

## **DUNDEE CITY COUNCIL**

**REPORT TO: SOCIAL WORK AND HEALTH COMMITTEE - 12TH DECEMBER 2011**

**REPORT ON: REPORT ON ARRANGEMENTS FOR MANAGING HIGH RISK OFFENDERS**

**REPORT BY: DIRECTOR OF SOCIAL WORK**

**REPORT NO: 535 - 2011**

### **1.0 PURPOSE OF REPORT**

1.1 This report summarises the fourth Annual Report on arrangements for managing high risk offenders across Tayside and covers the period 1 April 2010 - 31 March 2011.

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

The introduction of Multi Agency protection Arrangements (MAPPA) across Scotland in April 2007 introduced a consistent approach to the management of offenders. Within Scotland the implementation of MAPPA has been phased and currently extends to registered sex offenders and Restricted Patients.

Restricted Patients (RP's) are defined within Section 10, 11 (a)-(d) of the Management of Offenders etc (Scotland) Act 2005 as persons who by virtue of their mental health are confined for treatment under current Mental Health legislation.

1.2 A full copy of the report has been passed to each Group Leader, the Lord Provost and the Depute Lord Provost.

### **2.0 RECOMMENDATIONS**

It is recommended that the Social Work and Health Committee:

2.1 Notes the contents of this fourth annual report and the on-going developments in relation to high risk offenders, including that;

Whilst work continues on a national basis to agree the arrangements for violent offenders, partners locally continue to work co-operatively in relation to violent offenders holding risk management meetings where appropriate and that;

Work is also continuing on a national basis for the completion of MAPPA 2011 Guidance which will become a living document and will be available on the Scottish Government website;

2.2 Concludes, based on the figures provided, that MAPPA continues to work well across Tayside;

2.3 Notes that MAPPA is part of the Protecting People framework for Dundee City;

2.4 Remit the Director of Social Work to inform the Committee of any developments in relation to violent offenders;

2.5 Remit the Director of Social Work to present such reports to Committee on an annual basis.

### **3.0 FINANCIAL IMPLICATIONS**

3.1 None.

### **4.0 MAIN TEXT**

4.1 Managing risk within the community can be difficult and challenging and cuts across the organisational boundaries of many agencies. The public also play an important role in public protection and can help to protect vulnerable members of their communities by contacting the agencies about the concerns they may have in relation to concerning behaviour.

Sexual offenders reside within every community and although reconviction rates are, thankfully, low it is recognised that the public are concerned about the risks presented by these offenders.

The authorities continue to strengthen arrangements and it is hoped that this report will help to improve awareness as to how known sex offenders and restricted patients are managed within our communities.

MAPPA is the process whereby the assessment and sharing of information on offenders is managed. The Responsible Authorities and Duty to Co-operate agencies within Tayside have an agreed Memorandum of Understanding to facilitate this process. Duty to Co-operate are agencies who may come into regular contact with high risk offenders and include, for example, Apex and certain voluntary organisations

Tayside Police and Social Work Departments across Tayside have been partners in managing and assessing offenders for many years. The introduction of the Management of Offenders etc (Scotland) Act 2005 and the Multi Agency Public Protection Arrangements (MAPPA) only strengthened this approach and enhanced arrangements within Tayside.

MAPPA is not in itself a separate agency but is the mechanism through which agencies can fulfill their statutory duties and protect the public in a co-ordinated manner. MAPPA has also allowed for other agencies, including Health and the Voluntary sector, to be recognised for the significant role they have in relation to the management of offenders.

### **4.2 DEVELOPMENTS IN MAPPA**

4.2.1 In late 2010 an independent external review of the MAPPA Health Liaison post was carried out, this report highlighted that the post is innovative and as such is ahead of all other areas in Scotland, there is no doubt that NHS Tayside is an integral part of the MAPPA process.

4.2.2 Following on from the *Keeping Children Safe* pilot which was introduced by Tayside Police in September 2009 the disclosure scheme has now become core business for Tayside Police and close links with MAPPA have remained.

4.2.3 By 31 March 2011 the scheme had received 43 applications, following extensive enquiries into each application, resulted in 7 disclosures of information to protect children.

4.2.4 Training events are also a significant way of raising the awareness of MAPPA and understanding risk. In Dundee the MAPPA Co-ordinator is closely linked with the lead officers in Child protection, Adult Protection and Dundee Violence Against Women Partnership and come under the banner of "Protecting People" thus allowing for training events to be multi-focused and directed at a wide audience. Similar multi agency training events occur in Angus and Perth & Kinross.

#### 4.3 STATISTICS OF NOTE

- as of 31 March 2011 there were 327 registered sex offenders within Tayside this is an increase of 33 offenders since March 2010
- 315 (96.3%) of offenders across Tayside complied with their registration requirements, this is similar to the 97% compliance rate of the previous report.
- 261 (80%) are assessed as presenting a low or medium risk of harm and the majority are managed by Police only.
- 101 are managed jointly this is an increase of 10 offenders from the previous report
- 99.66% of the offenders in Tayside are male
- 30% of the offenders are on Statutory supervision
- 61% of the offenders were convicted of an offence against a child aged under 16 years
- there are 23 restricted patients managed by NHS Tayside included in this report

#### 4.4 FUTURE DEVELOPMENTS FOR 2010/2011

In terms of future developments for 2011/2012, revised national guidance is anticipated over the coming months and will require to be implemented. In addition there has been changes to the sex offender legislation in relation to the indefinite registration and this will include links to MAPPAs prior to any decision being taken regarding removing the offender's requirement to register. In addition, work will be on-going to ensure that as part of the Protecting People agenda, MAPPAs continue to be widely understood and is linked to arrangements for the protection of children and vulnerable adults.

#### 5.0 POLICY IMPLICATIONS

5.1 This report has been screened for any policy implications in relation to sustainability, strategic environmental assessment, anti-poverty, equality impact assessment and risk management. The effective management of known sex offenders and restricted patients within our communities is in keeping with the Council's Risk Management strategy of identifying, evaluating and controlling risk.

5.2 An Equality Impact Assessment has been carried out and will be made available on the Council website <http://www.dundee.gov.uk/equanddiv/equimpact/>.

#### 6.0 CONSULTATIONS

The Chief Executive, Depute Chief Executive (Support Services), Director of Finance and the Chief Officer of the Tayside Community Justice Authority have been consulted in preparation of this report.

#### 7.0 BACKGROUND PAPERS

The Scottish Government's MAPPAs Guidance was consulted in the preparation of this document.  
Equality Impact Assessment.

Alan G Baird  
Director of Social Work

DATE: 30th November  
2011