will immediately be referred to the Chief Constable who has the final decision. Disclosure will always be made in person by a police officer and will be limited to the provision of the information necessary to minimise the risk. The Police will also provide advice and guidance on how the individual should respond to the information.

### MAPPA Co-ordination

In recognition of the importance of ensuring a co-ordinated approach to information management and identification of appropriate offenders an experienced Detective Constable has been seconded to the post of MAPPA Co-ordinator which has strengthened existing arrangements.

The Co-ordinator receives the details of sexual offenders who pose a risk of serious harm and require multi-agency management. They ensure relevant agencies are involved in the management of the offender, arrange the meetings and have an oversight of the process to ensure consistency of approach and that informed and defensible decisions are made.

The Co-ordinator also collates statistical information, provides a single point of contact for outside agencies and prepares the annual report on behalf of the Responsible Authorities.

The following case studies provide an illustration of how MAPPA operates:

### Case Study A

#### ***Return to Prison of a Sex Offender***

B is a 42 year old man who was convicted of assault with intent to rape for which he received a 12-year custodial sentence. The victim was an adult female, the offender had a previous conviction for rape and was assessed as presenting a high risk of serious harm to females. Whilst in prison B completed a sex offender group work programme. He was released from prison with special licence conditions, one being that he did not associate or contact any known sex offender.

Sometime after release B was seen in the company of another known registered sex offender but when challenged claimed that it had been a chance meeting.

Subsequent enquiries revealed that B had been frequenting the supported accommodation where the other offender lived and had provided a false name.

Information was shared at a MAPPA meeting where it was agreed that this association constituted a breach of his licence and the supervising social worker initiated a recall. This case highlighted:

- good exchange of information and intelligence gathering;
- strong liaison with housing to determine accuracy of information;
- prompt enforcement and recall.

#### Case Study B

##### ***Managing Mental Health Problems***

G suffers from schizophrenia and often reports to hallucinating and hearing voices. He has a conviction for two assaults with intent to ravish a women. He received a period of detention by virtue of a hospital order but now resides in the community in supported accommodation. Although not a registered sex offender G has been assessed as posing a high risk of harm towards adult females.

G co-operates fully with all agencies who visit him however, during a routine visit by his support worker, an invoice for pornographic material was seen within his home. The MAPPA identified that this raised concerns as his possession of this type of material could lead to him re-offending. A referral was made for voluntary supervision to the Tay Project.

G is now receiving specialist advice regarding his offending and staff in mental health services have also received guidance on his previous offending and how to appropriately manage this. This case highlighted:

- prompt identification of increased risk;
- good communication by all agencies involved in the management of G;
- pro-active approach by MAPPA to ensure the engagement of mental health services and specialist treatment providers.

#### Case Study C

##### ***Serious Sexual Offender***

D is a 40 year old man who was convicted of the historical sexual abuse of his own children and niece and nephew. The sexual assaults occurred over a period of time and also involved the use of alcohol and pornography. D was assessed as presenting a very high risk to children.

Whilst awaiting his trial D was on bail with a condition that he was not to be alone with any child under 17 years.

Subsequent enquiries revealed that his son had been frequenting D's home address and staying overnight.

The MAPPA meeting considered this and child protection measures were instigated, a Child Protection Case Conference was held and an exclusion order sought.

When D appeared in court he was given a custodial sentence and the Sheriff also imposed a Sexual Offences Prevention Order (SOPO), a prohibitive order, which will continue for eight years following his release. One of the conditions being that he is not to be in the company of a child under 17 years and is not to attend any area where children may congregate eg. play parks. This case highlighted:

- good exchange of information by all agencies;
- good links to child protection services;
- imposition of a SOPO which will continue follow release from prison.

## **Developments in Work with High Risk Offenders**

There have been a number of developments, both locally and nationally, which have impacted on work with high risk offenders. These can be summarised as follows:

- the introduction of ViSOR (Violent and Sexual Offender Register) which is a central database which is used to record information on sexual and violent offenders. It is used by all police forces in the United Kingdom and all local authorities across Scotland. Appropriate staff across Tayside have been trained in its use;
- approaches to the risk assessment of sexual offenders have progressed on a national basis. Staff have been trained in both Risk Matrix 2000 which assesses risk of reconviction and, the recently introduced, Stable and Acute 2007, which identifies dynamic factors which impact on the risk of re-offending;
- the Community Sex Offender Group Work Programme is an accredited group work programme for adult male sex offenders. It was piloted in 2005 and adopted locally in 2007. The programme consists of up to 240 hours of group work and the roles and responsibilities of all staff involved in its delivery are very clearly prescribed;
- HM Inspectorate of Constabulary for Scotland, Her Majesty's Inspectorate of Prisons and the Social Work Inspection agency are carrying out a joint Thematic Inspection of the management of high risk of harm offenders. In April 2008, they reviewed a national sample of 60 offenders recently released from prison on supervision license, with a focus on release plans, risk assessment, risk management and multi-agency working, their findings will be published early 2009;
- arrangements for sexually aggressive young people have been agreed which are based on the principles of MAPPA.

## **Achievements**

Throughout 2007/2008 key staff have given presentations to staff in other organisations to help them understand MAPPA and where their own agencies sit within the arrangements. Over 40 presentations have been given.

Multi-agency seminars have also been held across the three Local Authority areas to raise awareness, disseminate information and promote discussion about MAPPA.

A ten month review of MAPPA has been undertaken to examine the impact of arrangements on the agencies concerned and identify areas for improvement. Overall feedback has been positive and will form the basis of an action plan for training during 2008/09 to enhance the knowledge of MAPPA.

With the introduction of restricted patients into MAPPA in April 2008, further training will be required for the Health Service to ensure a wide range of medical staff have a knowledge and understanding of MAPPA.

## **MAPPA Strategic Oversight Group**

In order to meet the requirements of the Management of Offenders etc (Scotland) Act 2005, in terms of overseeing and reviewing the multi agency arrangements, a Tayside-wide MAPPA Strategic Oversight Group has been established. This group meets quarterly and comprises of senior officers from the Responsible Authorities and certain Duty to Co-operate Agencies who oversee and direct local approaches towards the assessment and

management of high risk offenders. The group is chaired by the Assistant Chief Constable of Tayside Police.

It is recognised that each area has arrangements in place to ensure oversight of child protection, domestic abuse, vulnerable adults and community safety and the Strategic Oversight Group is working to ensure the integration of MAPPA into such arrangements.

The remit of this group is to:

- demonstrate leadership and accountability for the arrangements for and the effectiveness of, approaches to the management of high risk offenders on behalf of their agencies;
- retain an oversight of arrangements and their effectiveness and agree changes as necessary;
- oversee the co-ordination of multi agency training in relation to high risk offenders;
- oversee extension of MAPPA for violent offenders;
- agree and endorse the annual report;
- agree priorities and ensure the allocation of resources, and support the implementation of agreed strategies across agencies;
- ensure appropriate links to other planning fora;
- undertake serious incident reviews;
- agree media strategies.

## **Victim Work**

Victim Support Scotland operates throughout the Tayside area. They offer victims help and support on their individual and specific needs through a range of contact methods including telephone support, home visit or office appointment. They provide a comprehensive information service including:

- information about the crime;
- information on the Criminal Justice System;
- information on other agencies who may be able to offer specialist services.

Victim Support has an important strategic role to play in the local MAPPA arrangements and are represented on the Strategic Oversight Group. Other groups which represent victims' interests have also been included in training events.

## Statistics

All statistics relate to the time frame of 1 April 2007 until 31 March 2008.

Category 1 MAPPA offenders: Registered Sex Offenders (RSO)

<p>The number of RSOs living in the area on 31 March 2008</p> <ul style="list-style-type: none"> <li>• Dundee (Population 142,160)</li> <li>• Perth &amp; Kinross (Population 134,949)</li> <li>• Angus (Population 109,320)</li> </ul>	<p>109</p> <p>84</p> <p>82</p>
<p>The number of sex offenders having a registration requirement who :</p> <ul style="list-style-type: none"> <li>• complied with the registration requirements</li> <li>• were reported for breaches of the requirements to register</li> </ul>	<p>267 (97%)</p> <p>10 (3%)</p>
<p>The number of :</p> <ul style="list-style-type: none"> <li>• Sexual Offences Prevention Orders (SOPOs)</li> <li>• Risk Of Sexual Harm Orders (RSHOs) applied for:</li> <li>• Interim SOPOs/RSHOs granted ; and</li> <li>• Full SOPOs /RSHOs imposed by the courts</li> </ul>	<p>5</p> <p>0</p> <p>5</p> <p>5</p>
<p>The number of :</p> <ul style="list-style-type: none"> <li>• Foreign Travel Orders applied for ;</li> <li>• Foreign Travel Orders imposed by the courts</li> </ul>	<p>0</p> <p>0</p>

\*\* further information on these orders can be found at Appendix 1 of this report.

Offenders managed through Levels 1,2 or 3 of the MAPPA

<p>MAPPA offenders managed at each of the three levels between 1 April 2007 and 31 March 2008</p> <ul style="list-style-type: none"> <li>• Level 1 - single agency management</li> <li>• Level 2 - through inter agency risk management</li> <li>• Level 3 - MAPPP (critical few)</li> </ul>	<p>202 (73%)</p> <p>72 (26%)</p> <p>1 (0.3%)</p>
<p>Breakdown of MAPPA offender details:</p> <ul style="list-style-type: none"> <li>• Age <ul style="list-style-type: none"> <li>20 years &amp; under</li> <li>21 - 40 years</li> <li>41 - 60 years</li> <li>60 years &amp; over</li> </ul> </li> <li>• Ethnicity <ul style="list-style-type: none"> <li>White European</li> <li>other ethnicity</li> </ul> </li> </ul>	<p>3%</p> <p>43%</p> <p>39%</p> <p>15%</p> <p>90%</p> <p>10%</p>
<p>Between 1 April 2007 and 31 March 2008, how many cases managed at level 2 or 3, whilst at this level :</p> <ul style="list-style-type: none"> <li>• were convicted of a further serious sexual or violent offence</li> <li>• were returned to custody for a breach of licence (including those returned to custody because of conviction of further serious sexual or violent offence)</li> <li>• were returned to custody for a breach of Sexual Offences Prevention Order or Risk of Sexual harm Order</li> <li>• breached their condition of hospital discharge and were recalled to hospital.</li> <li>• breached their condition of hospital discharge but were not returned to hospital.</li> <li>• were subject to formal disclosure</li> </ul>	<p>3</p> <p>7</p> <p>2</p> <p>0</p> <p>0</p> <p>0</p>
<p>Wanted</p>	<p>7 (2.5%)</p>
<p>Missing</p>	<p>1 (0.3%)</p>

\*\* further information on definitions of wanted and missing offenders can be found at Appendix 1.

## **What the Statistics will tell us**

Periods of registration for sex offenders may vary between six months and life, and are dependent on factors such as age, severity of crime and type of disposal. Approximately 33% of sex offenders in Tayside are required to register for life, therefore the number on the register will increase from year to year. The figures also show that there are 68 registered sex offenders per 100,000 of the population of Tayside. It is also noted that more than 99% of the registered sex offenders are male.

The statistics show that most offenders comply with their orders few, only 3%, of the registered offenders did not comply with their registration requirements and were reported for failing to comply with their requirements.

A small number of offenders committed further offences and again only a small number were reported for breaching licence conditions.

## Summary and Forward Plans

The multi agency working arrangements in Tayside are well established and the introduction of MAPPA has strengthened these arrangements.

As can be seen by the statistics, relatively few offenders failed to comply with their registration requirements, and very few were reported for further offending which again highlights the benefits of joint information sharing and effective working relationships.

The Responsible Authorities and Duty to Co-operate agencies recognise the importance of adapting to change and continuing to improve performance across the agencies.

The key areas for the MAPPA agencies in the year ahead are:

- identify areas for joint training opportunities which will assist the joint working and allow for a closer understanding of respective roles and responsibilities;
- promote regular meetings to share best practice and ensure consistency across the three local authority areas;
- actively promote the work of MAPPA to increase public awareness and confidence in the arrangements;
- prepare the responsible authorities for the introduction of violent offenders;
- respond to the recommendations arising from the thematic inspection of high risk of harm offenders which will be published early 2009;
- introduction of the Risk Management Authority's CD Rom " Assessing and Managing Risk" (Kemshall et al. 2007):
- strengthen the joint working arrangements with Health.

## Appendix1

### Sexual Offences Prevention Order (SOPO)

Sexual Offences Prevention Orders (SOPOs) are prohibitive orders issued by a court with the intention of protecting the public from the risks posed by sex offenders by placing restrictions on their behaviour.

A SOPO can be used to prevent a sex offender from undertaking an activity that may place the public at a risk of serious harm for example, visiting public swimming pools.

The minimum period time for an order is five years with a maximum of life. Before imposing an order the court must be satisfied that the order is necessary before granting the prohibitions.

Typical examples of conditions imposed on a SOPO are:

- a i Being alone or remaining in the company of any adult female.
- ii Permitting any adult female to enter at any place at which he may reside or any other dwelling house occupied by him whether temporarily or permanently.
- iii Permitting any adult female from occupying a vehicle owned or used by the defender or a vehicle in which the defender is a passenger other than a public services vehicle.
- b Approaching, speaking or communicating in any way (whether by writing by electronic telecommunication or otherwise) directly or indirectly or following any adult female in a public place with the exception of permitting the defender to carry out a business transactions or to disengage from communication instigated by any adult female.
- c Engaging in any form of employment, self-employment or voluntary activity that would permit the defender to have contact with or control over any adult female.
- d Prohibit the offender from entering any public park, children's play area, children's leisure area, school or nursery grounds or any area where children habitually congregate.

Breaching a SOPO can result in a maximum sentence of five years imprisonment.

### Risk of Sexual Harm Orders RSHO

An RSHO is imposed by the court and can be sought if a person, even someone with no previous convictions, behaves on at least two occasions and as a result of these acts it is necessary for the application of an order to protect a child or children in general form that person. Examples of the behaviour are:

- engaging in sexual activity involving a child or in the presence of a child;
- causing or inciting a child to watch a person engaging in sexual activity or to look at a moving or still images that is sexual;
- communicating with a child where any part of that communication is sexual.

### Foreign Travel Orders FTO

A Foreign Travel Order can be made against a sex offender and again is imposed by the court. It is intended to prevent offenders with convictions for sexual offences against children from travelling abroad where there is evidence that they intend to commit sexual offences against children abroad.

Such an order is applied for if it is believed that the offender has behaved in a way that gives the Police reasonable cause to believe that an order is necessary for the purposes of protecting children abroad from serious harm.

### Wanted Offenders

An offender is deemed as wanted where it is known that they are actively avoiding the Police in response to police enquiries. These enquiries can be the result of further offending or the necessity to interview the offender for his/her registration requirements. This may include those occasions where an offender is the subject of an arrest warrant.

### Missing Offenders

An offender is deemed as missing where their current whereabouts is unknown and police enquiries to establish their whereabouts have been unsuccessful.

07.10.08

## Scottish Prison Service MAPPA Annual Report Submission 2007-08

### Introduction

The Scottish Prison Service (SPS) is an integral part of the justice system in Scotland. Our communities rely on it not only to keep prisoners in custody but also to prepare them for release.

The SPS is legally required to deliver custodial services for all those sent by the courts. In 2007/08 the average daily population in Scottish prisons totalled nearly 7,400 - an increase of 3% on 2006/07, and the highest annual level ever recorded. Around 700 (9.5%) of these prisoners are sex offenders.

SPS complies with the procedures for MAPPA as detailed within Sections 10 and 11 of the Management of Offenders Etc (Scotland) Act 2005. This means that information, risk assessments and action plans relating to sex offenders are shared with Police forces, Criminal Justice Social Work (CJSW) and Health. SPS is preparing to play a full part in the forthcoming expansion of MAPPA to cover violent offenders and other offenders.

Whilst in SPS custody all convicted offenders (not just those subject to MAPPA arrangements) will go through the Integrated Case Management (ICM) process. This is a multi-agency approach that is focused on reducing re-offending by ensuring, where possible, risks are identified and a plan is in place for each offender to reduce those risks in a sequenced and co-ordinated manner.

#### MAPPA Audits

MAPPA audits were carried out in Autumn 2007 by SPS Audit and Assurance services. Five establishments were audited – Barlinnie, Edinburgh, Dumfries, Peterhead and Polmont. Overall, 4 establishments displayed 'reasonable assurance' (i.e. Satisfactory) that MAPPA arrangements had been implemented to a satisfactory level in the establishments. One establishment – Edinburgh – required a second compliance visit in Spring 2008 to obtain a 'reasonable assurance' rating.

#### SPS involvement in local and national MAPPA groups

SPS plays a major part in MAPPA groups. MAPPA operational and steering groups at Community Justice Authority (CJA) level are attended by senior SPS staff. SPS is also a key player in the Scottish Government-led MAPPA Working Group. We work closely with the 8 CJAs and have appointed 4 SPS CJA Liaison managers to facilitate partnership working.

There is SPS representation at pre-release MAPP panels for level 3 offenders (and by invitation, where required, to subsequent MAPP panels). Also, there is SPS representation at Level 2 MAPPA meetings where it is viewed to be an appropriate use of SPS resources. This satisfies the legislative requirement for SPS to share information with partner organisations.

#### Formal reporting

In this Annual report submission we will formally report on:

- Programme completion for registered sex offenders by establishment and by CJA area;
- Number of completed risk assessments on registered sex offenders; and
- National training statistics for SPS staff in key areas for sex offending.

#### Programme Completion

SPS provides nationally accredited programmes and other interventions which aim to achieve improvements in the attitudes or behaviours which have led to offending in the past. The programmes encourage offenders to accept greater responsibility in managing their own behaviour and the impact this has on victims and on their own families. The main example for sex offenders is the Sex Offender Treatment Programme (SOTP).

The SOTP programmes for sex offenders take place in Barlinnie, Edinburgh, Peterhead and Polmont. Other prisons may send offenders to these establishments to complete the programmes.

A range of additional accredited programmes (termed Approved Activities) including anger management, relationship skills, and alcohol awareness are made available to sex offenders via an assessment of need.

**Altogether, over 200 programmes and approved activities were completed by sex offenders in 2007-08.** Some programmes involve more than 100 hours of group and intervention work.

#### Risk Assessments

Risk Matrix 2000 and Stable and Acute 2007 are the main risk assessment tools used by SPS for sex offenders.

***Over 750 risk assessments have been carried out on registered sex offenders in Scottish prisons during 2007-08.***

#### Staff Training

There has been significant training of SPS and Prison Based Social Work (PBSW) staff on the use of the Stable and Acute 2007 (SA07) tools. **83 SPS and PBSW staff were trained in SA07 during 2007-08.** There has already been extensive training in place in SPS on RM2000 in previous financial years, and the training requirement is now less significant. Role play training and training on the delivery of the Sex Offender Treatment Programme (SOTP) were other notable events.

The Risk Management Authority's CD Rom 'Assessing and Managing Risk' (Kemshall et al. 2007) was introduced as a pilot to SPS in December 07. It is hoped to roll this out throughout SPS during the Financial Year 2008-09.

#### Summary

The financial year 2007-08 has seen the 'bedding in' of MAPPA arrangements across Scotland, not least for SPS as a Responsible Authority. We have worked closely with the 8 Community Justice Authorities (CJAs) and have appointed 4 SPS CJA Liaison managers to facilitate partnership working. SPS is a very active player in MAPPA implementation groups, both at a national and local level.

A lot of effort has been made to embed the MAPPA processes in SPS. MAPPA audits have shown that SPS is satisfactorily implementing the MAPPA arrangements.

Intervention and risk assessment work has been undertaken with sex offenders that are in our care, in preparation for re-integration into the community. Stable and Acute 2007 has begun to be embedded in SPS as a key risk assessment tool to support this work.

A more detailed SPS MAPPA report can be found on the SPS website at <http://www.sps.gov.uk>