



EAST AYRSHIRE CHIEF OFFICERS GROUP: 21 DECEMBER 2010

PROGRESS UPDATE IN MAPPA DEVELOPMENTS

1. PURPOSE

- 1.1 To advise of recent developments within the Multi Agency Public Protection Arrangements (MAPPA).

2. KEY DEVELOPMENTS

- 2.1 The Strategic Oversight Group held a development day on Tuesday 14 December 2010 at which the following business was considered: -

- **Significant Case Reviews (SCR)**

A presentation was made in respect of recent experience and learning arising from the process of conducting a SCR within the MAPPA. As a consequence guidance is being developed, and it is anticipated that this will also be of interest to staff in other parts of Scotland as national guidance is not yet in place.

- **Annual Report 2009/2010**

The annual report has been approved by the Strategic Oversight Group (SOG) and has been forwarded to the Scottish Government. The report is attached as appendix 1 for information.

- **Annual Report and Business Planning Arrangements**

Considerable work is currently underway in revising the operation and membership of the SOG. A constitution is being developed and the roles/responsibilities and organisational arrangements are being clarified. As part of this process, a new approach to the completion of the annual report and business plan is being developed for 2011/12.

- **Governance and Accountability**

There are challenges for the Strategic Oversight Group is reporting to four Chief Officers Groups, and therefore a consistent approach to reporting is required. A reporting framework is therefore being developed which will ensure that all of the Chief Officer Groups receive relevant and consistent information which offers assurance about the effective implementation of MAPPA in each of the local authority areas.

- **Chair**

Kate Thomson, Superintendent, Dumfries and Galloway Police is currently the chair of the SOG and Susan Taylor, Head of Service: Children, Families and Criminal Justice is the Vice Chair. Due to her recent promotion to Chief Superintendent, it is unclear if Kate will be able to fulfil her two years as chair of the group. It is anticipated that she will continue until the spring of 2011, at which point the position can be reviewed.

- **Performance Reporting**

A performance reporting system has been developed (appendix 2) which provides an overview of performance in respect of key performance areas. Exception reports are included. It is anticipated that this will be further developed as part of the business planning framework.

3. RECOMMENDATIONS

3.1 It is recommended that the Chief Officers Group: -

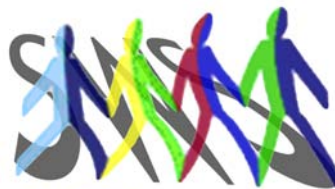
- (i) note the contents of the annual report:
- (ii) note the implementation of a performance reporting system for MAPPA; and otherwise
- (iii) note the contents of this report.

Susan Taylor
Vice Chair of the Strategic Oversight Group (MAPPA)
15 December 2010

AGENDA ITEM 7, APPENDIX ONE

Annual Report

2009/2010



MAPPA
Manage the Risk
Reduce the Harm

Multi Agency Public Protection Arrangements

South West Scotland Community Justice Authority

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Annual Report: MAPPA: South West Scotland Community Justice Authority (CJA).

1. Introduction

The Management of Offenders etc (Scotland) Act 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 arrangements have now been in place for three years. The Responsible Authorities are required to keep the arrangements under continuous review and to publish an annual report of which this is the third. The publication of this Annual Report offers an opportunity for MAPPA to be accountable to the local community for the management of certain offenders whilst also informing the community as to what actions are being taken to continually refine and improve our practices and procedures, and, ultimately, the effectiveness of MAPPA in South West Scotland (SWS) CJA area. Consequently this report contains not only statistical information about the numbers of offenders managed within MAPPA, but also provides some illustration of how the arrangements work in practice.

The fundamental and overarching purpose of MAPPA is public safety and the reduction of serious harm within our communities. In Scotland the implementation of MAPPA has been phased. The current arrangements were extended on 30 April 2008 to include Restricted Patients, in addition to Registered Sex Offenders.

2. The National Picture

During this third year of MAPPA in Scotland the arrangements to improve the safety of communities have continued to develop.

The multi-agency inspection, *'Assessing and managing offenders who present a high risk of serious harm'* was published during the course of 2009 and concluded that MAPPA had improved how agencies worked together and made joint decisions about how to manage sex offenders. The Scottish Government welcomed this Report and accepted its nineteen recommendations, which detailed some shortcomings in practice but highlighted many positive developments in public protection. In short, the Report provided a valuable opportunity to build on success and reassess where improvements in public protection can be made.

Accordingly, the National MAPPA guidance has been substantially amended, in consultation with the responsible authorities, to address some of the recommendations in the Report and to reflect changes to legislation and improvements in certain areas of policy and practice. A number of national training events for MAPPA chairs and minute takers have also taken place during the reporting period, to enhance MAPPA effectiveness. Each CJA area now has trainers who can deliver training locally to those involved in the MAPPA process.

To further strengthen local MAPPA, Strategic Oversight Groups have been established in every CJA area. Looking forward, the focus will be on empowering these local Strategic Oversight Groups to provide effective leadership in terms of the operation of MAPPA, including the governance of consistent policies and processes and robust performance monitoring.

MAPPA also continues to be strengthened by the contribution of the Scottish Prison Service (SPS) and Health Service and Special Health Boards to improve levels of public protection and reduce the risks associated with offending behaviour. In this connection the SPS is currently working with the Scottish Government and partners on the implementation of a common risk assessment and case management tool, the Level of Service/Case Management Inventory (LS/CMI). On the Health side, the State Hospital has continued to work with MAPPA across the whole of Scotland. This has involved the notification of all restricted patients and referrals to MAPPA for those restricted patients where an additional level of scrutiny of risk management is required to assure public safety.

A national MAPPA health group is also actively developing involvement between health professionals and MAPPA. The work of this group, which is chaired by a senior clinician and has health representation from every CJA area in Scotland, addresses a particular concern of the multi-agency report calling for closer health involvement with the MAPPA processes.

The ViSOR (Violent and Sex Offenders Register) computer system has also now been installed within the Scottish Government's Primary and Community Care Directorate and training events have been held to promote greater understanding of the Health role within MAPPA.

For the future, work continues to place on a statutory footing the existing informal arrangements whereby information may be disclosed between the Department of Work and Pensions, (Jobcentre Plus), the Child Maintenance and Enforcement Commission, the responsible authorities and the other duty to cooperate agencies in the MAPPA.

Finally, it is also of note that on 28 February 2010, the Justice Secretary, Kenny MacAskill MSP, confirmed that all eight police forces in Scotland were committed to rolling out the Community Disclosure process, after a successful pilot in Tayside. It is expected that both Central Scotland Police and Fife Constabulary will roll out the process during October 2010 with the other forces following, with national implementation being completed by March 2011.

Further national information on the subject of MAPPA can be found on the Scottish Government Website

<http://www.scotland.gov.uk/Topics/Justice/public-safety/offender-management/offender/protection>

3. Area Summary

Area Profile

The SWS CJA area combines four local Councils and covers Dumfries & Galloway, East Ayrshire, North Ayrshire and South Ayrshire over an area in excess of 3,600 square miles. The area has a diverse population of around 515,670¹, located in urban, rural and isolated communities, including the island communities of Arran and Cumbrae. The MAPPA in SWS CJA area incorporates a complex number of responsible authorities, namely; Strathclyde Police, Dumfries and Galloway Constabulary, North, South and East Ayrshire Councils, Dumfries and Galloway Council and the Scottish Prison Service (including HMP Dumfries and the private prison managed by Serco Ltd at HMP Kilmarnock), NHS Ayrshire and Arran and NHS Dumfries and Galloway Health Service.

In SWS CJA, in addition to the existing full time MAPPA Co-ordinator, located in Ayr police station, a second MAPPA Co-ordinator is employed on a part time basis, and is located with Dumfries and Galloway Council, Criminal Justice Social Work Services. MAPPA in SWS CJA area is underpinned by a clear commitment of agencies and staff at all levels to share information about offenders both formally at regular review meetings (called MAPPA meetings or Multi-Agency Public Protection Panels (MAPPPS) and informally, during normal case management processes or reviews as necessary.

The Governance of MAPPA in SWS CJA

Following the consolidation of the MAPPA in SWS CJA, in February 2009, the governance of MAPPA was stratified into a two-tier structure comprising representatives of the responsible authorities at a senior and strategic level to meet the requirements of the legislation to review the operation of the MAPPA. Sections 11(1) and (2) of the Management of Offenders (Scotland) Act 2005 require the responsible authorities to keep the arrangements established under review for the purpose of monitoring the effectiveness of those arrangements and making any changes to them that appear necessary or expedient.

The two-tier structure comprises a MAPPA Operational Group (MOG) and a Strategic Oversight Group (SOG). The MOG attends to operational issues and serves as a conduit for the Strategic Management Board. This model of governance requires local arrangements for links with other public protection structures (such as Child Protection and Adult Support and Protection) and a process for consideration of more locality based operational issues. Communication between the MAPPA, Child Protection and Adult Support and Protection structures is the responsibility of the relevant members of the SOG.

¹ <http://www.gro.scotland.gov.uk/files2/stats/council-area-data-sheets/all-council-area-factsheets.xls>

The Strategic Oversight Group

The SOG meets every six to eight weeks to monitor MAPPA performance and quality assurance, to consider and oversee the strategic development of MAPPA within SWS CJA area, approve the final draft of the annual report, plan the long term development of MAPPA in SWS CJA, review MAPPA funds and review significant cases i.e. those cases where there are significant causes for concern, or an offender or restricted patient is convicted of a serious violent or sexual offence. The SOG is comprised of the Chief Officers of the Responsible Authorities or their designated representatives, the Chief Officer of SWS CJA, the Chair of the MOG and the MAPPA Co-ordinators.

The MAPPA Operational Group

The MOG meets every six to eight weeks to consider the operational delivery, performance quality assurance and development of strategic actions plans for MAPPA; to consider the annual report for submission to the SOG for approval and to make recommendations to the SOG regarding the use of MAPPA funds. The membership of the MOG consists of representatives at a senior level from the four local authority Criminal Justice Social Work Services, Dumfries and Galloway Constabulary, Strathclyde Police, Scottish Prison Service and SERCO, NHS Ayrshire and Arran, NHS Dumfries and Galloway, Victim Support and the Sex Offender Liaison Officers, from local authority housing services (or equivalent – National Accommodation Strategy for Sex Offenders (NASSO) Co-ordinator).

A summary of the significant operational events in the past year:

The former MAPPA Implementation Group and its successors (MOG / SOG) have:

- Following a significant incident which occurred within the SWS CJA area during 2009, a significant case review was undertaken. The review was conducted by a multi-agency team and the findings have been reported to the Chief Officers Group in the relevant local authority area. To ensure rigorous scrutiny, the findings, recommendations and action plan are being independently evaluated. At the conclusion of this process and with approval of the respective Chief Officer Group, an executive summary will be produced and the SOG will ensure wider dissemination of the key findings and learning points
- Recruited part time clerical support based at the MAPPA Office, Dumfries
 - Continued the development of the SOG and MOG and established reporting arrangements between the MOG, the SOG and the CJA
 - Through this development, the SOG has further developed and considered the strategic interface with the three strands of public protection to ensure robust links for information sharing are established with key agencies and structures (for example Child Protection Committees, Adult Support and Protection Committees) so as to enhance the performance of MAPPA

- Monitored arrangements as per the national guidance in relation to Restricted Patients within the MAPPA structure
- Continued to strengthen and develop partnership working between the Responsible Authorities and Duty to Co-operate Agencies
- Continued senior representation of Victim Support to the MOG facilitating an appropriate representation of victim concerns and issues, whilst supporting the strategic direction of MAPPA in this area
- Reviewed and evaluated the MAPPA process and local arrangements for the delivery and operation of MAPPA in SWS CJA. This is a continuous process to ensure correlation with wider legislative or criminal justice or public protection developments
- Established Quality Assurance criteria to obtain an improvement in the quality, consistency and efficacy of the operational practice of MAPPA
- Developed environmental scanning processes in conjunction with Housing SOLOs and Strathclyde Police.

The MAPPA Co-ordinators and Administrative Officers have:

- Continued to meet with and deliver presentations to several of the responsible authorities and duty to co-operate organisations to promote the work of MAPPA and raise awareness of the purpose and operation of MAPPA
- Delivered Contingency Planning Workshops and launched Contingency Planning as part of the Risk Management process
- Prepared a range of strategic issue based reports for consideration and progression by the MOG / SOG as appropriate
- Represented SWS CJA area at National MAPPA Co-ordinators meetings
- Continued to scrutinise all referrals for registered sex offenders and restricted patients against the nationally agreed criteria to ensure that offenders are managed at the appropriate level
- Continued to arrange and minute MAPPA meetings for all Level 2 and 3 Registered Sex Offenders and Restricted Patients across the CJA
- The MAPPA Co-ordinator, Ayr Office, has redesigned the Minute template for Level 1 MAPPA meetings with the MAPPA Administrators minuting, disseminating and inputting all minutes of all level 1 meetings onto ViSOR across Ayrshire
- Continued to promote the use of Government Protective Marking Scheme (GPMS) for all MAPPA information to various agencies within the CJA
- Continued to liaise with all responsible authorities and duty to co-operate agencies as required

- Implemented and applied the quality assurance criteria authorised by the MAPPA Operational Group
- Continued developing working relationships between the housing SOLOs / NASSO Co-ordinator to develop a cohesive and consistent approach to the implementation of the NASSO in SWS CJA
- Attended relevant and required training courses and conferences to enhance required knowledge base
- Disseminated brief practice guidance for all staff and agencies comprising the responsible authorities and primary duty to co-operate agencies.

4. Roles and Responsibilities

Joint working and information sharing between agencies is the most effective and productive method of maximising capacities for securing public protection. Whilst the Police Forces and Local Authority Criminal Justice Services are the principal lead agencies for the management of registered sex offenders in the community, SPS and SERCO are the principal lead agencies for incarcerated registered sex offenders and the Health Service is the principal lead authority for Restricted Patients. A summary of the roles and responsibilities in relation to Multi Agency Public Protection in SWS CJA is outlined below.

Responsible Authorities

Health: Restricted Patients

All restricted patients within SWS CJA are involved in the Care Programme Approach, whether they are detained in hospital or resident in the community. The mandatory CPA process for restricted patients involves regular multi-disciplinary/multi-agency review meetings (CPA 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.

Health Service

NHS Dumfries and Galloway and NHS Ayrshire and Arran have nominated a single point of contact for MAPPA in South West Scotland CJA. The single point of contact, who is a senior manager within the Health Board, either chairs or attends the MAPPA meetings for restricted patients. All Restricted Patients have a Mental Health Officer (MHO) and a Responsible Medical Officer (RMO) with specific responsibility in relation to their case who are also in attendance at MAPPA meetings, alongside other persons from the clinical team, or from Housing Services or other involved voluntary organisations, for example (see section 12: State Hospital for additional information). Where an individual is convicted of a sexual offence (or found legally insane) and receives a mental health disposal then they are subject to the same sex offender notification requirements as other sex offenders and are also subject to MAPPA.

The Scottish Prison Service/SERCO Ltd

The Scottish Prison Service (SPS), or private sector provider, SERCO Ltd, is the Responsible Authority for registered sex offenders whilst they are in prison. For all prisoners, the SPS and SERCO Ltd carry out risk and needs assessments to assist in determining the management of the prisoner during sentence and in preparation for pre-release planning and release. SPS and SERCO Ltd also work in partnership with the Criminal Justice Social Work (CJSW) supervising officer during sentence and in preparation for release. This process of sentence planning is referred to as Integrated Case Management (ICM). Further details can be found in section 11, authored by the Scottish Prison Service.

The Police

The responsibilities of the Police in relation to registered sex offenders include maintaining ViSOR nominal records of those persons in the Police Force area who are subject to the notification requirements of the Sexual Offences Act 2003; to initiate enquiries where such persons fail to comply with the requirements placed upon them; and to update ViSOR in relation to information pertaining to unregistered sex offenders whose current behaviour is of concern.

The Police are one of the Responsible Authorities within the MAPPA process and as such have a significant role in assessing and managing the risk presented by sex offenders in the community; and a responsibility to develop, in conjunction with partner agencies, risk management plans for the purpose of monitoring and managing sex offenders. Where an offender in the community is subject to no other form of statutory supervision, then the police assume the role of lead responsible authority for that offender. This includes sharing the responsibility for assessing all Registered Sex Offenders, within the community. The assessment is carried out by officers working within the Offender Management Unit, and colleagues within Criminal Justice Social Work Services, who have been trained in the use of specialised risk assessment tools. The Police also have a pivotal role to play in MAPPA meetings of restricted patients, particularly with regard to the assessment and ratification of risk management plans developed from the CPA plans of restricted patients.

The Local Authorities

Criminal Justice Social Work

The Local Authorities provide a range of social work and social care services, including the provision of criminal justice services. The core criminal justice social work responsibilities are: the provision of reports to the Court and Parole Board; supervision of probation; community service and supervised attendance orders; and the supervision of post-custodial licences. Whilst public protection and the risk management of registered sex offenders is a core objective of criminal justice social work services, the primary, and related, aims are those of resettlement and rehabilitation. Criminal Justice Social Work services (CJSW) have responsibility for the risk assessment and management of all registered sex offenders subject to community supervision. The risk assessment is based on the same tools outlined above; Risk Matrix 2000, Stable and

Acute and RA1-4. The Irving Report recommended that when the risk assessment was undertaken on a registered sex offender this should be done jointly with the police; the police should be notified of any change to the risk assessment and at the end of supervision another risk assessment should be undertaken. All persons leaving custody are entitled to apply for voluntary aftercare up to 12 months after leaving custody. National Objectives and Standards for Criminal Justice Social Work lay down that reports to Court or the Parole Board should include a risk assessment and any action plan for someone on probation or a post-custodial licence should include a risk management plan aimed at reducing the risk of re-offending or the risk of serious harm. Supervision of these orders or licences should be informed by the risk management plan.

In cases where a sex offender is subject to statutory supervision in the community by local authority criminal justice social work and is also subject to sex offender registration requirements, then the responsibility for the case is shared between both the police and local authority social work services who must put in place appropriate and robust liaison arrangements for risk assessment and management. When criminal justice social work supervision ends and the risk of serious harm remains, the police will become the responsible authority but the offender will still be dealt with within the MAPPAs for the duration of registration. Local authorities provide services to adult offenders, and to young people who offend or who are at risk of offending. This covers anyone up to the age of 16 who is offending, including registered sex offenders, and may cover those between 16 and 18. It may be that the Children and Families or Youth Justice Social Work Services, rather than the Adult Criminal Justice Social Work service, supervises young people on probation.

Child Protection

In addition to the services to adult and young offenders, local authorities, alongside other partners such as the police and the NHS, have a duty to promote the well being of children and to identify and respond to abusive or adverse situations. Each local authority will provide child protection guidance on how its staff will fulfil their child protection duties. Senior personnel from Children and Families Social Work Services will attend MAPPAs meetings and share information with other agencies where there are concerns about young people who may be considered to be actual or potential victims, either directly or indirectly. This information will be shared for the purpose of developing comprehensive risk management plans of which a robust victim strategy is a central component.

Adult Support and Protection

The Adult Support and Protection (Scotland) Act 2007 came into force on the 29th October 2008. The Act introduces new measures to support and protect adults who are seen to be at risk of harm, whether this is physical or psychological harm, neglect, sexual abuse or financial exploitation. The Act places a duty on Councils to make the necessary inquiries and investigations to establish whether or not further action is required to stop or prevent harm occurring and also a requirement for specified public bodies to co-operate with local authorities and each other about adult protection investigations.

It is noteworthy that whilst a victim of a registered sex offender might be classified as a vulnerable adult, it may be that a registered sex offender is also classified as a vulnerable adult.

Duty to Co-operate Agencies

Duty to Co-operate agencies such as Health Boards (in respect of registered sex offenders), Housing Providers, SERCO, and other Voluntary or Private Sector Organisations have a responsibility to share information, search records for any involvement with named offenders, and participate and contribute meaningfully on a case by case basis to the Risk Management Plan in accordance with their statutory function.

National Health Service (NHS)

Whilst Health Boards are a responsible authority in respect of Restricted Patients, they have a duty to co-operate in respect of Registered Sex Offenders. Registered sex offenders may have contact with the health service in a number of different contexts. The majority of contacts with the NHS are via general Medical Practitioners (GP's) outpatient or inpatient attendance at District General Hospitals, this will also include for a few individuals contact with Mental Health Services where patients receive treatment voluntarily or under the Mental Health (Care and Treatment) (Scotland) Act 2003 or addiction services, for example. Where a registered sex offender has contact with the health service then the health service has a duty to co-operate with other agencies in terms of information sharing and contributing to risk management. Where there are specific issues (i.e. a disability or enduring health diagnosis) that requires cognisance in terms of the provision of services to offenders or concerns about risk to staff or other patients, then this is communicated by the MAPPA Health representative, or single point of contact, to health service staff so that appropriate arrangements to manage any risk to staff or patients are put in place. In addition, where health staff have information that is pertinent to risk management then this is shared with other agencies within MAPPA

Electronic Monitoring Services

Currently the Scottish Government contract for the provision of electronic monitoring in Scotland is with SERCO Ltd. In this capacity, SERCO Ltd present as a point of contact for advice to the Responsible Authorities on the available technology and attend MAPPA meetings when the circumstances of a particular case deem it appropriate for them to do so. It is recognised that electronic monitoring has a part to play in supporting and adding robustness to an offender's licence, which may contain a number of specific conditions.

Housing Agencies

Housing agencies, under a duty to co-operate, are Local Authority housing services and providers and Registered Social Landlords. Their role is to contribute to the management of risk identified by Responsible Authorities by providing accommodation; liaising with the Responsible Authorities on the ongoing management and monitoring of the risk of the offender as tenant, including any tenancy moves or evictions; having regard to

community safety and having in place exit strategies where a property is no longer suitable and/or the offender's safety is at risk.

In SWS CJA area, each local authority has recruited a dedicated sex offender liaison officer (SOLO) / National Accommodation Strategy for Sex Offenders (NASSO) Coordinator who works directly with individual's subject to MAPPA arrangements. These officers have proven to be critical to the overall risk management of registered sex offenders. Indeed, the SOLOs / NASSO Co-ordinator have worked closely with the MAPPA Coordinators and the Responsible Authorities in SWS CJA to further strengthen their risk assessment processes to ensure that community safety is at the heart of all procedures.

In SWS CJA area, the location of suitable housing always places victim issues at the forefront of risk assessment of accommodation. SOLOs and the NASSO Co-ordinator are standing members of all MAPPA meetings, with Registered Social Landlords and supported accommodation providers additionally represented where appropriate. This direct focus minimises the potential of an offender being released from custody and being accommodated within the same neighbourhood locality as a victim and minimises the risk to any potential victims by the close scrutiny that is applied to the accommodation arrangement of each offender.

Within SWS CJA the environmental scanning process, in relation to the housing of sex offenders, has been reviewed. It is a robust and vigorous process incorporating all responsible agencies. Multi-agency working is fundamental to the work that is carried out and there have been developments in this area resulting in excellent working partnerships across the agencies and organisations concerned.

Civil Preventative Orders

Risk management plans aim to increase and enhance an individual's capacity to control their behaviour and self-risk manage through the implementation of constructive interventions. This is balanced by the implementation of restrictive interventions, which seek to exercise control over an individual's behaviour. Restrictive interventions are enforced in accordance with the statutory or non-statutory framework within which they are ensconced. There are a variety of different statutory (i.e. parole licence, non-parole licence, extended sentence and probation orders, for example) and civil preventative orders that can be imposed (see box below for an overview of some of the relevant civil preventative orders) in circumstances where the risk an individual presents requires additional, enforceable measures, to maximise the responsible authorities capacity to protect the public.

Risk of Sexual Harm Order (RSHO) - place restrictions on someone who is behaving in such a way which suggests that they pose a risk of sexual harm to a particular child or to children generally. The person's behaviour need not constitute a criminal offence, and s/he need not have any previous convictions.

Sexual Offences Prevention Order (SOPO) - a court may make a SOPO at the time of dealing with certain sexual offenders or when the police make a special application on account of the offender's behaviour in the community. A SOPO will require the subject to register as a sexual offender and can include conditions, for example to prevent the offender loitering near schools or playgrounds. If the offender fails to comply with (i.e. breaches) the requirements of the order, he can be taken back to court and may be liable to up to 5 years' imprisonment.

Foreign Travel Orders (FTO) - prevent offenders with convictions for sexual offences against children, from travelling abroad where it is necessary to do so, to protect children from the risk of sexual harm.

Notification Order (NO) – require sexual offenders who have been convicted overseas to register with police, in order to protect the public in the UK from the risks that they pose.

Case Study

This section concludes with an anonymised case study, illustrating the use of one of the civil preventative orders referred to above.

Mr Y: Breach of SOPO

Mr Y was convicted of Lewd and Libidinous practices against a 13 year old female and sentenced to a two year Probation Order in 2009. Mr Y was also made subject to registration requirements. Due to the nature of his conviction Mr Y's Probation Order contained a number of conditions including one that he should not associate with children. Throughout this time Mr Y was subject to Level 1 management.

Within a matter of weeks, Mr Y was found to have breached three conditions of his Probation Order including the condition that he should not associate with children. There was no information to suggest he had offended at this time.

As per National Standards and Outcomes procedures for Criminal Justice Social Work, a Breach Report was submitted by Mr Y's supervising officer to the sentencing court. Given concerns surrounding Mr Y's behaviours the police submitted a Level 2 referral to the MAPPA Co-ordinator which was accepted.

Some four months after the imposition of the Probation Order, Mr Y received a custodial sentence with extended sentence for the charge of Breach of Probation. Mr Y's Probation Order was revoked. Whilst Mr Y was serving this sentence, further allegations were made against him. Upon

release Mr Y was immediately charged with further offences. At this time and, due to concerns regarding the potential for Mr Y to re-offend upon release and without being subject to the previous conditions on the Probation Order, the police submitted an application for a SOPO which was granted.

Mr Y was later convicted of further offences of Lewd and Libidinous Practices and recalled to prison for these offences and a breach of the SOPO.

This case involved significant inter-agency communication and information sharing which was essential to effective risk management.

5. Developments in work with MAPPA offenders

ViSOR Database

ViSOR is an IT platform which facilitates multi-agency information sharing in relation to Registered Sex Offenders, Non Registered Sex Offenders, Violent Offenders and other Dangerous Offenders.

Last year SWS CJA reported our commitment to examining the extent to which ViSOR is either accessible or operationally effective for Responsible Authorities. Indeed, the former MAPPA Implementation Group in SWS CJA area commissioned a report, which was undertaken by a representative from Strathclyde Police addressing these concerns which was, in turn, forwarded to the Scottish ViSOR Working Group structure for consideration. Further developments in relation to access arrangements to ViSOR for example, are being progressed through this structure. We also reported our commitment to the development of an ongoing ViSOR user training programme. Police and a number of criminal justice social work services employees and administrative support have been trained in ViSOR and the user training programme has continued throughout the reporting year.

Staff Training

South West Scotland CJA Training and Development Officer has continued to co-ordinate the delivery of ViSOR user training programmes, training pertaining to CSOGP Facilitator, Case Management (see section 13), and training in the use of risk assessment instruments, amongst other training priorities. In particular, multi-agency staff have been trained in the use of the primary actuarial risk assessment tools, namely Stable and Acute 2007 (SA07) and Risk Matrix 2000 (RM2000). In addition, the MAPPA Co-ordinators delivered a series of Workshops on MAPPA processes and Contingency Planning to staff across SWS CJA.

Developmental Work with Duty to Co-operate Agencies

Developmental work with Duty to Co-operate Agencies is a continuous objective that is shared by all the responsible authorities constitutive of MAPPA in South West Scotland, including the MAPPA Co-ordinators. This work has taken place on a formal basis, as well on an informal basis. Informally, the MAPPA Co-ordinator has engaged with various agencies,

including, for example, Youth Justice Social Work Services, NHS Ayrshire and Arran addiction services, as required or requested to explain the purpose and functions of MAPPAs, in addition to the expectations and roles of the agencies concerned. This is an area of further development for the next reporting year, and developmental work with the Responsible Authorities and the Duty to Co-operate Agencies has been planned on a structured basis to be delivered throughout the next annual reporting period.

6. Diversity Issues

Diversity issues and or equal opportunities for members of the public, victims, or potential victims and offenders are taken into consideration when assessing risk and formulating risk management plans. Equality before the law is an essential principle in the area of criminal justice and it is important therefore that legal obligations in relation to race, religion, sexual orientation, age, gender and disabilities are recognised.

Representatives of various agencies are asked therefore to consider the implications that any diversity issues might have when assessing risk, in the development of risk management plans for the individual offender, in terms of victim safety planning, and more broadly, in relation to policy and practice issues.

7. Victim Work

The primary focus of the MAPPAs is properly placed upon the risk posed by, and the behaviour of, the offender. In doing so it is vital that the MAPPAs take into account potential impact on known victims. The victim focus of the MAPPAs includes not only those most easily identified as the victim(s) but those who, while not directly involved with the offence itself, have been seriously affected by it, such as victim's families. This consideration must also include new or potential victims, and this forms part of the focus of risk assessments.

The MAPPAs Operational Group in SWS CJA includes a representative from Victim Support Scotland. This ensures that victim issues are not only considered in relation to the management of the risk that a given individual presents, but that victim concerns are central to the governance and operational development of MAPPAs in South West Scotland CJA area. Victim safety planning is a priority area for continual development and review by all agencies under MAPPAs in South West Scotland CJA.

8. Disclosure

Public protection concerns are at the forefront of our work in managing convicted offenders who may present a risk to others. The risk management of offenders subject to MAPPAs includes a requirement on the responsible authorities and relevant duty to co-operate agencies to

consider the use of 'formal disclosure' as a means of managing the risk a given individual presents at every MAPPA / MAPPP meeting.

Within SWS CJA 1 formal disclosure has been considered necessary in 2009/2010. In addition several disclosures have been made with the offender's permission; these are referred to as informal or discretionary disclosures. Furthermore, an offender might be encouraged to self – disclose, for example, to an employer, the partner of a new relationship, or to their GP. Self disclosures are always confirmed and corroborated by the responsible authorities. Beyond formal, informal and self – disclosure, some agencies have specific statutory powers to disclose (for example under child protection protocols), where it is considered expedient to do so, to protect known individuals from harm.

9. The Statistical Information

This section is required to be included in the MAPPA CJA Annual Reports as per S11 3 (a) and (b) The Management of Offenders etc (Scotland) Act 2005.

Table 1: Statistical Information

<u>2009 – 2010</u>		<u>2008 - 2009</u>	
REGISTERED SEX OFFENDERS (RSOs)	NUMBER	REGISTERED SEX OFFENDERS (RSOs)	NUMBER
a) Number of Registered Sex Offenders:		a) Number of Registered Sex Offenders:	
i) At liberty and living in your area on 31 st March 2010:	In Ayrshire: 214 In Dumfries & Galloway: 104	i) At liberty and living in your area on 31 st March 2009:	In Ayrshire: 213 In D&G: 98
ii) Per 100,000 of the population on 31 st March 2010:	The SWS CJA population totals approx 515,670 ² ; thus there are 62 Registered Sex Offenders per 100,000 of the population.	ii) Per 100,000 of the population on 31 st March 2009:	The SWS CJA population totals approx 516,090 ³ ; thus there are 60 Registered Sex Offenders per 100,000 of the population.
b) The number of RSOs having a notification requirement who:		b) The number of RSOs having a notification requirement who:	
i) Complied with notification requirements:	In Ayrshire: 186 In D&G: 97	i) Complied with notification requirements:	In Ayrshire: 198 In D&G: 92
ii) Were reported for breaches of the requirements to notify:	In Ayrshire: 28 In D&G: 7	ii) Were reported for breaches of the requirements to notify:	In Ayrshire: 15 In D&G: 6
c) The number of "wanted" RSOs on 31 st March 2010:	In Ayrshire: 0 In D&G: 2	c) The number of "wanted" RSOs on 31 st March 2009:	In Ayrshire: 1 In D&G: 2

² <http://www.gro.scotland.gov.uk/files2/stats/council-area-data-sheets/all-council-area-factsheets.xls>

³ <http://www.gro.scotland.gov.uk/files2/stats/council-area-data-sheets/all-council-area-factsheets.xls>

d) The number of "missing" RSOs on 31st March 2010:	In Ayrshire: 2	d) The number of "missing" RSOs on 31st March 2009:	In Ayrshire: 0
	In D&G: 0		In D&G: 0

The number of RSOs at liberty and living in any one area will always be subject to fluctuation. Whilst there are a number of potential causal factors for the fluctuation, the current year's figures do not indicate a significant trend towards either increase or decrease.

The figures do not indicate an increased level of offending. If it were the case that these figures increased, this could be due to increased reporting of historical offending, rather than recent offences.

The increase in RSOs reported for breaches in the notification requirements could be for the following reasons:

- An individual has made a clear decision not to comply and does not;
- an offender may have cognitive deficits which impact on his understanding of notification requirements;
- There may be a significant change in circumstances which intervenes in this process;
- It should not thus be inferred that all non-compliance with notification is due to conscious effort on the part of the offender;
- The figures may also be explained by improvements in monitoring by all agencies.

There is no change in the number of wanted RSOs. An offender is "wanted" where he/she is actively avoiding police but their whereabouts are known. The figures in both tables may not represent the same individuals.

There is a small increase in the number of "missing" offenders. An offender is "missing" when the whereabouts of an RSO are unknown. It could generally be concluded that an RSO is missing due to a conscious effort to avoid monitoring.

Table 2: Statistical information

This Table illustrates the number of Civil Orders applied and granted in South West Scotland CJA area in relation to RSOs.

	2009 - 2010		2008 – 2009	
The Number of	Applied for by Police	Granted by the courts	Applied for by Police	Granted by the courts
Sexual Offences Prevention Orders (SOPOs)	In Ayrshire: 4 In D&G: 1	In Ayrshire: 4 In D&G: 1	In Ayrshire: 2 In D&G: 0	In Ayrshire: 1 In D&G: 0
Risk of Sexual Harm Orders (RSHOs)	In Ayrshire: 0 In D&G: 0	In Ayrshire: 0 In D&G: 0	In Ayrshire: 1 In D&G: 0	In Ayrshire: 1 In D&G: 0
SOPOS imposed by courts at time of conviction:	N/A	In Ayrshire: 0 In D&G: 0	N/A	In Ayrshire: 0 In D&G: 0
Interim SOPOs	In Ayrshire: 2 In D&G: 1	In Ayrshire: 2 In D&G: 1	In Ayrshire: 3 In D&G: 0	In Ayrshire: 3 In D&G: 0
Interim RSHOs	In Ayrshire: 0 In D&G: 0	In Ayrshire: 0 In D&G: 0	In Ayrshire: 1 In D&G: 0	In Ayrshire: 1 In D&G: 0
Full RSHOs	In Ayrshire: 0 In D&G: 0	In Ayrshire: 0 In D&G: 0	In Ayrshire: 1 In D&G: 0	In Ayrshire: 1 In D&G: 0
Foreign Travel Orders (FTOs)	In Ayrshire: 0 In D&G: 0	In Ayrshire: 0 In D&G: 0	In Ayrshire: 0 In D&G: 0	In Ayrshire: 0 In D&G: 0
Notification Orders (NOs)	In Ayrshire: 0 In D&G: 0	In Ayrshire: 0 In D&G: 0	In Ayrshire: 0 In D&G: 0	In Ayrshire: 0 In D&G: 0

There has been a small increase in the number of SOPOs applied for by the police however examination of this figure does not indicate any significance to that increase. The situation will be the subject of ongoing monitoring.

Table 3: Statistical Information

Statistical Information required for the reporting period 1st April 2008 to 31st March 2009 and 1st April 2009 to 31st March 2010.

	2009 – 2010	2008 - 2009
REGISTERED SEX OFFENDERS (RSOs)	NUMBER OF OFFENDERS	NUMBER OF OFFENDERS
a) Number of RSOs managed by MAPPA Category⁴:		
i) Level 1 – Ordinary Risk Management:	In Ayrshire: 285 In D&G: 84	In Ayrshire: 250 In D&G: 122
ii) Level 2 – Local Inter-agency Risk Management:	In Ayrshire: 56 In D&G: 18	In Ayrshire: 45 In D&G: 23
iii) Level 3 – MAPPP:	In Ayrshire: 1 In D&G: 2	In Ayrshire: 5 In D&G: 2
b) Number of Registered Sex Offenders convicted of a further crime of sexual harm or non sexual violence:		
i) MAPPA Level 1:	In Ayrshire: 4 In D&G: 1	In Ayrshire: 0 In D&G: 1
ii) MAPPA Level 2:	In Ayrshire: 4 In D&G: 0	In Ayrshire: 1 In D&G: 0
iii) MAPPP Level 3:	In Ayrshire: 0 In D&G: 0	In Ayrshire: 0 In D&G: 0

⁴ These statistics represent a full year and it should be noted that offenders move between levels of management depending on identified risk which can change with changing circumstances. This is a dynamic environment where effective risk assessment and information sharing is vital. Very few offenders remain at level 3 for long periods as the management of risk is usually agreed and settles to allow the person to be managed at level 2 or level 1. Level 3 are the critical few which requires the involvement of senior management due to the high risk involved, or the complexity of the situation which may require unusual resource commitment. Note: The level 1 figure should include all offenders who have been notified to the MAPPA Coordinator by the Responsible Authorities and who have not been managed at either level 2 or 3 between the periods 1st April 2009 and 31 March 2010. The level 2 figure should include those offenders who have not been managed at level 3 at any point between 1st April 2009 and 31st March 2010. Within the current reporting period 76 new notifications were received with only 36 RSOs being de-registered.

c) Number of RSOs returned to custody for a breach of statutory conditions (including those returned to custody because of a conviction of further serious sexual or violent offence):	In Ayrshire:	23	In Ayrshire:	9
	In D&G:	3	In D&G:	1
d) Number of RSOs returned to custody for a breach of SOPO:	In Ayrshire:	4	In Ayrshire:	2
	In D&G:	0	In D&G:	0
e) Number of RSOs returned to custody for a breach of FTO:	In Ayrshire:	0	In Ayrshire:	0
	In D&G:	0	In D&G:	0
f) Number of RSOs returned to custody for a breach of RSHO:	In Ayrshire:	0	In Ayrshire:	0
	In D&G:	0	In D&G:	0
g) Breached their statutory conditions but were not returned to custody:	In Ayrshire:	11	In Ayrshire:	5
	In D&G:	2	In D&G:	3
h) Were subject to formal disclosure:	In Ayrshire:	0	In Ayrshire:	0
	In D&G:	1	In D&G:	1

It should be noted that a breach of statutory conditions may consist of a range of behaviours, i.e. not attending appointments with the supervising officer or non-sexual offending. In recognising the variety of behaviours, the response to breach can differ, ranging from a formal warning through to recall, or revocation of an Order and imposition of a custodial sentence.

The number of RSOs subject to different levels of management shows some increase, with the exception of level 3, the "critical few". This could be explained by further offences being committed, although there will be a small number of historical offences within any one year. The increase of itself would not necessarily indicate the number of convictions as, in any one year there will be those whose registration period has expired.

It should be noted that offenders can move within levels of management in recognition that risk can increase and decrease. In SWS CJA the current reporting period indicates that 76 new notifications were received and 36 individuals were deregistered.

In considering the number of RSOs who have been convicted of a crime of sexual or non-sexual violence it should be noted that the range of offences can be wide. This figure does not indicate that all who have been

re-convicted committed a sexual offence. Within any group of offenders there is recidivism and research indicates that the rates of sexual recidivism are notably less than general offending.

It is noted that there has been an increase in the numbers of RSOs returned to custody for a breach of statutory conditions. A further offence is considered an automatic breach of any supervision order; this should not be interpreted as those who breached all committed a further sexual or non-sexual offence. An individual can be breached for non attendance at appointments with the supervising officer.

Further analysis will be undertaken to explore the differences in the figures of those who breached statutory conditions. There are a number of possible explanations for this including the developments in practice across different agencies.

There is a small increase in the number of offenders returned to custody for a breach of SOPO. Again there are a variety of potential explanations for this. This could be down to the individual characteristics of the offender in demonstrating continued high risk behaviours, an increased vigilance on the part of the police in monitoring such orders or both.

Disclosure is an issue discussed at all MAPPAs taking into account the principles of proportionality and necessity. Where it is felt necessary to protect the public, disclosures can be undertaken to relevant individuals. Generally these are undertaken using existing powers, i.e. Child Protection procedures rather than formal disclosure by the Chief Constable. The figures refer only to formal disclosure.

Table 4: Statistical Information

Statistical Information required for the reporting period: Restricted Patients

2009-2010		2008-2009	
RESTRICTED PATIENTS (RPs):	NUMBER	RESTRICTED PATIENTS (RPs):	NUMBER
a) Number of RP'S:		a) Number of RP'S:	
i) Living in your area on 31 st March 10:	In Ayrshire: 7 In D&G: 3	i) Living in your area on 31 st March 09:	In Ayrshire: 8 In D&G: 5
ii) During the reporting year:	In Ayrshire: 8 In D&G: 5	ii) During the reporting year:	In Ayrshire: 18* In D&G: 7
b) Number of RP's per order:		b) Number of RP's per order:	
i) Compulsion Order and Restriction Order (CORO):	In Ayrshire: 7 In D&G: 3	i) Compulsion Order and Restriction Order (CORO):	In Ayrshire: 17* In D&G: 7
ii) Hospital Direction (HD):	In Ayrshire: 0 In D&G: 0	ii) Hospital Direction (HD):	In Ayrshire: 0 In D&G: 0
iii) Transfer for Treatment Direction (TTD):	In Ayrshire: 0 In D&G: 0	iii) Transfer for Treatment Direction (TTD):	In Ayrshire: 1 In D&G: 0
c) Number within hospital / community:		c) Number within hospital / community:	
i) State Hospital:	In Ayrshire: 8 In D&G: 0	i) State Hospital:	In Ayrshire: 7 In D&G: 2
ii) Other hospital no suspension of detention (SUS):	In Ayrshire: 1 In D&G: 1	ii) Other hospital no suspension of detention (SUS):	In Ayrshire: 4 In D&G: 1
iii) Other hospital with unescorted SUS:	In Ayrshire: 0 In D&G: 1	iii) Other hospital with unescorted SUS:	In Ayrshire: 4 In D&G: 0
iv) Community (Conditional Discharge):	In Ayrshire: 1 In D&G: 1	iv) Community (Conditional Discharge):	In Ayrshire: 3 In D&G: 4
d) Number managed by category:		d) Number managed by category:	
Level 1 – ordinary agency risk management:	In Ayrshire: 12 In D&G: 3	Level 1 – ordinary agency risk management:	In Ayrshire: 12 In D&G: 7

Level 2 – through inter agency risk:	In Ayrshire: 5 In D&G: 0	Level 2 – through inter agency risk:	In Ayrshire: 6 In D&G: 0
Level 3 – MAPPP, (critical few):	In Ayrshire: 0 In D&G: 0	Level 3 – MAPPP, (critical few):	In Ayrshire: 0 In D&G: 0
e) Number of RPs convicted of a further crime of sexual harm or non sexual violence:		e) Number of RPs convicted of a further crime of sexual harm or non sexual violence:	
i) MAPPA Level 1:	In Ayrshire: 0 In D&G: 0	i) MAPPA Level 1:	In Ayrshire: 0 In D&G: 0
ii) MAPPA Level 2:	In Ayrshire: 0 In D&G: 0	ii) MAPPA Level 2:	In Ayrshire: 0 In D&G: 0
iii) MAPPP 3:	In Ayrshire: 0 In D&G: 0	iii) MAPPP 3:	In Ayrshire: 0 In D&G: 0
f) No of RPs on Suspension of detention:		f) No of RPs on Suspension of detention:	
i) who did not abscond or offend:	In Ayrshire: 7 In D&G: 2	i) who did not abscond or offend:	In Ayrshire: 4 In D&G: 0
ii) who absconded:	In Ayrshire: 0 In D&G: 0	ii) who absconded:	In Ayrshire: 0 In D&G: 1
iii) who absconded and then offended:	In Ayrshire: 0 In D&G: 0	iii) who absconded and then offended:	In Ayrshire: 0 In D&G: 0
iv) where absconsion resulted in withdrawal of suspension of detention:	In Ayrshire: 0 In D&G: 0	iv) where absconsion resulted in withdrawal of suspension of detention:	In Ayrshire: 0 In D&G: 1
g) No. of RPs on Conditional Discharge:		g) No. of RPs on Conditional Discharge:	
i) who did not breach conditions, not recalled or did not offend:	In Ayrshire: 1 In D&G: 0	i) who did not breach conditions, not recalled or did not offend:	In Ayrshire: 3 In D&G: 4
ii) who breached conditions (resulting in letter from the	In Ayrshire: 0 In D&G: 0	ii) who breached conditions (resulting in letter from the Scottish Government):	In Ayrshire: 0 In D&G: 0

Scottish Government):				
iii) recalled by Scottish Ministers due to breaching conditions:	In Ayrshire: 0		iii) recalled by Scottish Ministers due to breaching conditions:	In Ayrshire: 0
	In D&G: 0			In D&G: 0
iv) recalled by Scottish Ministers for other reasons:	In Ayrshire: 0		iv) recalled by Scottish Ministers for other reasons:	In Ayrshire: 1
	In D&G: 1			In D&G: 0

*Figures for 2008-2009 were inclusive of those in hospital and community whereas 2009-2010 figures indicate those in the community only.

There has been no increase in the number of RPs living in Ayrshire although this has been a small decrease in Dumfries and Galloway. It should perhaps be noted that there are no individuals within this group subject to Level 3 management. The majority are managed at Level 1, ordinary risk management.

The figures indicate that no RP within SWS CJA was convicted of a further crime of sexual or non-sexual violence.

Table 5: Delineation of RSOs by Age

	<u>AS AT 31ST MARCH 2010</u>		<u>AS AT 31ST MARCH 2009</u>	
Age	RSO Number	RSO Percentage (%)	RSO Number	RSO Percentage (%)
Under 18	4	1.3	5	1.3
18-21	9	2.8	25	6.4
22-31	67	21.1	70	18
32-41	56	17.6	77	19.7
42-51	58	18.2	76	19.4
52-61	63	19.8	78	19.9
62-71	41	21.9	45	11.5
72-81	17	5.3	13	3.3
82-91	3	0.9	2	0.5

The information presented in **Table 5** indicates that the majority of Registered Sex Offenders within the South West Scotland Community Justice Authority area at 31st March 2009 and 31st March 2010 are aged between 22 – 71 years. Within age categories there is a relatively even percentage spread across the age ranges 22 - 71. Generally the peak of general offending will be in the age range of late teenage years to mid-twenties. One reason for this even spread amongst RSOs would be that sexual offending could be more likely than general offending to persist as

an individual grows older. A further explanation would be new allegations relating to historical offences. Victims of abuse, particularly children may not have the ability or confidence to disclose abuse at the time abuse was taking place and therefore do not disclose until adulthood. Thus the figures represent the current age of the offender, not the age when the offences were committed.

Table 6: Delineation of population of RSOs by Gender

Sex	<u>AS AT 31ST MARCH 2010</u>		<u>AS AT 31ST MARCH 2009</u>	
	RSO Number	RSO Percentage %	RSO Number	RSO Percentage %
Male	315	99.06	389	99.5
Female	3	0.94	2	0.5

Table 6 indicates that sexual offending is overwhelmingly committed by males. There are however women who sexually offend. It is noted that this may not reflect the actual rate of offending. Notably male victims are less likely to disclose than females anecdotally due to fear of being stigmatised. Culturally there has been a reluctance to accept that females commit sexual offences which may have resulted in a fear of disclosure due to possible concerns about not being believed, combined with the prospect of giving evidence in court. It may be that in future there will be increased reporting rates in relation to female perpetrators.

Table 7: Delineation of RSOs by Ethnicity

Ethnic Origin	<u>AS AT 31ST MARCH 10</u>		<u>AS AT 31ST MARCH 09</u>	
	RSO Number	RSO %	RSO Number	RSO %
Asian or Asian British Any other Asian	0	0	0	0
Asian or Asian British Bangladeshi	0	0	0	0
Asian or Asian British Indian	0	0	0	0
Asian or Asian British Pakistani	0	0	0	0
Black or Black British African	0	0	0	0
Black or Black British Any Other Black Background	0	0	0	0
Black or Black British Caribbean	0	0	0	0
Chinese or Other Ethnic Group Chinese	0	0	0	0
Chinese or Other Ethnic Group Other	0	0	0	0
Mixed Other	0	0	0	0
Mixed White and Asian	0	0	0	0
Mixed White and Black African	0	0	0	0
Mixed White and Black Caribbean	0	0	0	0
Not Known	0	0	0	0
Subject Declines to define Ethnicity	0	0	0	0
Subject Does Not Understand	0	0	0	0
White British	265	83.3	382	97.6
White Irish	8	2.5	6	1.6
White Other	45	14.2	3	0.8

The information presented in **Table 7** indicates that the majority of Registered Sex Offenders within the South West Scotland Community Justice Authority Region are White and of U.K Origin.

Table 8: Number of RSOs at liberty managed under statutory conditions and/or notification requirements

Statutory status	<u>AS AT 31ST MARCH 10</u>		<u>AS AT 31ST MARCH 09</u>	
	Number	Percentage %	Number	Percentage %
On Statutory supervision:	121	38.1	106	34
Subject to notification requirements only:	197	61.9	205	66

Table 8 provides a snapshot of numbers of offenders managed under either statutory or non statutory measures across SWS CJA, under MAPPA. The Management of Offenders Act (Scotland) 2003 provides detail regarding notification requirements.

There has been no marked shift in the percentages of RSOs managed under statutory supervision and those subject to notification requirements.

Table 9 : Delineation of RSO victims

No. RSO:	<u>2009 – 2010</u>		<u>2008 – 2009*</u>	
	Number	Percentage %	Number	Percentage %
Convicted of a notifiable offence against a child under 16 years:	291	75.2	261	63
Convicted of a notifiable offence against a victim over 16 years:	96	24.8	139	33.5

* **2008 – 2009:** There are 14 RSOs in relation to whom the age of their victim is neither recorded on ViSOR nor supplied in MAPPA notification paperwork. This accounts for 3.5% of the total.

Table 9 provides data on the number of offenders managed under MAPPA who were convicted of a notifiable offence against either a victim under sixteen years old, or against a victim aged sixteen or over. This table further illustrates the percentage of those offenders convicted of a notifiable offence against either a victim under sixteen years old, or against a victim aged sixteen or over, of the total number of those convicted of notifiable offences against victims who were either under sixteen or aged sixteen and over. It should be noted that some offenders were convicted of notifiable offences against both victims under sixteen and aged sixteen or over. Thus the combined number of both categories would be higher than the number of offences actually committed. Furthermore, it should be noted that not all the offences committed were contact offences. Statistically those who commit non-contact offences offend more frequently than those committing contact offences and thus the table above will include a significant proportion who were victims of non-contact offences.

10. Treatment Programmes

The Community Sex Offender Group Work Programme (C-SOGP) – (Accredited)

The Programme Delivery Team (PDT) continues to deliver the Community Sexual Offending Groupwork Programme (C-SOGP) across the South West Scotland area.

Potential group work candidates are assessed using the nationally approved risk assessment tools in order to identify both risk and treatment needs. Those individuals, who meet the criteria and receive the required statutory supervision period or post release licence, subsequently undertake psychometric tests. If the outcome of these assessments indicate that the candidate is suitable they are then required to commence a programme of work with their Case Manager (CM) and thereafter undertake the Induction Module of the programme.

The Acute element of the Stable and Acute 2007 dynamic risk assessment tool is used by the CM throughout the programme to monitor potential changes, which may impact on the risk management plan which is then amended accordingly.

In the past year the PDT have delivered three Induction Modules; commenced three Relapse Prevention Programmes and continued to deliver the Core programme which began in the previous year.

The structure of the assessment, referral and selection process expects that not all referrals will result in inclusion in the programme. However it is encouraging to note that the majority of those individuals referred were considered suitable and subsequently commenced the programme. This indicates that the assessment and referral process is targeting appropriately and programme provision is focused on those with the highest need.

This assertion is supported by the outcome figures for the Induction Programme which indicates that this was completed by almost 90% of those individuals who commenced it within the above period. Participants who completed the Induction programme have been directed to undertake Relapse and Core programmes as required.

The PDT has continued to provide advice to SER authors on assessment and programme criteria in relation to potential participants and contribute to the development of risk management plans through attendance at MAPPA meetings.

Ensuring that Criminal Justice Social Work staff are equipped with the skills necessary for a complex role has continued, with 18 staff receiving training as Case Managers for the CSOGP.

Table 10: Number of RSOs referred and completed Induction Module between 1st April 2009

Local Authority	Men referred	Commenced Induction Module	Completed Induction Module	2:1 required to complete Induction	De-selected
Ayrshire	27	11	8	1	0
D&G	8	5	5	0	0
Total	35	16	13	1	0

Table 10 (B) : Number of RSOs referred and completed Induction Module between 1st April 2008 and 31st March 2009

Local Authority	Men referred	Commenced Induction Module	Completed Induction Module	2:1 required to complete Induction	De-selected
Ayrshire	25	19	16	1	2

D&G are not included in this table due to the programme not having commenced during the 2008-2009 reporting period.

11. Summary and Forward Plans

The report has made reference to a variety of developments within the reporting period and it is recognised that the arrangements for the management of offenders across South West Scotland CJA has continued to evolve in response to guidance, legislation and internal quality assurance processes.

Following a significant incident which occurred within the SWS CJA area during 2009, the Strategic Oversight Group (SOG) will undertake rigorous examination of the key findings and learning points from the Significant Case Review.

The SOG has continued to develop reporting arrangements between the MAPPA Operational Group, the SOG and the CJA. The SOG also continues to develop the strategic interface with the three strands of public protection to ensure robust links for information sharing are established and maintained with key agencies and structures (for example Child Protection Committees, Adult Support and Protection Committees) so as to enhance the performance of MAPPA. In Dumfries and Galloway the structure differs slightly with there being a Social Work Public Protection sub committee meeting the functions of both the groups mentioned above. The MAPPA Co-ordinators attend public protection groups in their respective areas.

The roll out of the Community Sex Offender Groupwork Programme across Dumfries and Galloway has been achieved and RSOs across the CJA have access to this treatment programme.

The arrangements in relation to Restricted Patients within the MAPPA structure continue to be strengthened alongside partnership working between the Responsible Authorities and Duty to Co-operate Agencies.

Victim Support representation to the MOG facilitates appropriate representation of victim concerns and issues and supports the strategic direction of MAPPA.

Review and evaluation of MAPPA process and local arrangements for the delivery and operation of MAPPA in SWS CJA continues and correlates with wider legislative or criminal justice or public protection developments.

In terms of Housing SOLOs and Strathclyde Police, the environmental scanning processes have been revised to ensure proactive scrutiny in relation to where RSOs are located within the community.

The MAPPA Co-ordinators have continued to meet with and deliver presentations to several of the responsible authorities and duty to co-operate organisations to promote the work of MAPPA and raise awareness of the purpose and operation of MAPPA. Training and workshops have been delivered to a range of staff and agencies with Contingency Planning being developed as part of the Risk Management process.

The MAPPA Co-ordinators have attended relevant training courses and conferences to enhance required knowledge base and continued to disseminate brief practice guidance for all staff and agencies comprising the responsible authorities and primary duty to co-operate agencies.

The next reporting period 2010-11 will bring a number of developments. The proposed future actions are as follows:

- New MAPPA Guidance Version 5 is to be published and will introduce a number of changes in the administration of MAPPA. Guidance will be developed to advise staff within all responsible and duty to co-operate agencies of changes relevant to their organisations.
- The Department of Works and Pensions became a Duty to Co-operate Agency from July 2010. This will require the inclusion of the DWP into existing MAPPA structures and procedures. In parallel, Memoranda of Understanding and Information Sharing Protocols will be updated to ensure processes for effective interagency engagement and communication.
- The next reporting period will see the delivery of the local training strategy with presentation of additional training for senior managers, including those who chair Level 3 MAPPPs. This and ongoing staff training will be delivered on a multi-agency basis with contributions from both Strathclyde Police and Criminal Justice Social Work trainers.
- The strategic interface with the three strands of public protection, Child Protection, Adult Support and Protection will require continued development. The MAPPA Co-ordinators will take an active role in local Social Work Adult and Public Protection Committees. The MAPPA Co-ordinator will attend Child Protection and Multi-agency Risk Assessment Conferences for Domestic Violence Committees.
- Quality assurance criteria will be applied to all Level 2 and 3 cases and following evaluation the findings will be reported to the MAPPA Operational and Strategic Oversight Groups. This will facilitate continued improvement in the quality, consistency and efficacy of MAPPA operational practice.



MAPPA
STATISTICAL REPORT TO SOG

KEY PERFORMANCE INDICATORS FOR RSOS IN SWS CJA		Target	Overall Assessment Status		
Quarter 2 (01.07.10 – 30.09.10)			G	A	R
1	Attendance rate of CJSW at MAPPAs	90%	98%		
2	Attendance rate of Police at MAPPAs	90%	100%		
3	Attendance rate of Health at MAPPAs	90%		85%	
4	Attendance rate of Children & Families at MAPPAs (if offender is over 18)	90%			78%⁴
5	Attendance rate of Children & Families at MAPPAs (if offender is under 18)	100%	100%		
6	Attendance rate of Housing at MAPPAs	90%		88%	
7	Attendance rate of SPS at MAPPAs	90%			25%⁷
8	% of Notification Forms received within agreed timescales	95%			76%⁸
9	% of Referral Forms received within agreed timescales	95%			71%⁹
10	% of Initial MAPPA meetings held within agreed timescales	85%		83%	
11	% of L2 Review MAPPAs held within agreed timescales	85%	96%		
12	% of L3 Review MAPPAs held within agreed timescales	90%	100%		
13	% of Minutes produced by Admin within agreed timescales	95%			76%¹³

AGENDA ITEM 7, APPENDIX 2

14	% of Minutes returned by Chair within agreed timescales	95%			72% ¹⁴
15	Disclosure considered at each MAPPA and recorded in MAPPA Minute	100%	100%		
	KEY PERFORMANCE INDICATORS	Target	Overall Assessment Status		
16	Attendance rate of members at MAPPA Operational Group	75%			60% ¹⁶
17	Attendance rate of members at Strategic Oversight Group	75%	75%		

COMMENTS

- ⁴ In D&G Children & Families attended 8 out of 13 MAPPA meetings. In Ayrshire Children & Families attended 34 out of 41.
- ⁷ There is an agreement that SPS will not attend all Level 2 MAPPA meetings.
- ⁸ Ayrshire - CJSW have submitted all late notifications (4 out of 15 late). In D&G 5 out of 6 notifications were on time.
- ⁹ Ayrshire - 3 out 4 late referrals were submitted by SPS. 1 late referral was received from CJSW. In D&G 1 out of 1 referral was on time. Fiona Strachan has arranged a meeting to discuss with Stuart Monteith in January.
- ¹³ Ayrshire July-Sept there was a combination of A/L and staff sickness which led to late production.
- ¹⁴ Ayrshire – 4 out of 41 minutes were returned late (minutes from all 3 Ayrshires). In D&G 5 out of 17 minutes were on time. This will be discussed at the Chairs meeting.
- ¹⁶ Nine of fifteen members attended MOG on 05.07.10

VARIANCES FOR K.P.I.s			
No 1-4	GREEN 90% - 100%	AMBER 80% - 89%	RED < 80%
No 5	GREEN 100%	AMBER 95% - 99%	RED < 95%
No 6-7	GREEN 90% - 100%	AMBER 80% - 89%	RED < 80%
No 8-9	GREEN 95% - 100%	AMBER 85% - 94%	RED < 85%
No 10-11	GREEN 85% - 100%	AMBER 75% - 84%	RED < 75%
No 12	GREEN 90% - 100%	AMBER 80% - 89%	RED < 80%
No 13-14	GREEN 95% - 100%	AMBER 85% - 94%	RED < 85%
No 15	GREEN 100%	AMBER 95% - 99%	RED < 95%
No 16-17	GREEN 75% - 100%	AMBER 65% - 74%	RED < 65%