Risk Management of Sexual and Violent Offenders: The work of Public Protection Panels

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“The views expressed in this report are those of the authors, not necessarily those of the Home Office (nor do they reflect Government policy).”

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The Policing and Reducing Crime Unit (PRC Unit) is part of the Research, Development and Statistics Directorate of the Home Office. The PRC Unit carries out and commissions research in the social and management sciences on policing and crime reduction.

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Foreword

The effective assessment and management of sexual and violent offenders in the community is an area that raises considerable public interest. Public Protection Panels, which bring together representatives from police, probation and other local agencies, play a key role in this area but hitherto little work has been done on their functions and operation. This research fills that gap.

This study reveals a wide range of working practices within different police force areas particularly in terms of the prioritisation of cases, working relationships between agencies and organisational arrangements. It also identifies good practice. Disseminating this good practice will help contribute to develop consistent practices for dealing with the risk assessment and risk management of sexual and violent offenders. The report will be of interest to all those involved in the policy and practice of managing sexual and violent offenders in the community.

Carole F. Willis
Head of Policing and Reducing Crime Unit
Research, Development and Statistics Directorate
Home Office
April 2001
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Most of all, however, we are grateful to the numerous police and probation officers, as well as members of other agencies, who gave up their time to answer our questions and provide us with data. As none of the research sites are named, all of these must remain anonymous.

The authors

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PRC would like to thank Bill Hebenton at the School of Social Policy, Manchester University and Professor Derek Perkins at Broadmoor Special Hospital for acting as external assessors for this report.
Executive summary

This report presents the results of a study of multi-agency risk assessment and risk management procedures aimed at protecting the public from sexual, violent and other potentially dangerous offenders (PDOs). The main aims of the study were to examine the range of practice between areas; to evaluate working practices and multi-agency co-operation; to illustrate good practice; and to recommend improvements. The study also incorporated a comprehensive literature review which is being published separately (Kemshall, 2001).

Public Protection Panels (PPPs), or similarly named bodies, play the key role in this area by allowing representatives of the police, probation service and other local agencies to exchange information and formulate risk management plans in relation to individual offenders. Some police areas have operated such panels on a voluntary basis for several years. Others have set up new partnerships and panels in response to the Sex Offenders Act 1997 and associated Home Office circulars, which required all police forces to become responsible for maintaining registers of convicted sex offenders resident in their area and, in consultation with the probation service, to assess and manage the risk they posed. In areas with newly created panels, the dominant focus of work tended to be on sex offenders, for whom a statutory response was required. Areas with pre-existing voluntary arrangements, by contrast, continued dealing with PDOs of all kinds, adapting their procedures to accommodate the new statutory work. However, this difference may disappear as a result of new legislation covering dangerous as well as sexual offenders.

The research was undertaken in six force areas. The study took place at a time of rapid change, when many areas had still not fully adjusted to the new requirements. The risk assessment and management systems in operation were found to be highly diverse in structure and variable in quality. Some were largely police-led, others probation-led. Police and probation services were fully committed to partnership, and the working relationships between them were broadly close and harmonious. The commitment and co-operation of other agencies (e.g. health, housing and social services), by contrast, was marginal in some areas. Cultural and ideological differences between agencies caused some tensions, but these were generally overcome where more corporate and less one-sided multi-agency arrangements were in place.

The fora for inter-agency discussions ranged from regular panels to ad hoc meetings, covered offenders of different levels of risk and involved staff of varying seniority. While in some areas, management committees actively oversaw the work with senior representatives from several agencies, in others, there was little overall direction and policies were left in the hands of a few individuals.
All areas suffered from resourcing problems (not least managers' time), which were increasing as the numbers of registered sex offenders rose. While high risk offenders generally received close attention from the panels, difficulties were sometimes experienced in sustaining effective risk management for low and medium risk offenders. At the same time, people in particular posts – especially divisional Detective Inspectors (and some senior probation officers) in areas with high numbers of sex offenders – were sometimes placed under a severe burden because of their responsibilities on the panel. Often the tasks had simply been added to their normal duties and institutional support was lacking.

Panels in some areas were also swamped on occasion with too many cases, allowing insufficient time for proper consideration of all of them. Such problems were alleviated elsewhere by tight gate-keeping systems, whereby cases passed through an initial screening stage and referrals to high level panels were only made where this would clearly generate ‘added value’.

Risk assessment was assisted by a number of different tools, although most areas now use the Thornton SACJ instrument for routine initial screening of sex offenders. Risk management practice was generally sound and well organised in relation to high risk offenders, but more variable in relation to those considered medium or low risk.

Some deficiencies were found in the monitoring and review of cases, with some systems being prone to ‘slippage’, due to demands on practitioners’ time. Disclosure of information about registered sex offenders and applications for Sex Offender Orders were both regarded as options of last resort.

Systems of senior managerial oversight, case review, feedback, monitoring and accountability ranged from the comprehensive to the minimal.

**Recommendations**

The study makes a number of observations in relation to good practice in the management of PPPs. The principal recommendations put forward from this study are that:

- guidelines should be developed by the Home Office to promote more standardisation and consistency, particularly in the membership, names and functions of panels; expanded use of tighter gate-keeping in risk assessment and referral; and, improved conduct of meetings and recording of decisions and outcomes;
resourcing for public protection work should be more clearly designated, with partner agencies pooling resources to provide dedicated co-ordinators to service preparatory work for panels and/or to act as chairs; and,

more attention should be given to the managerial oversight, monitoring and accountability of public protection systems. This is essential to the production of defensible decision-making in a difficult and controversial field of activity.
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1. Introduction

This report describes the results of a research project to examine local multi-agency procedures which have been developed over recent years for the risk assessment and risk management of both sexual offenders and offenders (of any kind) who are identified as ‘potentially dangerous’. A comprehensive literature review on the topic of risk assessment and management has been published separately (Kemshall, 2001). To avoid unnecessary repetition, the study will be introduced here simply by a brief description of the legislative and policy background to current practice.

Background

Essentially, there are two different sets of arrangements involved, which stem from specific policy responses to two separate (although related) crime problems. These procedures share a similar basic approach to crime control, and have become increasingly merged in practice, although their separate origins continue to have an influence. The policy initiatives in question, which are discussed separately below, are:

- The setting up of multi-agency Public Protection Panels (PPPs, or bodies with similar names), in order to share information and co-ordinate actions to reduce the risk to public safety posed by ‘potentially dangerous offenders’ (PDOs), especially in the period after they are released from prison.

- The requirement, under the Sex Offenders Act 1997, for most convicted sex offenders to register their address with the local police; and the subsequent expectation upon the police, in consultation with the probation service, to assess, and where necessary to ‘manage’, the risk that each registered offender poses (for more details see Power, 1999 and Plotnikoff and Woolfson, 2000). Since the study was completed, the government has announced plans for new legislation which will have the eventual effect of formally integrating these procedures. The proposal is to place a statutory duty on both police and probation services to assess and manage the risks of both sexual and dangerous offenders released into the community (announced by the Home Secretary, 15th September 2000) (Home Office, 2000).

(a) Potentially dangerous offenders and multi-agency panels

The issue of how to protect the public from ‘dangerous’ offenders has been debated vigorously since the early 1970s, when a highly publicised homicide case involving a released mental patient led to demands for stronger preventative measures. Proposals for lengthy or indeterminate prison sentences to ‘incapacitate’ people 1

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1 Both entail strategies based on the classification of offenders according to their level of ‘risk’ and the use of preventive or exclusionary controls against those in the highest risk categories, lower priority being attached to traditional criminal justice objectives such as punishment and rehabilitation. Measures against sexual and dangerous offenders provide some of the clearest examples of this trend towards actuarial justice (cf. Feeley and Simon, 1994; O’M alley, 1998).

2 This involved Graham Young, who had been committed to a Special Hospital after poisoning members of his family, and who after his release committed further murders by the same method.
judged to pose a risk of serious harm (Butler Committee, 1975; Floud and Young, 1981) were initially resisted, not least because of arguments by leading criminologists that they threatened basic principles of justice (see, for example, Radzinowicz and Hood, 1981). However, since the early 1980s such objections have had decreasing impact on policy, and the number and severity of preventive measures have grown rapidly. In 1983, the then Home Secretary restricted parole for serious violent and sexual offenders (see Maguire, 1992) and in 1991 the Criminal Justice Act, despite its general advocacy of 'just deserts' in sentencing, allowed longer sentences for such offenders on the grounds of public protection. A highly significant step was taken in 1997 with the introduction, under the Crime (Sentences) Act, of a mandatory life sentence on a second conviction for a serious violent or sexual crime. Proposals are currently under consideration for the creation of legislative powers for the extended detention of potentially dangerous 'psychopaths' – people found to be suffering from severe personality disorder – even if they have not been found guilty of a criminal offence (Home Office, 1999; see also Kemshall, 2001).

In parallel with these moves towards longer or indeterminate prison terms for dangerous offenders, increasing attention has been paid to ways of monitoring and controlling their behaviour in the community. A key element in this has been the development of multi-agency co-operation, which in some areas dates back over ten years. Much of the early impetus came from the probation service. As effective 'public protection' became increasingly prominent among government demands of the service in the late 1980s and early 1990s, local probation managers began to seek improvements in methods of identifying and supervising offenders who might pose a threat of harm while on a community sentence or (more commonly) following their release on license from prison. Formal risk assessment began to become standard practice, both at the pre-sentence report (PSR) and pre-release stages. Probation services also began to engage in much closer liaison and information-sharing, not only with prisons, but with the police, social services and other agencies.

In some areas, probation services placed this co-operation on a firmer footing by brokering the establishment of formally constituted PPPs, which met at intervals to exchange information, assess the level of risk and formulate plans in relation to offenders identified as potentially dangerous (PDOs). These panels now commonly contain representatives from probation, police, social services, housing departments and health authorities, any of whom can put forward new cases for consideration. Although convicted violent and sexual offenders have been the most frequent object of their attention, they have come to deal with PDOs of any kind, including those not under any kind of statutory supervision and even, on occasion, suspected offenders who have not been convicted.
(b) Sex offenders and the 1997 Act

The second major policy initiative stems principally from a rapid growth in attention to the risk posed by sex offenders and, above all, intense public and media concern about ‘predatory paedophiles’ – recidivist offenders who move round the country seeking new opportunities to abuse children (Hughes et al, 1996; Hebenton and Thomas, 1997:22; Grubin, 1998). ‘Tracking’ systems, entailing requirements for convicted sex offenders to register their address with the local police, spread rapidly in the USA in the mid-1990s (Hebenton and Thomas, 1996; 1997). This was quickly followed by federal legislation, known as ‘Megan’s Law’ (1996), making it mandatory for the authorities to disclose the whereabouts of such offenders to the local community, in cases where this is adjudged necessary and relevant for public protection (Hebenton and Thomas, 1997: 7, 24-32).

The British government partly followed the American lead in 1997 through the Sex Offenders Act. Under Part 1 of this Act, people convicted of most forms of sexual offence are obliged to register their name and address with the local police within 14 days of caution or conviction and within 14 days of moving into a new home. This obligation remains for a period ranging from five years to life, depending on the offence and sentence length (for details see Cobley, 1997 and Power, 1999; for a comprehensive national survey of police forces’ early experiences of the registration process, see Plotnikoff and Woolfson, 2000).

While the registration requirements are clear enough (and, so far, have been largely adhered to by offenders)\(^3\) the Act gives no direction to police forces on what they can or should do with the information collected, nor does it deal with the difficult and controversial issue of disclosure. Local practice in these respects was largely shaped by guidance from Home Office circulars, the main thrust of which was that:

- in consultation with the local probation service, police forces should undertake a formal risk assessment of every offender who registers;

- where the level of risk is considered high enough to warrant it, a plan should be drawn up to ‘manage’ the risk, where appropriate sharing information and tasks with other agencies; and,

- decisions on whether to disclose information about offenders to other organisations, private individuals, or the community as a whole, should be made by the police on a case-by-case basis, taking into account their common law duty to prevent crime, as well as data protection law and relevant Articles of the European Convention on Human Rights.

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\(^3\) For example, Plotnikoff and Woolfson (2000) report that, as at August 1998, almost 95 per cent of eligible offenders had complied with the registration requirements.
At the time of the research, most of this guidance was pitched at a general level, individual forces being left to develop their own practical interpretations of the concepts of ‘risk assessment’ and ‘risk management’\(^4\). However, a circular with more comprehensive advice is now being prepared.

In contrast to the Public Protection Panel system, the 1997 Act and its associated official guidance apply only to sex offenders (rather than to PDOs as a whole) and primary responsibility for implementation falls upon the police (rather than the probation service). However, when the new requirements were introduced, there were clearly many overlaps with the work of the original PPPs, not least in the fact that many PDOs are sex offenders, and many sex offenders are potentially dangerous. For this reason, most areas with pre-existing PPPs integrated the procedures to some extent. As will be demonstrated, practice varied widely. At one extreme, multi-agency panels took on all new cases on the Sex Offender Register, in addition to PDOs; at the other extreme, they dealt with only the highest risk cases (of any kind), leaving the bulk of sex offender register cases to the police. However, recent proposals to give the police and probation service joint statutory responsibility for the risk assessment and management of ‘dangerous’ as well as sex offenders, is likely to eventually lead to close integration of the two systems in all areas.

Finally, perhaps the most significant development since the research was completed has been a burst of media attention to the issue of public disclosure of information about sex offenders. Prior to this, it was broadly accepted that names and addresses on the Sex Offender Register were kept largely confidential. They would be disclosed by the police only on a ‘need to know’ basis to members of other agencies who could contribute to the risk management process or, in exceptional circumstances, to individuals who might be at special risk from a particular offender. However, in the summer of 2000, a Sunday newspaper obtained and published the names and addresses of large numbers of known and suspected ‘paedophiles’. With public feelings inflamed after the murder of a young child, Sarah Payne, this triggered a spate of vigilante attacks and a campaign for full public access to the Sex Offender Register: a ‘Sarah’s Law’ to match the American ‘Megan’s Law’. The government has so far resisted these calls, arguing (in accordance with the views of most practitioners) that such a course of action would lead to offenders being ‘driven underground’, thus increasing rather than decreasing the risk to the public. Instead, it has been announced (September, 2000) that information will be made available about the numbers of sex offenders in a particular area and about the measures in place to protect the community (Home Office, 2000).

\(^4\) For example, Home Office Circular 39/97 gives the following general guidance on risk assessment: ‘Ministers have made it very clear that the information must not merely be recorded or filed: it is essential that risk assessment should be undertaken by the police, working with other child protection agencies, in order to protect children and vulnerable adults’.

INTRODUCTION
Aims and methods

The following specific aims were set for the research:

- to examine convergence and disparity in practice between areas, and the reasons for this;
- to evaluate working practices and multi-agency co-operation and to illustrate and advise on good practice; and,
- to recommend improvements.

The study was carried out between November 1998 and October 1999 in six police force areas. None of these are identified in the report, being referred to simply as A, B, C, D, E and F. They are not claimed to be representative of all forces in England and Wales, but were selected to incorporate a broad cross-section in terms of size and character of the area. Four were relatively large forces: areas B and C covered major conurbations; area A covered what was principally an old industrial region; while D (in a wealthier region) was both geographically extensive and highly populated, containing several major towns. The other two were smaller in population and in numbers of police officers. Area E covered a very wide rural territory, with relatively few large urban centres. Area F had the smallest force, covering a medium sized county with one important city.

In Summer, 1999, the numbers of registered sex offenders ranged in the above force areas from over 700 to under 100. Whilst force areas with lower populations generally had fewer registered offenders, this was not always the case, as numbers were also influenced by the locations of prisons, hostels or specialised treatment programmes (a point also noted by Plotnikoff and Woolfson, 2000).

The main methods used were:

- a collection of statistical and documentary material from relevant agencies;
- interviews with practitioners; and,
- observations of panels.
Interviews with practitioners

Altogether, 147 interviews were carried out with practitioners, ranging from very senior managers to front-line staff. These were selected to represent as full a range as possible of people in each area with knowledge and direct experience of public protection work. Those interviewed comprised:

- **64 police personnel**, including:
  - senior managers with responsibility for overseeing the implementation of the Sex Offenders Act;
  - senior officers responsible for operational policing and crime management;
  - officers responsible for the input of sex offender register information on to the Police National Computer (PNC);
  - officers with day-to-day responsibility for risk management of sexual and violent offenders;
  - officers with a management responsibility for child protection;
  - officers who visit ‘dangerous’ and sex offenders;
  - four civilian staff: one force solicitor, a civilian clerk in a sex offender registration unit and two responsible for media and public relations.

- **53 probation staff**, including:
  - chief officers;
  - managers with special responsibility for sexual and dangerous offenders;
  - senior officers heading specialist and generalist teams;
  - a variety of basic grade officers with experience of assessing risk and/or supervising violent and sexual offenders;
  - a probation research officer with detailed knowledge of risk assessment tools.

- **10 social services staff**, including:
  - senior managers;
  - members of child protection teams.
● 12 housing staff, including:
  ● senior managers of housing departments or associations;
  ● caseworkers.

● 5 psychiatrists, including:
  ● a regular attender at panel meetings;
  ● a forensic psychiatrist who had developed the multi-agency panel's policy on information exchange and disclosure.

● 3 prison staff, comprising:
  ● two prison governors;
  ● a prison psychologist.

The interviews covered their views and experiences in respect of risk assessment, the operation of the Sex Offender Register, the operation and effectiveness of panels, and the nature and effectiveness of multi-agency working.

Observation of panel meetings

The team observed 59 risk assessment/management panel meetings. Attendance at these meetings provided an opportunity to speak informally to those present and to arrange formal interviews at a later date. In addition, the research team had the opportunity to observe other relevant activities, including the initial risk assessment process, training sessions, meetings of management committees and operational groups, and prison risk assessment and sentence review boards.

A particular problem for the research was that it took place in an environment which was changing very rapidly. Virtually every area visited was in the process either of introducing new policies and practices, or of reviewing its procedures. This included changes in the structures of multi-agency bodies, in joint protocols, in training, and in the use of risk assessment instruments. For this reason, the research team set out not so much to compare or evaluate the work of individual areas, as to look at the range of practices to be found and to identify those which appeared to work well. Note was also taken of the directions in which changes in policy and practice were generally moving, and practitioners were questioned about the improvements they wished or expected to see.
Structure of the report

The report contains three further sections. Section 2 focuses on organisational issues such as partnership arrangements, panel procedures and resourcing. Section 3 covers issues in risk assessment and risk management, discussing, inter alia, the methods used to classify offenders, the quality of decision-making, the implementation of risk management plans, policies on disclosure, and mechanisms of oversight and accountability. The final section offers the research team’s general conclusions, examples of good practice, and a number of specific recommendations.
2. Organisational and partnership issues

In this section, the main focus is upon the practical arrangements in place in the six research areas to facilitate public protection work in relation to sexual and violent offenders, and upon the main organisational (and inter-organisational) issues which arise. Section 3 will address issues more directly concerned with the risk assessment and risk management processes per se.

Perhaps the most striking feature of the arrangements examined was the sheer variety of practice to be found across the different areas, and in some cases, within particular police force areas. In part, these differences reflected the diverse routes by which public protection initiatives had evolved. The Sex Offenders Act 1997 provided a critical watershed, but in formulating responses to it areas found themselves at different stages with regard to multi-agency working. One area in particular (area C), had had long-established multi-agency procedures in place in relation to potentially dangerous offenders, and had simply grafted the requirements arising from the new Act on to that way of working. At the other extreme, area B had very little previous experience of this kind and had come to sex offender work as a relatively new venture. In between were areas with good informal inter-agency links, which they now sought to formalise.

Current working arrangements were also influenced by the size and nature of the area covered and the numbers of cases that had to be dealt with. Some police force areas, and some individual divisions, faced disproportionate demands and exceptionally high numbers of difficult cases due, for example to the presence of specialist prisons or hostels for sex offenders. In other areas, dealing with a high risk offender was a relatively rare event. Such factors played a part in determining whether, for example, cases were dealt with centrally or locally, on a case-by-case basis or in batches, and by senior or more junior members of agencies; and whether all cases, or simply the high risk cases, were formally considered by panels.

Rather than offering a lengthy description of organisational structures and practices in each individual area, the section is structured on the basis of the most prominent themes to emerge from interviews with practitioners, illustrated throughout with examples from the areas. The following are discussed, in turn: formal partnership arrangements; managerial oversight and accountability; the levels, functions and names of panels; registers and registration; resource issues and priorities; and, general issues in multi-agency working. To assist the reader in understanding what is a highly complex and varied picture, a summary chart (Figure 1) is provided, outlining the main differences between the areas.
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<th>Area C</th>
<th>Area D</th>
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<th>Area F</th>
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<tr>
<td>Extensive, quite densely populated, old industry.</td>
<td>Large conurbation.</td>
<td>Densely populated; large towns, old industry.</td>
<td>Extensive, highly populated, prosperous</td>
<td>Extensive rural areas, some large towns.</td>
<td>Fairly large city and surrounds.</td>
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<td>Size of force</td>
<td>Large</td>
<td>Very large</td>
<td>Very large</td>
<td>Large</td>
<td>Medium</td>
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<td>Ad hoc high level panel for a few high risk cases. SOR cases left mainly to local CID.</td>
<td>Single tier. Central panel dealt with all cases. Now devolved to “regional” panels.</td>
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<td>Mainly SOR generated.</td>
<td>Both SOR and PDO cases.</td>
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<td>Probation</td>
<td>Police</td>
<td>Police</td>
<td>Good balance</td>
</tr>
<tr>
<td>Special features</td>
<td>Individual and devolved. Little formal panel work. No standard method of risk assessment.</td>
<td>Exceptionally large panel, with regular meetings covering high numbers of cases at all risk levels. Clear rules on reviews, frequency of visits, etc.</td>
<td>Mature pre-existing PDO panel system. Cases prepared well in advance of release.</td>
<td>Good intelligence from prisons.</td>
<td>System of visits according to level of risk.</td>
<td>Independent chair and coordinator. Emphasis on multi-agency work.</td>
</tr>
</tbody>
</table>

Abbreviations
PDO: Potentially dangerous offender. PPP: Public Protection Panel. SOR: Sex offender register.
**Organisational and partnership issues**

**Formal partnership arrangements**

As noted above, there was considerable variation between areas in the ways in which partnerships had evolved. Some had long standing multi-agency procedures to deal with dangerous offenders, which were merely adapted to meet requirements arising from the Sex Offender legislation. For other areas, such procedures were a relatively new venture and they were still to an extent ‘feeling their way’.

At the time the research was conducted, all areas had formalised at least some partnership arrangements into written protocols to regulate the exchange of confidential information. In all areas police, probation and social services were signatories to such protocols. All areas also had provisions, sometimes written into memoranda, to invite pertinent agencies or individuals to risk assessment panels on an ad hoc basis. Beyond this there was some diversity, signatories to protocols variously including representatives from housing, education, health, the fire service, prisons and voluntary agencies.

The status of health services in the process was commonly problematic, partly because of health representatives’ concerns about confidentiality and partly because in some areas the existence of several health trusts made the exercise more complex (similar problems were noted by Plotnikoff and Woolfson, 2000). In three of the areas (A, B and D), health services had not been signatories at the outset and in two of these, negotiations to bring them ‘on board’ were still continuing (in one case considerably slowed by debates about the wording of the protocol).

Researchers in four of the areas reported that health representatives were not normally present at multi-agency panel meetings. One reason given for this was that there was a national shortage of forensic psychiatrists, and those in post had no time to come to meetings. By contrast however, in areas C and F, forensic psychiatry was routinely represented at panel, and its contribution was clearly regarded as valuable. Indeed, in area C, forensic psychiatrists had been key players in setting up the public protection procedures several years earlier (partly in response to some serious failures relating to dangerous offenders released from prison). As a result the involvement of the health service was integral to the system, forensic psychiatrists and psychologists providing detailed clinical assessments and representatives from health trusts being able to provide immediate health provision. This was particularly important in those cases where mental health issues were a significant factor.

**Managerial oversight and accountability**

Another aspect of the process in which considerable variation was found was the extent to which areas had formal structures in place to monitor and maintain a
strategic overview of public protection policy and procedures. In one area (A), responsibility for the system was vested largely in individual police and probation managers. At the other extreme, other areas (especially E and F) had set up active inter-agency management committees with overall responsibility for operation of the system and the development of strategy.

In the former, informal processes and personal networks are too readily relied upon to oversee the system as a whole, and accountability is vested within personalities rather than agreed structures. Clearly, personal relationships are not necessarily organisational ones. By contrast, in area F, attempts had been made to pursue a genuinely corporate approach to public protection work, including joint funding and the appointment of an independent co-ordinator and chair for public protection work. Commitment by all the partner agencies to strategic management of the process was agreed at senior management level, and this was reflected in key areas such as objective setting, the provision of resources, and systems of management and accountability. The management committee was also effective in communicating its policy decisions to the panels and to the agencies.

Elsewhere, the role of management committees was sometimes less clear. Whilst such committees often comprised senior agency personnel, this was quite often below the level which most interviewees saw as the most appropriate (Assistant or Deputy Chief), and key agencies such as housing and health were not always represented. This could seriously hinder decisions on resource allocation, and could undermine the integration of public protection work into each agency’s strategic responsibilities under the Crime and Disorder Act 1998. It could also diminish the sense of multi-agency ownership of public protection work.

Multi-agency panels: levels, functions and names

Diversity was even more apparent in the multi-agency consultation arrangements for discussing sexual and violent offenders. Different areas held meetings or ‘panels’ with different names, for different purposes, about different kinds of offender, held at different intervals, with different degrees of formality, at central or local level, and called, chaired and attended by people from different agencies and of different levels of seniority. In this sub-section, an attempt is made to outline, in as clear and concise a manner as possible, the most important variations found.

One of the core differences lay in whether all cases were dealt with by one type of panel, or whether decision-making was divided or ‘tiered’ between fora, that is, according to the types of offender discussed or to the level of risk anticipated. A
further variation was whether all cases were dealt with centrally or whether the work was ‘devolved’ to divisions or groups of divisions. Additional comment on this last issue will be made separately.

Single-tier approaches

Three areas (B, C and E) dealt with all cases through one type of panel. At the start of the fieldwork period, indeed, area B was operating with just one, very large, centrally based multi-agency panel for the whole police force area. The work of this panel was dominated by cases arising from sex offender registration. All eligible sex offenders were first placed into a provisional category on the basis of a standard assessment instrument (the Thornton SACJ – see Section 3), then those designated medium or high risk were referred to the panel for more detailed assessment and, where deemed necessary, the formulation of risk management plans. It was also open to members of the partner agencies to bring forward for discussion PDOs of other kinds, although such cases were much fewer in number. The consequence of setting a relatively low risk threshold for the panelling of cases was something of a flooding of the panel agenda with business, and limited opportunity for more focused attention to high risk cases. However, this problem was in part addressed later in the research period with the work being devolved to a new set of panels based in police divisions, rather than operating one panel at force level.

This development in area B brought its practice closer to the system in area C, where all cases were dealt by a small number of like panels which worked in parallel, each covering a group of police divisions. However, unlike in area B, these panels were not created in response to the Sex Offenders Act, but were part of a long-established multi-agency system for dealing with potentially dangerous offenders of any kind. As part of this system, sex offenders leaving prison or on community sentences had always been routinely assessed by probation officers and referred to the panels if considered to pose a risk, so the new legislation was not seen as introducing significant change. In practice, the area C panels continued to deal with more of a ‘mixed bag’ of cases than those in area B, which were dominated by sex offender cases (indeed, in area B, relatively little attention was paid in a systematic way to other types of dangerous offender, apart from the maintenance of files by the Paedophile Intelligence Officer [PIO] on a small set of seriously violent offenders).

Area E, which covered a very wide geographical area, had set up a multi-agency ‘risk strategy’ panel in each police division. Meetings were called automatically to discuss any sex offenders classified as high risk on the basis of the SACJ, whilst others (as well as potentially dangerous non-sexual offenders) could be the subject of meetings at the discretion of the divisional commander.
Two-tier approaches

The other three areas all had some form of ‘tiering’. Two of these (A and D) left most of the discussion of cases arising from sex offender registration to local divisions. This was usually undertaken in meetings between divisional police officers and local probation officers, sometimes with representatives of other agencies also present. Such meetings varied widely in nature and frequency. Within area D, for example, three divisions held them monthly, three bi-monthly, and one every three months. They also ranged from formal to decidedly informal. In some divisions in area A, for example, they often consisted simply of telephone calls from the local detective inspector to a probation officer. Other kinds of offender, again, might be discussed on an ad hoc basis, but the main driving force in the ‘lower tier’ meetings in both areas tended to be the police responsibility for assessing and managing registered sex offenders.

Both areas A and D also ran higher level panels to deal with cases in which an exceptionally high degree of risk was apparent, where there was strong media interest, or where special actions such as intensive surveillance, disclosure, or application for a Sex Offender Order, were being contemplated. Meetings of these higher level panels were called on an ad hoc basis by one of the partner agencies, usually to discuss a single case. They might be held locally or centrally, but they were normally attended by senior headquarters’ managers (as well as local managers) from the relevant agencies. The core participants tended to be police, probation and social services; the presence of other agencies tended to be more variable and dependent upon the nature of the case. The number of high level meetings was strikingly different between the two force areas. While area A had held around 40 over a twelve-month period (a figure thought by some senior police officers to indicate over-use of this highly expensive resource), in the larger force (D) there had been only five.

Finally, area F worked with a two-tier system of risk assessment meetings (lower tier) and a PPP (higher tier). As elsewhere, the higher level PPP dealt with any type of potentially dangerous offender, not just sex offenders. The PPP met centrally (the force area being comparatively small) and the flow of cases to it was subject to some stringent ‘gate-keeping’ procedures. Standardised referral forms were used, and the referral criteria were made explicit in the written publicity material produced by the panel. Anyone requesting a particular case to be discussed was asked to demonstrate not only that the risk was sufficiently high, but that there was some form of ‘added value’ in bringing the case to the PPP – commonly that further resources could be obtained, or it needed the concerted effort of a greater number of agencies to manage the risk. Numbers were thus kept low, and the PPP was generally viewed as a precious resource, reserved for the most dangerous offenders.
Devolved and centralised modes of operation

Most of the areas studied had devolved responsibility for at least some aspects of the risk management process from headquarters to divisions or to groups of divisions. This was seen at its most extreme in areas A and E, where, in addition to the organisation of panels, the initial ‘screening’ assessments of sex offenders, and hence decisions on whether to refer them to panels, were left formally in the hands of divisional managers (risk assessment processes will be dealt with in more detail in the Section 3). In area E, in fact, local managers were fully responsible for all aspects of the process, and all levels of case.

Devolved models had developed mainly as a response to the high volume of cases emanating from the Sex Offender Register, as well as, in larger police force areas, the sheer size of the area to be covered (the latter being particular true of the predominantly rural area E). The process of devolution, however, appears often to have occurred in an ad hoc and under-managed manner, so that differing structures were to be found not only across the areas studied, but within individual police force areas. In one case, a probation manager referred to this as ‘the development of Spanish customs’. In area A, for example, three police divisions were jointly holding regular monthly panels to discuss or review a variety of Sex Offender Register and PDO cases (including high risk cases). The remaining divisions dealt with most Sex Offender Register cases informally (the Detective Inspector consulting a local probation officer), occasionally asking headquarters to arrange a high-level public protection panel when an offender was adjudged to give serious cause for concern. There were further differences among the latter divisions, some regularly requesting high-level panels for cases which others would regard as routine and would handle by themselves.

It was also found that changes were occurring regarding the extent to which activities were centralised or devolved. For example, area B had reviewed its procedures and was moving at the time of the research from a highly centralised system to a devolved model. Meanwhile, a review by senior officers in area A concluded (unsurprisingly) that there was too much variation between divisions, and plans were in place to establish more central control and standardisation of procedures.

Names of panels

The complexity and diversity of the arrangements outlined above were further reflected in the bewildering variety of names and acronyms that the various panels had been given. These included MAPP (Multi-Agency Public Protection panel), RAP (Risk Assessment Panel), MARAC (Multi-Agency Risk Assessment...
Moreover, it was not only the researchers who were confused. In one area, divisions holding what headquarters officers described as ‘M A R A C s’ wrongly described them as M A P P S (or in some cases, ‘mini-M A P P s’), and several local officers had never heard the term ‘M A R A C ’. In another police force area, High Risk Case Conferences (which strictly speaking applied only to Sex Offender Register cases) were often confused with Potentially Dangerous Offenders Assessment and Management Panels; at local level probation called the panels to discuss registered cases Sex Offender Assessment Panels (S O A P s), police called them Risk Assessment Panels (R A P s) and Social Services called them Sex Offender Forums (S O F s).

While the confusion over panel names may not be a serious issue in itself, it symbolises a more general problem of confusion and misunderstanding about the risk assessment and management process as a whole. In some areas, it was found that even some of the key people in the system, such as Detective Inspectors and Senior Probation Officers, had only a hazy understanding of the background and overall shape of the processes involved, and of how their own contributions interlinked with others. Although various explanatory documents (including guides to the Sex Offenders A ct, copies of protocols, etc.) were usually available to the relevant personnel, in several cases they were not immediately comprehensible. However, one area (F) had addressed this with the production of concise, user friendly publicity materials for the PPPs which identified key personnel, the purpose of the panel, referral criteria and the routes for bringing cases to the panel’s attention.

**Registers and registration**

In all areas, the registration of sex offenders was centrally co-ordinated by the police. Notifications of people who have to register come from the courts, prisons or other police forces, and are often supplemented by information from the probation service.

Commonly, responsibility for registration lay with force intelligence bureaux (F I B), although civilian staff were frequently involved in the physical maintenance of registers. Most F I B s did rather more than simply registering names and addresses. For example, area D had developed a database which included all registered sex offenders as well as others not eligible for the register, but thought to pose a risk.
This was maintained by three civilian members of staff within the FIB, who updated it regularly with fresh intelligence. In area C, the register was held in the FIB and the details were entered on to the Operational Intelligence System, which triggered automatic notifications to divisions (via local divisional intelligence officers). Responsibility for monitoring and auditing the register rested with the Paedophile Intelligence Officer (PIO). The force PIO was also responsible for the system in area A, and linked information from the register with information from other sources which was already held on known paedophiles. In area E, the Sex Offender Register was held at force level on a database which could be accessed by territorial divisions. The PNC bureau was in the process of updating the computer database facility so that automatic notifications to the divisions could be made when a review visit to a sex offender was scheduled.

Some of the police forces visited had developed formal links with prisons in their region, thereby facilitating early sharing of information on offenders currently in prison and due to register once they were released. The police in area D had a designated Prison Liaison Team (PLT), based at force headquarters, which was made responsible for the assessment of sex offenders. The PLT did not look only at sex offenders, but engaged in intelligence work on other groups. Information was gathered approximately eight weeks prior to release. This information was wide-ranging and was requested by the FIB, using a standardised request form. The area E force also had a prison liaison officer with responsibility for collating intelligence from the four prisons in the area.

Two areas maintained sizeable registers of PDOs, alongside those of sex offenders. In area F, responsibility for registration of sex offenders lay with the police, while the more broadly defined PDO register was maintained under the auspices of the multi-agency public protection panel (PPP). The remit of the PPP was to consider people who had committed or were thought likely to commit a broad range of violent offences, including persons on the Sex Offender Register. The PPP was a force-wide group, a situation facilitated by the relatively small size of the police force area, and was administered by an independent co-ordinator.

Area C also maintained a register of PDOs, which was likewise inclusive of those on the Sex Offender Register, but covered a broad range of offences. Responsibility for maintenance of this register rested with the probation service, a legacy of the situation before the Sex Offenders Act. The PPP in this area considered that they had absorbed the functions relating to specific registration of sex offenders. In the same way that the police in area D had routine links with local prisons, the PPP in area C began general discussions well before prisoners were released, thereby...
Panel arrangements: timetabling, attendance, chairing, minutes

The working arrangements of panels had a considerable impact on the level of attention given to cases and, indeed, could affect the overall quality of risk assessment and risk management practice. Comment is made here on four aspects of these arrangements: timetabling; membership and attendance; chairing; and, minute-taking and confidentiality.

Timetabling of meetings

Panels varied in whether they worked to a pattern of regular meetings at prescribed intervals or more of a reactive ‘fire brigade’ mode of response. At one extreme, area A had no prescribed pattern of meetings at either the lower or higher tier, but set them up as the need arose. Meetings were usually organised at short notice and almost always focused on only one case. The lower tier meetings to discuss Sex Offender Register cases were often informal, and could amount to a telephone conversation. Other agencies were rarely consulted, and follow up meetings to review cases were not held unless one of the parties thought this necessary. High level meetings about high risk offenders, though formally conducted and usually involving senior members of three or more agencies, were similarly ad hoc affairs, often called at short notice to deal with one offender. Follow up meetings were again rare, with reviews normally held only where circumstances of cases had changed significantly.

Meetings to review previous cases (a topic discussed more fully in Section 3) were more common in area D, but here some divisions routinely left quite lengthy intervals between meetings. As some interviewees pointed out, there is a danger with this way of working that the management of cases can become precarious in the periods between meetings.

All the other areas held regular meetings, in some cases dealing with large numbers of both new cases and reviews in a systematic manner. This was especially true of areas B and C. In area B, a central panel regularly considered all Sex Offender Register cases (although, as noted earlier, pressure of numbers led to devolution of this task during the research period). In area C, a single-tier Public Protection Meeting reviewed all offenders identified as potentially dangerous by the probation
service (and, less frequently, by the police). Here, registration as a PDO, which, of course, encompassed many sex offenders ‘led’ the risk assessment and management process. It was considered more important than inclusion on the Sex Offender Register.

Membership and attendance

Most panels were attended regularly by a set of ‘core’ members, with others invited when they had a specific contribution to make. Police and probation managers were almost always present at all kinds of panel, and social services managers were also regular attendees, with the pattern varying widely where other agencies were concerned. Police representatives were usually of sufficiently senior rank to be able to guarantee resource commitments, but this was not always true of other agencies.

In addition to seniority, relevant expertise and experience were valuable commodities in meetings, and could add considerably to the quality of decision-making. Core panel members were often, to some degree, specialists in public protection work in their own organisations but this was not true of many others attending the meetings. Equally, when regular members were unable to attend, the level of expertise on the panels could be significantly reduced. To meet this problem, one area had developed a system whereby other staff were nominated and specially trained as ‘deputies’ to cover in the case of unavailability.

A further problem arose in areas with panels which covered several police divisions and dealt with large numbers of cases. Here it was sometimes necessary for probation and police staff from all the sub-areas to attend. However, they often had a direct interest in only a small number of the cases discussed, and in long meetings a considerable amount of their time could be wasted. Two areas tackled this problem through appointment systems, whereby some people were given certain ‘time slots’ to join the meeting, relevant cases being scheduled for discussion at these times. This worked reasonably well, although there was often some slippage in the timetables.

Chairing

Observers of panels in two of the areas concluded that the quality of chairing was variable and in some cases quite poor; these judgements were shared by a number of panel members. Examples of inadequate chairing witnessed in the study included permitting rambling, unstructured discussions; spending too much time on early cases with the result that later cases were rushed through; failure to ensure that clear decisions were agreed and understood by all; and, hierarchical attitudes which effectively excluded some members from contributing their views.
Clearly, lack of ability or training to chair meetings effectively could reduce the overall quality of decision-making. Aware that special skills were needed by chairs in this kind of multi-agency forum, area E (which, it will be recalled, had devolved all high level risk management work to divisions) had held a one day training course for senior police officers to provide guidance and information on chairing such meetings and co-ordinating risk management plans. The experiment in area F of appointing an independent chair also seemed to have been successful, in that this person was generally praised in interviews, and was said to have greatly aided the focus and structure of panel business.

A further issue associated with chairing was the concern (and sometimes resentment) expressed in some areas that all meetings were chaired by a member of a particular agency: in area B, for example, it was always a police officer, and in area C, always a probation officer. In most cases, the agency which chaired the meetings was also responsible for organising the venue, preparing the papers and recording the minutes, and tended also to take primary responsibility for co-ordinating or monitoring any follow up action. This raises more general questions about the ‘ownership’ of the multi-agency processes involved, which will be discussed further at the end of the section. At this point, it is simply noted that police-probation relationships were particularly good in area A, where the general rule was that meetings (which normally concerned only one offender) were chaired by a member of the agency which had requested the meeting.

Minute-taking and confidentiality

Minutes of panel meetings were often cursory and brief, and in some cases undoubtedly of poor quality. This was particularly true of one area where they were taken by untrained civilian police clerks. They usually amounted to no more than brief descriptions of the cases and lacked action points or attribution of responsibilities. This clearly reduced the capacity of panels to monitor individual cases and undertake any quality auditing of responses as a whole.

The need for confidentiality was recognised in all areas, and was often reconfirmed by the chair at the beginning of meetings. In one area, for example, this followed a set pattern. All personnel attending the meeting would introduce themselves and outline their status, role and the agency/organisation they represented. This would be formally minuted. The Chair would then make a formal statement about the status of the meeting and the rules surrounding the subsequent circulation and storage of minutes. This had a standard format: ‘These minutes should not be photocopied or the content shared outside the meeting without the agreement of the Chair. Minutes should be kept in the restricted/confidential section of agency files’.
In other areas, too, minutes were rarely circulated beyond those who attended meetings. Indeed, in some cases, even panel members were not given copies of minutes, being told to take their own notes of meetings where necessary. Any wider sharing of information was on a ‘need to know’ basis. These practices, it was pointed out by interviewees, sometimes contributed to gaps in knowledge for those agencies on the margins of case management. However, as all concerned recognised, the right balance was a difficult one to determine, and partner agencies were gradually refining their procedures and joint protocols on the basis of experience. Further comments on the issue of confidentiality will be made in the sub-section on disclosure in Section 3.

Resource issues and priorities

Resource issues were of constant concern to both police and probation. With the partial exception of area F, the only area which had carefully examined the resource implications of this kind of work and had pooled agencies’ funds to pay for a full-time co-ordinator, public protection responsibilities were a significant ‘add on’ to the existing responsibilities of all the personnel involved. (These findings are echoed by Plotnikoff and Woolfson [2000], who reported that almost 50 per cent of the senior practitioners they interviewed regarded pressure on resources as the principal problem associated with the Sex Offenders Act.) The burden fell particularly heavily upon a few key individuals, above all on Detective Inspectors in police divisions with high numbers of sex offenders, and Assistant Chief Probation Officers in areas which dealt with high numbers of PDOs.

In most of the areas studied, police divisions had considerable autonomy in managing their budgets, and public protection work had to compete locally for limited resources against a plethora of other demands. The arrival in the area of an exceptionally and indisputably dangerous offender was always treated very seriously, and expense and manpower were not spared in attempts to reduce the risk to the public. On the other hand, while there were notable exceptions, it was clear from interviews that local commanders and senior detectives tended to regard more ‘routine’ public protection work (and particularly Sex Offender Register work) as having lower priority in the competition for resources than initiatives against crimes such as burglary.

Although virtually all recognised this as valuable work to which they would like to be able to devote more time and resources, it was pointed out that it contributed less to the achievement of key performance targets and was less directly relevant to force objectives and local authority crime and disorder plans. (National key performance indicators, as well as most local plans, focus on the detection and
reduction of high-volume crime, especially burglary, and while violent crime is also a specified target, this is not always interpreted as embracing sexual offences.) A senior detective also noted that the systematic ‘monitoring’ of substantial numbers of potential offenders was still an unfamiliar form of work for police officers, and was regarded by some as a set of relatively unproductive administrative tasks rather than ‘real police work’. There was therefore some cultural resistance to greatly increasing its share of scarce resources.

The combination of relatively low priority and limited resources could lead to some damaging consequences. The routine checking of medium and low risk offenders– valuable in detecting changes in their circumstances that might indicate an increase in risk – could become subject to widespread slippage. Equally, if resources are continually stretched, strategies to ‘encourage’ offenders to move to a different area could be an attractive safety valve. Although such strategies were not observed by the researchers, it was said by several interviewees that certain areas were known to deliberately make sexual offenders feel as uncomfortable as possible, and in some cases, were even suspected of ‘leaking’ information in the hope that they would be ‘hounded out’ and hence move on elsewhere. If such practices spread, the ultimate consequences could be that a significant proportion of sexual offenders ‘go underground’ and that tracking and monitoring of their behaviour is seriously compromised.

Multi-agency working and ‘ownership’

This section concludes with some general comments about the nature of the multi-agency working which was described by participants or observed by the research team. Perhaps the most important point to make is that, while all areas had formal partnership arrangements, it was not uncommon for a single agency, either police or probation, to assume primary ‘ownership’ for assessment and management processes. This was reflected in, for example, one service taking full responsibility for calling, servicing and chairing meetings. Although this is not necessarily undesirable in itself (indeed, it might be argued that it is more cost-effective and efficient), in practice it was sometimes found to produce either a sense of exclusion from real decision-making, of being ‘used’ merely as a source of information, or resentment at ‘carrying too much of the burden’ (such problems, of course, are far from unique, and have been identified in partnerships in other spheres of crime prevention: see, for example, Liddle and Gelsthorpe, 1994; Crawford and Jones, 1995).

In three of the areas (B, D and E), overall ownership of the system was clearly in the hands of the police. In all three areas, the police made all the administrative arrangements and handled the paperwork. In two of these areas, moreover, the
police called all public protection meetings, and in two they chaired them all. In area D, where the police force was strongly committed to intelligence-led, proactive approaches in all areas of crime, some senior officers were keen to become involved in close monitoring of high risk offenders from an early stage of their prison sentences. They saw both probation officers and prison officers as valuable sources of intelligence for this purpose, an approach about which some probation officers expressed reservations. In area B, too, where there was no strong tradition of police-probation co-operation, some probation officers expressed feelings of exclusion and concerns that they were simply being used as ‘police informants’.

By contrast, in another area (C), the system was principally probation-led. Here the Sex Offender Register work was largely ‘grafted on’ to the existing PDO system. Meetings were normally convened, serviced and run by senior probation officers. Police officers were generally content to leave risk assessment to what they considered an agency with greater expertise than themselves in this area. However, some probation officer interviewees, who claimed that police attendance at panel meetings was ‘patchy’, questioned the strength of police commitment to the whole process.

In the other two areas, ‘ownership’ was more balanced. In area A, the calling, chairing and preparation of public protection meetings (which normally discussed only one offender) was interchangeable between the police and probation service; the general rule being that the agency calling the meeting chaired it. Finally, in area F responsibility for co-ordinating PPPs lay with an independent co-ordinator, appointed out of funds to which all partners contributed. The co-ordinator (at that time, a seconded probation officer) played a major part in the administration of the public protection system, as well as chairing panel meetings. Agencies in this area had also jointly funded two development posts to support people in community tenancies.

While other areas shared the responsibilities to some extent, it might be argued that only area F was approaching the goal of genuine multi-agency working and a truly corporate venture. The general slowness in achieving this (by no means an unfamiliar problem in other fields of crime prevention) may be explained by a variety of historical, cultural and practical factors which include differing agency goals and priorities, and the availability of resources. In most of the areas studied, whilst it was strenuously emphasised that good working relationships had been forged between agencies at many levels, it was generally acknowledged that multi-agency working was a development that had not altogether won the ‘hearts and minds’ of all the potential participants. People were still trying to learn to operate with ‘joined-up thinking’.
Finally, as in many other spheres of multi-agency co-operation, the effectiveness of joint working often appeared to rely heavily on the personalities of the individuals involved, rather than the formal mechanisms clarifying the organisational tasks. Where individuals from different agencies clearly trusted each other and got on well together, there were undoubted benefits. At the same time, however, the reliance on the dynamics of personality raised some concerns. In particular, harmonious working arrangements can easily be disrupted by a key individual leaving his or her post. A high turnover of personnel, especially in the police, was mentioned several times as a significant problem. Indeed, in area A, the key police managerial post (the headquarters Chief Inspector responsible for day-to-day oversight of the risk assessment and risk management system) changed hands no less than three times during the four-month period of fieldwork. This reinforces the view, expressed to members of the research team many times, that one of the keys to an effective public protection system is an active, committed and well-informed management committee, containing very senior staff from all the relevant agencies.

Summary

The research revealed a great variety of organisational and procedural arrangements. Areas varied in terms of the level of participation and commitment of different agencies, the degree to which the lead was taken by police or probation, and the level of managerial oversight of the process. The names of panels were different in almost every area. Some areas had single-tier panel systems, other two-tier systems; some had centralised systems, others devolved much of the responsibility; some focused mainly on Sex Offender Register cases, others continued to pay strong attention to other types of PDO; some had regular meetings to review large numbers of cases, others called only infrequent, ad hoc meetings for high risk cases; and, some panel meetings were always attended by senior managers and/or specialist personnel, others by people with less managerial ‘clout’ and/or less expertise. There were also wide variations in the quality of chairing and minute taking.

Resource issues also affected practices significantly. All police forces were experiencing a rising number of cases, but risk assessment and management had to compete for limited resources with many other aspects of police work. Although high risk cases were treated very seriously, ‘routine’ sex offender registration work tended to be regarded as of relatively low priority. The consequence was that the burden fell heavily on some individuals, especially local Detective Inspectors, who had to add time-consuming duties in this area to an already demanding workload, and in some cases were unable to give them the amount of attention they wished.
The nature of the relationships between partner agencies varied considerably. Generally speaking, there was considerable good will and readiness to co-operate, especially between police and probation. However, some problems were observed around the issue of ‘ownership’ of risk assessment and management processes. In some areas, one agency was regarded as controlling these processes to too great an extent (e.g. by preparing and chairing all meetings), causing members of other agencies to feel that they were being ‘used’ and not fully involved in decision-making.

Overall, it was concluded that the most effective system was one in which the participating agencies had pooled resources to appoint an independent panel chair, who also played an important co-ordinating role in the preparation and monitoring of cases between meetings. This area also applied stringent ‘gate-keeping’ tests to ensure that senior managers’ expensive time at meetings was used only in cases where their involvement was likely to produce ‘added value’.
3. Risk assessment and management in action

In this section, a closer look is taken at the two core elements of public protection work with sexual and violent offenders: risk assessment and risk management.

Risk assessment entails both the classification of each offender into a general risk category (normally low, medium or high risk) and an appraisal of the specific nature of the risk he or she poses (including the identification of any circumstances which may increase the risk of an offence being committed). In the areas studied, risk assessment was usually carried out in two stages: a preliminary ‘screening’ assessment by means of a standard instrument, and a revised assessment arrived at through discussion at a multi-agency panel.

Risk management is less easy to define and describe, and was found to vary widely between areas and types of case. In essence, the term refers to any actions taken by a panel as a whole, or by the police, probation service or other agency, to attempt to reduce the risk of the commission of an offence by a particular offender. Such actions may include:

- various forms of covert monitoring or surveillance;
- visits to the offender’s address;
- controlled disclosure of information about the offender to other local organisations or individuals (e.g. head teachers of local schools); and,
- in extreme cases, the seeking in court of a Sex Offender Order to restrict the offender’s movements.

The following two sub-sections discuss the initial risk screening of cases and the subsequent process of risk assessment at panels. Attention is then turned to findings relating to the formulation and implementation of ‘risk management plans’, including a consideration of the specific issue of disclosure.

Initial risk assessment

Sex offenders and the Structured Anchored Clinical Judgement (SACJ) tool

Five of the areas studied were dependent to a considerable extent upon the Structured Anchored Clinical Judgement (SACJ) tool at the initial risk assessment stage of Sex Offender Register work. During the research period, its use was recommended by the Association of Chief Police Officers, and the sixth area also decided to follow suit.
The SACJ is a prediction tool, devised by David Thornton of the Home Office, which broadly assesses the level of risk that a sex offender will commit another sexual offence. In its full form, the instrument takes account of both static factors and a variety of dynamic factors (including substance abuse, psychopathy and deviant sexual arousal), in order to allow for changes in risk status over time. However, as information on the latter is not always available, a shortened version has been produced, known as SACJ-MIN. This is a simple tool, quick to administer, and requires only data that are readily available in most cases—features which were found, unsurprisingly, to be very attractive to busy police officers. The scores obtained are used to place each offender into one of three risk categories—low, medium or high risk (for more detailed descriptions of both forms of the instrument, see Hanson and Thornton, 2000; Kemshall, 2001).

In the areas studied, the most common way of using the SACJ was as a screening instrument, applied routinely to each new case as the details were received at police headquarters. Offenders coming out as high (or, in some cases, medium) risk, would then be referred to a panel for further discussion. Little action would normally be taken with regard to those emerging as low risk, beyond the basics of registration and referral to the relevant police division.

Despite this important ‘filtering’ function, however, very few of the people required to use it regularly (for the most part, police constables or civilian staff at force headquarters), had as yet received any training in the application of the SACJ (although most areas recognised the need for such training). Indeed, in one area, the task was carried out mainly by an untrained clerical worker. The instrument was generally applied in a mechanical fashion, and the predominantly junior staff were not usually encouraged to use their judgement to supplement the results it produced.

There was an exception to this in area F, where high importance was placed on the initial screening procedures. The staff receiving cases had been trained to regard the SACJ as only a starting point for a more detailed preliminary analysis, which should be supported by the proactive collection of relevant information; a checklist and written instructions had also been developed to support this process. Decisions on whether to refer to the PPP were then taken by a more senior officer on the basis of much more information than simply the SACJ Thornton score. The thinking behind this was that:

- panels should not waste their time on cases that did not demand high level attention; and,
whether the case was panelled or simply passed on to a divisional manager; the information transmitted would be of good quality.

The only area (A) which was not using SACJ Thornton at the time of the fieldwork had a very different approach to sex offender risk assessment. Initial classification and decisions to invoke multi-agency meetings were left entirely to divisional CID managers (mainly Detective Inspectors). They were provided with a basic checklist of issues to consider in assessing risk, but no firm guidance on how to weight these factors or how to make a clear distinction, for example, between high and medium risk. One consequence was a great deal of inconsistency in the initial risk classification of sex offenders, such that some divisions rarely categorised any at all as high risk, whereas others placed quite high proportions into this category and requested high level public protection meetings on a relatively frequent basis. Some Detective Inspectors also admitted to being ‘pulled in two directions’ in borderline cases. On the one hand, as a high risk classification usually led to a significant commitment of local resources, it was tempting in already over-stretched divisions to plump for the medium risk categorisation. On the other hand, they felt a need to be ‘over-cautious’ and place too many offenders in the high risk category, fearing that if someone they had failed (rightly or wrongly) to classify as such committed a serious offence, it was they who would be exposed to blame. Detective Inspectors in this area were hence very receptive to the plan to introduce routine use of the SACJ instrument, which they saw as relieving them of some of the burden of responsibility for these difficult decisions.

Potentially dangerous offenders

As noted earlier, some of the multi-agency panels studied had for years dealt with referrals of PDOs, rather than offenders referred as a product of the sex offender registration process. Even in areas without this tradition, the numbers of PDO cases that included both sex offenders and offenders posing other kinds of risk, were increasing. The great majority of such cases came from probation services (usually on the basis of risk assessments made in prisons and/or by officers expecting to supervise the offender on post-release license), although in some areas a fair number were made by the police. The researchers also found occasional examples of referrals from social services, prisons, health professionals or authorities.

The most salient issue here was differences between probation services and other agencies (as well as between and within individual probation services) in understanding and use of the term ‘dangerous’, and in the use of assessment criteria and assessment tools. This led to different thresholds of ‘dangerousness’ being used in deciding which cases to refer to panels, and hence to concerns that:
in some areas, senior people were spending a great deal of time and precious resources on cases which did not merit that level of attention; and,

in others, some fairly dangerous offenders might be ‘slipping through the net’.

To address such concerns, some panels were making efforts to establish more consistent referral criteria. Areas C and F, for example, were attempting to define and operate with clear levels of ‘serious harm’. Area B was generally relying upon offence categories as its main test of seriousness. Most probation services, too, were looking for ways to refine their assessment tools or checklists for probation officers, and/or to standardise their internal decision-making procedures.

It is fast becoming standard practice in probation services for officers to undertake some form of risk assessment on all offenders they deal with, be it when preparing a pre-sentence report, commencing supervision of a community sentence, or planning for a prisoner’s release from prison on license. To achieve this, some services operate with quite complex instruments such as LSI-R or ACE, which produce both a profile of offenders’ problems and a calculation of their risk of re-offending. The SACJ, which is much cruder and of course applies only to sexual offenders, was not

Box 1:

In one probation service in area A, officers would fill in a standard ‘screening’ form on each offender, based mainly on factual information about his or her previous history. If the answer to any risk-related question (for example, whether there was any history of offences against children) was ‘yes’, a detailed risk assessment form would be completed, at the end of which the officer would draw conclusions and make recommendations. This assessment covered all types of risk - risk to the public, risk of self-harm and risk to staff. It was also qualitative rather than quantitative in character, involving assessments of the precise nature of the risk, the kinds of circumstances that might trigger it, the seriousness of the consequences, and the likelihood of occurrence. Other areas adopted similar approaches.

In this service, the problem of inappropriate referrals was overcome by the fact that all completed risk assessments were sent to an Assistant Chief Probation Officer with considerable experience in this field, who would decide whether any special action, including referral to a multi-agency panel, was necessary. While time-consuming, this was manageable owing to the relatively small size of the probation area: such a task would have been very burdensome in some other areas.
normally used by probation services. Since the research period, a new standard instrument for assessing both risk and need (known as OASys) has been developed by the Home Office, and will soon be in use in all areas. Most of the officers interviewed in this study, however, relied chiefly upon professional judgement, aided by a checklist of risk factors. Box 1 illustrates an example of this.

A final point worth making in relation to probation services’ risk assessments of PDOs, is that a large proportion of them concerned sex offenders. Furthermore, as the new system took root, some of the same offenders were also notified by the courts to police forces under the Sex Offender Register procedures. This meant that some offenders coming to panels had been risk assessed by more than one agency, using more than one assessment instrument and that on occasion assessments were contradictory. This in itself was not a disadvantage as panels could discuss differing assessments and arrive at a balanced judgement. However, in those areas which kept more than one major register, some concerns were expressed about possible duplication, lack of co-ordination of effort and that key facts about offenders could be missed through failures to cross-refer.

**Assessment at multi-agency panels**

Multi-agency panels at all levels had two basic functions: to refine preliminary risk assessments through the pooling of information; and, where necessary, to devise plans to manage the assessed risk. In this sub-section, the first of these functions is discussed.

The first point to make is that, as with almost every other feature of the system, there were major variations in practice. Some police forces had interpreted their responsibilities under the Sex Offenders Act to mean that close multi-agency attention should be given to risk classification in as many cases as possible. This led to the establishment of bodies with names such as ‘risk assessment panels’ and ‘risk assessment committees’, which met regularly to make formal assessments of a large number of registered sex offenders. Other areas, by contrast, devoted less panel time to classificatory processes, entrusting these mainly to individuals or units assisted by instruments such as the SACJ. They focused the panel work instead upon smaller numbers of cases referred to them as posing an exceptionally high risk. Risk assessment therefore had a somewhat different meaning and significance in different kinds of panel.

A related factor was the amount of time available to discuss each case. In areas which dealt with a high volume of cases for classification, it was difficult for participants to devote sufficient attention to detail. It was in such panels that
questions about quality were clearly most pertinent. Researchers who attended many such meetings, some of which lasted for several hours and handled 60 or 70 cases, reported that: the quality of the information exchanged was quite often questionable; some relied on hearsay; and, anecdotal evidence tended to influence decisions too much. There was heavy reliance on memory as opposed to notes in files. It was also quite common for panels to alter the initial SACJ outcome on the basis of rather vague discussions, without instruments or even clear criteria to guide their own determinations of risk level and without direct reference to the factors which had produced the original rating. These weaknesses were exacerbated by the constant need to ‘get through the business’ and move on to the next case.

Box 2. Normal sequence of panel business, Area C

(i) The person charged with putting the case before the panel (the ‘case officer’) would outline the salient factors of the case, including details of the index offence, modus operandi, and a statement of the current legal position (sentence, possible release dates, licence expiry date, extended supervision).

(ii) The case officer would then supply a full ‘offender profile’, supplemented by information and reports from others with knowledge of the case, often including detailed psychiatric reports, psychological assessments, sex offender specialist assessments, and reports from social workers and the prison through the care personal officer. Factors that reduced the potential risk, such as attendance and completion of the Sex Offender Treatment Programme or anger management courses, would also be reviewed. Details of the previous offences would be relayed in chronological order so that they could be assessed for evidence of, for example, escalating levels of violence.

(iii) A risk assessment of the victim(s) would also be supplied (fulfilling Victim Charter responsibilities) and any potential future victims at risk identified.

(iv) Participants would be asked to supply any other relevant information to inform the decision-making, such as information from housing detailing previous history as a tenant, and any Social Services child protection issues. Once the main risk factors had been identified, a formal decision would be reached as to whether the person met the criteria to be classified as a PDO. Discussion would then turn to the risk management plan.
A quite different picture emerged in area F, where the number of cases dealt with was deliberately kept to a minimum. A considerable amount of structured preliminary assessment work was carried out in advance of meetings. Here and in area C, the quality of decision-making was further aided by the use of a standard format to structure discussions. Chairs in area F were instructed to follow the same sequence for each case, dealing in turn with: information exchange; risk assessment; decisions as to whether to register as a PDO; identification of lead agency and worker; risk management plan; review date (where appropriate); and issues of disclosure or the sharing of information. Similarly, the discussion in area C followed routinely the sequence outlined in Box 2.

**Risk management**

Risk management took a range of forms, depending upon the level of assessed risk, the status of the offender vis-à-vis the criminal justice system, and the policies, priorities and resources of the agencies in the area. In cases dealt with by multi-agency panels, it was normally guided by a ‘risk management plan’ (or ‘action plan’) drawn up by the panel in the light of the risk assessment. A quite different picture emerged in area F, where the number of cases dealt with was deliberately kept to a minimum. A considerable amount of structured

**Forms of risk management**

The main purpose of such plans is to reduce the risk posed by the offender through a co-ordinated set of actions, with each agency being assigned specific responsibilities. In practice, most cases resulted in a particular agency taking primary responsibility for the case, the others assisting as required. For prisoners under statutory supervision by the probation service (usually those under licence on release from prison), the main burden of responsibility was usually accepted by the probation service. The probation service, which has statutory duties in such cases, not only has long experience of supervising high risk offenders, but also has considerable powers. Where thought necessary, it can usually ensure that stringent conditions (such as residence requirements and prohibitions from visiting certain people or areas) are attached to the licence, and can recommend the offender’s immediate return to prison if conditions are breached or if their behaviour is giving cause for concern. In such cases, the main advantage of the multi-agency meetings (aside from the acquisition of extra information) was access to additional facilities and services which were likely to reduce the level of risk. For example, the housing department representative might be able to provide accommodation in a more suitable area, or a health representative might arrange rapid access to psychiatric treatment. Equally, in high risk cases, the police might provide some form of covert surveillance.
In cases where the offender was not under statutory supervision (or was approaching the end of a period of statutory supervision but still considered a risk), the main responsibility tended to be taken by the police. Most of these cases involved registered sex offenders. The most common form of risk management practised by police officers was periodic unannounced visits to their homes. Although police officers had no automatic right of entry,16 in practice the great majority of offenders proved co-operative, allowed them in and answered their questions. Those officers interviewed who carried out such visits felt they were effective as they:

- provided a check that the person was actually residing at the address in police records;
- could yield information about anybody else living in the house who might be either at risk or a potential co-offender;
- gave an opportunity for officers to look for any warning signs that the offender may be active, such as children's toys being kept by a paedophile; and,
- were believed to act as a strong deterrent. As one put it, ‘they get the message that Big Brother is Watching You’.

Other police strategies, depending upon the nature of the case, included surveillance of different levels of intensity and duration;17 briefings to patrol officers; and, the use of informants. A key aim was to co-ordinate intelligence so as to be aware as early as possible of any warning signs of behaviour associated with the offender's individual modus operandi. For example, in one case an offender had previously used a bicycle in a particular type of area when stalking potential victims. It was discovered that he had recently bought a new bicycle and had been seen in a similar area (suggesting that he might be about to re-offend). A gain, in the case of a sex offender with a history of seeking relationships with single mothers in order to gain access to their children, a key aim was to ensure that any sign of this recurring was immediately brought to notice. Even where they had no direct statutory responsibilities, other agencies could sometimes contribute to the general monitoring for signs of these kinds, while, again, they could offer specialist rehabilitative services where the offender was prepared to accept them on a voluntary basis.

Finally, what are arguably the two most powerful weapons of risk management, disclosure of information and an application for a Sex Offender Order (SOO), were treated by panels as an option of last resort. Although one was under consideration in one area, no SOOs were applied for during the fieldwork period. Their main

16 A legislative change to allow entry was proposed by the government in September, 2000.
17 Intensive surveillance is a very expensive resource, and tended to be restricted to short periods when a specific risk was identified.
disadvantage was seen as the need to reveal details of cases in open court. However, a few examples of disclosure were found, an issue which is discussed separately at the end of this section.

Risk management and risk categories

The six areas varied in the extent to which risk management plans were driven by the categorisation system. As noted above, the great majority of registered sex offenders were eventually formally placed into one of three risk categories, low, medium or high. In some areas this brought automatic consequences. For example, high and medium risk offenders were subject to minimum numbers of visits over a set period, or their cases had to be reviewed after a set period of time. Elsewhere, there were no firm rules, plans being made entirely on a case-by-case basis.

Certain trends in risk management were noticeable across most of the areas visited, primarily responses to the rapidly increasing workload created by the registration of sex offenders. One was a reduction in the level of multi-agency attention given to sex offenders classified as low risk. A few panels continued to discuss these systematically at meetings, and even to produce an ‘action plan’ (albeit often minimal) for every offender, although in other areas they were placed on the agenda ‘for mention only’ (no official plan being made unless new information emerged). However, in most areas they did not come before panels at all, being ‘filtered out’ at the preliminary assessment stage (usually on the basis of the result of the Thornton SACJ) and were simply referred to police divisions for the local police to take whatever actions they saw fit.

A further trend was the development of a distinction, made explicitly or implicitly, between what one might call high risk and ‘exceptionally high risk’ cases. This was particularly true of areas which dealt with high numbers of cases and which used the Thornton SACJ classifications as a basis for their risk management plans. The general experience was that this instrument produces a high risk categorisation for around a quarter of all sex offenders. This being so, even after reclassifying some of the offenders in the light of discussion and exchanges of information, a panel might be faced with making or reviewing plans for ten or more high risk cases at a single meeting. The pressure that this placed on agency resources was considerable, and although all high risk cases were taken very seriously and resulted in some form of ‘management’, such as police surveillance, for small sub-groups of offenders within the high risk category. These were agreed by everyone to pose a vivid and immediate threat to the local community or to particular individuals.
Finally, the greatest variation (both between and within areas) in risk management activity was found in relation to medium risk offenders. This was largely driven by the volume of cases (those areas and divisions with fewer cases having more time and resources to implement effective plans for a higher proportion of them), but also to some extent by local ‘cultures’ and attitudes. In area A, for example, where the management of medium risk sex offenders cases was almost entirely left to the discretion of local Detective Inspectors, some maintained a very active strategy, regularly visiting them, gathering intelligence and briefing patrol officers. Others did little beyond the occasional check. Many interviewees agreed that as the numbers of cases on the Register continue to grow, it is likely that resources will be increasingly consumed by work in relation to high risk offenders. Furthermore, those in the medium risk category will inevitably receive less intensive attention than is presently the case. The extra numbers were said to be allowing less time for panel discussion of the details of each individual case, so that the responses were becoming more ‘standardised’ for all but the highest risk cases. In other words, risk categorisation per se can be expected to become ever more influential in determining what kinds and levels of action are taken, and the gaps are likely to widen between responses to those placed in each risk category. If this is the case, accurate, high quality risk assessment is clearly going to become an even more vital component of any effective system.

Monitoring, feedback and evaluation

Interviewees in all areas admitted to some deficiencies in their system of monitoring the effects of panel decisions and agencies’ actions. This has two main components: the review of individual cases, and evaluation of the overall impact of the risk management system.

(a) Case reviews

Most areas had some form of review system whereby cases for which risk management plans had been adopted were brought back before panels either for a progress report, consideration of changes to the management plan, or possible reclassification in terms of risk level. In area C, for example, all individuals whose names were placed on the Potentially Dangerous Offender Register were reconsidered at set intervals. In fact, few were ever de-registered, even if very little active monitoring was continuing. Areas B and F also held regular reviews of high and medium risk cases, although in area B the latter tended to be fairly cursory, owing to the high numbers of both new and review cases to get through at meetings. The other areas carried out some reviews, but in a much less systematic fashion.
The area with the least attachment to reviews was area A, where meetings to review cases were called only if someone involved in the risk management process thought it necessary. Here, individual Detective Inspectors were accumulating files on (mainly low and medium risk) sexual and violent offenders whom they attempted to ‘monitor’ at intervals, but were finding it difficult to spare officers to carry out regular visits, let alone carry out formal reviews. Some Detective Inspectors stated that they preferred to concentrate available resources on the small number of offenders whom they saw as very high risk, rather than to try to cover ‘properly’ every case in their files.

It was generally agreed that reviews were desirable. One reason – frankly admitted in several cases – was that the system was prone to degrees of ‘slippage’, with monitoring becoming intermittent as other tasks occupied probation and police time; the prospect of a review tended to focus officers’ minds more clearly upon carrying out their agreed tasks19. Another important reason given by a small number of interviewees was that it allowed fair treatment of offenders whose behaviour had not given any cause for concern for a lengthy period of time and therefore could be subjected to lower degrees of intrusion. However, the central issue was one of time and resources, and it is likely that the question of how to maintain an effective programme of reviews will become more significant as the volume of cases in the system increases.

(b) Monitoring effects and consequences

An issue raised by several interviewees was the importance of maintaining a broader overview of risk management decisions and their impact, rather than treating them all as isolated events. This included a need for general and, as far as possible, evidence-based discussions about the effectiveness of the strategies being adopted. It was admitted that there had been some unintended consequences of panel decisions that had not been noticed early enough, such as the creation of ‘hot spots’ by inadvertently housing several offenders in the same area. It was also felt by some that certain actions had been counter-productive in particular situations and should not be applied indiscriminately. For example, while intensive police visiting may ‘work’ with many offenders, it could on occasion result in offenders moving and going ‘underground’, thus increasing the risk they pose.

Most areas lacked clear evaluative criteria for the ‘success’ or ‘failure’ of their policies and practices. In the main, their impact was judged by simple negative indicators, such as the lack of major incidents. As one interviewee stated, “well, the wheel hasn’t come off yet”. It was widely agreed, however, that given the level of

19 It is true that the probation service has internal systems of review and that police forces with designated officers in special units can exercise greater focus and vigilance, but as demand continues to outstrip resources, the extra element of a review is a valuable addition to these monitoring systems.
resources currently invested in public protection procedures, this approach was inadequate; more effective and sophisticated measures of performance were urgently required.

Cultural issues

Finally, it was clear that, although working relationships between police and probation were generally very good, cultural and organisational differences could have an impact upon the plans made and the actions taken. Police officers typically focused upon the containment of the offender and the effective management of public order issues, a reflection of their primary statutory duties. They tended to attach much less importance to rehabilitation issues. Some probation staff were critical of this (one, for example, accusing police of being “over-focused on control”) and expressed concern about the blurring of their own role into a policing one. Whilst they recognised the added components the police could bring to community risk management (e.g. surveillance, home visiting, intelligence gathering on networks), there was clearly some residual resentment at the speed with which traditional probation roles were being eroded, particularly in those force areas where the police were seen to dominate and ‘own’ the public protection process.

Interestingly, no such complaints were heard in the force area which had an independent chair and public protection co-ordinator. This suggests that perceptions of neutrality, objectivity and genuine co-working arrangements are important to the long-term success of the public protection enterprise.

Some differences were also observed between police and Social Services’ representatives over how to deal with cases where children might be exposed to ‘the risk of abuse’. Such cases raise the more general issue of joint decision-making, as well as responsibility for the decisions finally made, when there is disagreement between panel members. One senior police officer was clear that he was not prepared to ‘take the flak’ for a majority decision with which he personally disagreed:

‘... I can say to Social Services “if you are worried about a child, remove that child from the home, get that child to a place of safety” but they go on and on about the psychological trauma of doing that, but I say that the trauma of being constantly subjected to abuse is of more concern. That sounds heavy handed but the reality is that if things go wrong, someone will turn to me and say “why didn't you do something”? ... I am very careful to get things minuted now at meetings if there have been any disagreements because I will not take the flak when I have advocated a certain course of action and other people have not been prepared to put their head on the block’.
Disclosure of information

To conclude this section, brief reference will be made to the issue of disclosure of information, sometimes referred to as ‘community notification’ (that is, the passing on to other individuals, organisations or the local community, of information about the background and/or whereabouts of a sex offender). We have already noted that this has become a highly controversial issue. Advocates of full information being given to the local community, in particular, about ‘paedophiles’ (although many would extend this to other categories of offender), argue that this is the best way of protecting children. All parents will be aware of their presence and identity. However, as was universally recognised by practitioners interviewed in the study, it is a ‘double-edged sword’, as it can rapidly result in a ‘media witch-hunt’, public disorder and the hounding of people from their homes. Offenders who experience this may be tempted to ‘go underground’, making it much more difficult to manage the risk they pose.

The overwhelming view of participants in the public protection process was that full disclosure to the community was almost invariably undesirable, while disclosure to specific individuals or agencies (such as immediate neighbours or local schools) should generally be treated as a ‘last resort’ and should not be undertaken without very careful consideration of the likely consequences. It was also accepted that the decision to disclose, and the process of disclosure itself, should ultimately be a police responsibility, albeit after multi-agency consultation. Final decisions were normally made by a Chief Superintendent or Assistant Chief Constable (ACC), responding to recommendations from panels. In at least two of the study areas, too, no such decisions were taken without first obtaining legal advice.

In cases where disclosure was being seriously considered, one of the major factors influencing the decision was the extent to which the release of information could be ‘controlled’. A context in which this issue quite frequently raised its head was that of the protection of children in and near schools. Panels recognised the value of giving information and descriptions of known sex offenders to head teachers and staff, so that they could reinforce warnings to children about talking to strangers and could alert the police if seeing a known offender near the school. However, experience had shown that some heads felt bound to inform their boards of governors (which include both parent-governors and local councillors) and the information could then snowball into the community, causing an unmanageable panic.

20 Apart from partner agencies which are already signatories to protocols permitting the exchange of confidential information.
For this reason, decisions to disclose information to schools tended to be taken only when there was very high risk and the panel did not have full confidence in other management strategies. In order to reduce the overall risk to children in their area, one police force had opted for a general preventive strategy of increasing awareness among teachers, parents and children through the ‘Stranger Danger’ programme. Over 300 presentations were made in local schools over a relatively short period (for further examples of generalised risk reduction strategies, see Plotnikoff and Woolfson, 2000).

Two other illustrations of the influence of ‘information control’ considerations on the decision-making process are provided in the case studies outlined in Boxes 3 and 4, one of which resulted in disclosure, the other did not.

**Box 3: Case study of refusal of disclosure**

Following a high-level panel meeting, a request was made for a general disclosure on an offender who had taken up residence near to a swimming pool. His previous modus operandi was to assault children in swimming pools or their changing rooms. The request was to issue his photograph to staff in the entrance booth so that he could be denied access. However, this was refused on the grounds that too many people would have access to the information and it might be impossible to control its spread. The alternative strategy was adopted of sending a general message to all swimming pools in the area to be alert to men behaving suspiciously in the vicinity of children.

**Box 4: Case study of disclosure**

An offender with previous convictions for assaulting young boys was resident in a one-bedroom council flat with his mother. When the flat next door became vacant and the council housed a single mother with a young son, it became clear that a serious safety issue could develop. Following discreet inquiries to determine how she was likely to react, a formal request was made to the ACC for a limited disclosure to the mother. This was approved.

Relationships with the media

All areas were highly distrustful of the media, which were generally felt to adopt irresponsible and sensationalist approaches to public protection issues. This underlay the widespread view that disclosure to the community as a whole was undesirable.
Several accounts were given of significant breaches of confidentiality, which had resulted in offenders being driven out of their homes. Some areas had attempted to start dialogues with local newspaper editors, but had been disappointed with the results.

A related issue was that local politicians who disagreed with the principle of withholding information about sex offenders from the local community sometimes requested information from local authority staff (e.g. housing officials) who attended public protection panel meetings, with a view to releasing it to the media. This placed the staff in an awkward position and had led one area to protracted discussions with the police and senior local authority managers. The problem remains a live one, and will probably not be fully resolved until the courts give a clearer view on all aspects of disclosure. In the meantime, it is perhaps best addressed by continuing discussions between the heads of the relevant agencies at a local level, and the incorporation of the clearest possible agreements into protocols covering the conditions under which information is exchanged. This process would also be assisted by discussions within and between government departments with a potential interest in such issues (e.g. the Home Office and the Department of the Environment, Transport and the Regions) and the subsequent dissemination of some general guidance.

Summary

Most police forces used the Thornton SACJ risk assessment instrument for the initial screening of all sex offenders becoming subject to registration. This was often undertaken in a mechanical way by junior staff with limited training. Other PDOs tended to be referred to PPPs by probation services, which used different instruments and criteria for classifying their level of risk. In some areas, panels considered all or most cases and reclassified them where thought appropriate, but elsewhere those initially designated low or medium risk did not usually come before panels at all. It therefore seems important to improve the quality and consistency of the screening processes, to avoid possibly dangerous offenders ‘slipping through the net’ as well as not to waste panel time on less serious cases.

Where offenders were under statutory supervision, the main responsibility for risk management was generally left with the probation service; where not, the police tended to take the lead. Some areas set minimum levels of intervention for each risk category (e.g. in terms of visits and periods for review of the case), but in others it tended simply to be left to the ‘lead’ agency to deal with the case as it saw fit. In such areas, the main value of the panel meeting was often seen to lie in the sharing...
of relevant information (and perhaps some early assistance, for example with housing), rather than the construction of a long-term, genuinely multi-agency, risk management plan.

As the numbers of register cases increased, it was clear that the ‘currency’ of risk categories was gradually being devalued, with low and medium risk cases receiving declining levels of attention. Moreover, as the SACJ placed a significant proportion of offenders into the high risk category (sometimes against the judgement of practitioners), there was a further tendency towards informal distinctions being made between high risk and exceptionally high risk offenders, the latter receiving intensive attention and the former being dealt with in a more routine fashion. In the light of these developments, it is clear that the quality of risk assessments is of major importance to the effective targeting of risk management resources.

We have also considered other miscellaneous aspects of the risk assessment and management process. Some deficiencies were found in the monitoring and review of cases, with some systems being prone to ‘slippage’. Most panels also lacked clear evaluative criteria for judging their own performance. Cultural differences between agencies were observed to be a problem in some areas, despite generally good relationships. Finally, there was broad consensus on the issue of disclosure of information about individual offenders. It was generally undesirable to pass on details to the local community as a whole, but disclosure could be used sparingly in relation to carefully selected people who were either at clear risk or who were in a position to assist in the protection of the public and the monitoring process. There was general distrust of the media, and efforts to come to agreements with local editors were felt to have failed.
4. Summary and recommendations

The main findings of the study can be summarised as follows:

- One of the most striking characteristics of the risk assessment and risk management systems examined was their diversity.

- The great majority of cases dealt with by panels concerned sex offenders.

- All areas faced rapidly rising numbers of cases to deal with, which put strain on resources, posed dilemmas over prioritisation, and limited the degree of attention which could be paid to individual cases at panels. These problems were being addressed much more successfully in some areas than others.

- While clearly high risk cases were treated very seriously and accorded generous time and resources, the management of sexual and violent offenders in lower risk categories tended to be given lower priority by the police service.

- At the same time, people in particular posts – especially divisional Detective Inspectors (and some senior probation officers) in areas with high numbers of sex offenders – could be placed under a severe burden by responsibilities in relation to risk assessment and management. Often the tasks had simply been added to their normal duties and institutional support was lacking.

- Police and probation services were fully committed to partnership, and the working relationships between them were broadly close and harmonious. The commitment and co-operation of other agencies, by contrast, was marginal in some areas.

- Cultural and ideological differences between agencies caused some tensions, but these were generally overcome where more ‘corporate’ and less ‘one-sided’ multi-agency arrangements were in place.

- Organisational arrangements, such as the centralisation or devolution of tasks; the names of, and divisions of functions between, panels; and, the timetabling, preparation, chairing and minute-taking of meetings, varied but were nevertheless critical to the effectiveness of multi-agency work. They could also affect participants’ understanding of the processes and their sense of ‘ownership’. Their quality was, however, vulnerable to shortages of staff and resources.

- Risk assessment procedures and their outcomes varied widely between areas, and were often inconsistent in quality. This applied both to initial ‘screening’ and to assessments made by panels.
• Risk management practice was generally sound and well organised in relation to high risk offenders, but more variable in relation to those considered medium or low risk. It was also prone to ‘slippage’ due to other demands on practitioners’ time.

• Disclosure of information about registered sex offenders and applications for Sex Offender Orders were both regarded as options of last resort.

• Systems of senior managerial oversight, case review, feedback, monitoring and accountability ranged from the comprehensive to the minimal.

In this section, consideration is given to the implications of these findings for the promotion of ‘good practice’. Comments and recommendations are made under three broad headings: standardisation and consistency, the problem of resourcing, and managerial oversight and accountability.

Standardisation and consistency

The complexity and diversity of the systems in operation reflected variations in the quality of administrative and decision-making procedures, the commitment of staff, the level of resources made available, the efficiency and effectiveness of their use, and the level of managerial oversight and accountability. They also caused some confusion and misunderstanding among practitioners. While not wishing to be over-prescriptive, we concluded that efforts to promote more standardisation and consistency between and within areas would be of major benefit. These might best be targeted at four aspects of practice:

(a) Panel systems and names

The main structural differences between areas were (i) that some had ‘one-tier’ and others ‘two-tier’ panel systems, and (ii) that some panels had been set up primarily to enhance the effectiveness of risk assessment and management procedures surrounding sex offender registration, while others were primarily vehicles for multi-agency action to protect the public from PDOs of any kind. Our view was that the most efficient model, in which senior staff time is used in the most appropriate way, was a two-tier system, as follows:

• A high level panel (or in large police force areas, perhaps several panels) of senior managers from all key agencies, which deals only with very high risk cases.

• A network of lower tier panels, based in sub-areas within police forces and attended by local agency representatives whose main tasks are (i) risk assessment,
both of newly registered sex offenders and of other offenders brought to notice by any of the agencies, (ii) the development, monitoring and review of risk management plans for any of these offenders considered to pose a substantial risk, and (iii) referral of exceptionally dangerous offenders to the higher tier panel.

It would also be useful to adopt standard names for these panels. Our view is that the most appropriate name for these high level bodies is multi-agency public protection panels (MAPPPs), and for the lower tier bodies, risk assessment and management panels (RAMPs), but there are many equally good alternatives.

(b) Membership of panels

Panel membership varied both in terms of the agencies represented and of the seniority and expertise of those attending. It was widely agreed that one of the prerequisites to successful multi-agency work in this field is the regular presence of a core group of relevant and committed personnel from key agencies. The five agencies most often identified as crucial to public protection work in relation to high-risk offenders were:

- Police;
- Probation;
- Social Services;
- Health (if possible mental health); and,
- Housing.

While the first three were almost always present at high level meetings, health and housing were less often represented. In some areas health authorities were not yet officially ‘on board’ at all (although discussions were being held to address this). It seems a matter of urgency to increase the input of health representatives, especially of those with expertise in the area of mental health, into the process. This could be accelerated by more discussion at a national level to resolve issues of confidentiality, which quite often underlay the apparent reluctance of some health authorities to become involved.

One good model to follow seems to be that of area C, where forensic psychiatrists and psychologists contributed regularly to panel work through clinical assessments, and representatives from health trusts were able to offer immediate health provision where necessary. It is recognised that some areas are experiencing shortages of forensic psychiatrists and psychologists, so it is important for panels to ensure that their limited time is used as effectively as possible and focused on the highest risk cases.
It is equally important in the case of high level PPPs, that agency representatives are at a senior level in the organisation. This should not only enhance the quality of decision-making, but ensures that they have the powers to commit necessary resources to risk management plans. Where lower tier panels are concerned, a key ingredient of effective decision-making is the presence of people with some training or experience in risk assessment or in dealing with sexual or violent offenders. Hence, while it is still important that representatives have full support from more senior staff in their own agencies so that they can ‘deliver’ in terms of resources for risk management, rank is arguably of less importance at this level than expertise.

Two other observed practices worth highlighting as examples that might profitably be followed by other areas were:

- the presence, at least at some meetings, of a local authority solicitor to advise on legal matters (especially around disclosure); and,

- the establishment of a system of deputies, who, following appropriate briefing, can attend on behalf of regular panel members.

The latter practice had enhanced the consistency of attendance and had helped to cement inter-agency relationships.

(c) Preliminary risk assessment and referrals to panels

One of the main problems faced by panels of all kinds was being ‘swamped’ by large numbers of cases that it was not essential for them to deal with. In high level panels, senior managers’ time was often spent on cases which could equally well have been dealt with at a lower level (or even by a single agency). In some lower tier panels, much time was taken up with discussions and reviews of relatively low risk offenders. This situation put pressure on the business of meetings and detracted from in-depth consideration of both new and existing higher risk cases. Some interviewees also expressed concern that, owing to pressure on time and resources (affecting panels and those preparing cases for panels), registered sex offenders tended to take priority over other kinds of offender, even though some of these other cases might present a higher risk.

The most obvious means of relieving this situation is through the establishment of effective ‘gate-keeping’ or ‘filtering’ mechanisms. As recommended by the Association of Chief Police Officers (ACPO), most areas were using the Thornton SACJ instrument to produce a preliminary classification of registered sex offenders. To some extent this filtering was already being employed. For example, some areas
did not refer SACJ low risk offenders to panels, or referred them ‘for mention only’. It may be tempting to suggest that such practice should be formalised, so that referral to panels is controlled entirely by the ‘SACJ Thornton’ outcome. The obvious advantages are that the instrument is quick to apply, requires relatively little information, and provides a means of achieving strong consistency between areas.

On the other hand, there are dangers in this approach. One, already evident from the research, is that the very simplicity of the instrument encourages forces to delegate the task to junior, unqualified staff. Furthermore, it can be applied in too ‘mechanical’ a fashion, without further examination of individual cases. A more expert person in this role might spot important new information in a low risk case and use their judgement to make a referral. At the same time, the SACJ was said by several practitioners to produce a higher proportion of high risk classifications (around one in four) than would be arrived at on the basis of their own judgements. Consequently, relying on SACJ did not offer a guaranteed solution to the ‘swamping’ of high level panels. Indeed, some areas which already referred all ‘SACJ Thornton high risk’ cases to such panels were finding it impossible to devote close attention to every one, and were beginning to make informal distinctions at meetings between high risk and ‘exceptionally high risk’ offenders.

A further complication is that the ‘SACJ Thornton’ instrument applies only to sex offenders. Although these made up the bulk of cases they considered, high level panels in particular (as well as ad hoc meetings) also dealt with significant numbers of non-sexual offenders deemed by the referring agency to be ‘potentially dangerous’. Such cases most often emerged from probation service procedures for the identification of dangerous offenders. However, there were differences between probation areas, as well as between probation services and other agencies, in the assessment tools and criteria applied. Differences were also identified in the perceptions of the level at which multi-agency action was necessary. For example, some areas were attempting to define and operate clear levels of ‘serious harm’, while others relied mainly upon offence categories or internally developed checklists.

Overall, our conclusion on preliminary risk assessment is that the most fruitful way forward is to increase the level of investment in pre-panel systems. Where police responsibilities in relation to Sex Offender Register cases are concerned, referral decisions should be made by properly trained staff, using instruments such as the ‘SACJ Thornton’ as a starting-point, but researching cases much more thoroughly before coming to a decision about where (or whether) to refer the case. Where the preliminary assessment of non-sexual offenders is concerned there is a need for more
standardisation of instruments (see Kemshall, 2001 for a review of the current tools); and as with sex offenders, the referral of PDOs to high level panels should be subject to clearly defined ‘gate-keeping’ rules (though always allowing some flexibility for exceptional cases). Investment in more effective pre-panel ‘filtering’ systems would quickly be repaid through the time saved by panels on inappropriate cases, as well as, hopefully, in more effective risk management of the genuinely high risk offenders.

(d) Panel procedures

The research revealed very variable standards of quality in relation to:

- the chairing of meetings (in some cases hierarchical to the point of exclusion, presuming rather than canvassing consensus, and in some areas contributing to the efficient through-put of cases at the expense of defensible decision-making);

- minute taking (in many instances cursory, and lacking in rigorous recording of decisions and clear action points);

- panel discussions (sometimes unfocused, lacking rigorous examination of the evidence presented, and blurring the distinction between factual evidence and opinion); and,

- the information available (sometimes limited owing to the absence of case officers or other key personnel).

Chairing would be improved by specific training (as in area E) or, ideally, the appointment of ‘dedicated’ chairs with a degree of independence from member agencies. Equally, guidelines and training for minute-takers would be a productive investment in areas where these are not already available.

The process of panel discussions would benefit from clearer guidelines and standardised approaches towards the conduct of meetings. It would be particularly helpful, as existed in one area, to have a checklist of points to be covered in each case or a set order of matters for discussion. For example:

- Information exchange
- Risk assessment
- Decision whether to register as a PDO
- Identification of lead agency and worker
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- Risk management plan
- Review dates
- Issues in relation to disclosure and the sharing of information

Where improving the quality and coverage of information is concerned, attendance of individual case or referring officers is helpful, but can be time consuming and expensive. Appointment ‘slots’ were increasingly used (i.e. the officer was scheduled to join the meeting for a short period), but there was inevitably slippage. A more realistic solution may be more standardised formats for the presentation of material to panels, including referral forms, information checklists, summaries of assessments and short written reports from case officers. This would not only reduce gaps in information, but also would encourage a more evidential approach at meetings, more focused discussion and better use of time.

The problem of resourcing

While ‘diversity’ has been the most repetitive theme in the findings of this study, it has almost been matched by that of ‘resource constraints’. The influence of such constraints was evident at all stages of the assessment and risk management processes. It could be seen, for example, in:

- the devolution of initial assessments in sex offender registration units to civilian clerical workers;
- pragmatic downgrading of risk classifications at panels or outside them;
- slippage on both initial classification and monitoring of sex offender cases;
- slippage on the review of cases at panels;
- cursory discussion and high through-put of cases at panels;
- difficulty in accessing certain resources such as mental health or psychiatric services; and,
- slippage on the implementation of public protection panel risk management plans.

While adequate resourcing is a genuine problem, it is also the case that in most areas, there are several ways in which existing resources could be used more effectively. One promising route to follow is that taken by area F (and in a less systematic way by areas C and D), whereby PPPs are treated as a precious resource, and high thresholds are set for referral. This is combined with a clear expectation that most cases can and should be dealt with either within the relevant agency or
through a lower tier risk conference of relevant personnel (e.g. police, probation and where appropriate, other agencies). In this model, the multi-agency public protection panel is reserved for high risk cases which require a multi-agency commitment for their effective management – in other words, for cases where ‘added value’ is created by its use.

However, as emphasised above, such a system is dependent upon effective gatekeeping of cases at an earlier stage, sound referral systems and criteria, proactive information collection systems, and the consistent application of risk assessment methods to cases in order to categorise them appropriately. In other words, if resources are saved by reducing the number of cases dealt with by high level panels, it is necessary to re-invest some of the savings to improve pre-panel ‘filtering’ systems and ensure that panels eventually hear are the appropriate cases.

More generally, many people involved in the process agreed that public protection work should be appropriately costed, and that designated resources should be allocated to it. The work should not be viewed as an ‘add on’ to existing workloads and priorities, but should be subject to appropriate financial planning and review. In particular, the efficient administration of public protection work would benefit from clear and appropriate allocation of clerical resources, and from central co-ordination by an administrator or co-ordinator. Best practice in this respect was exemplified in area F, where the partner agencies had all contributed to the employment of an independent co-ordinator and chair. The latter’s work was generally agreed to have improved the quality of pre-panel assessment and referral procedures, as well as the conduct of meetings.

**Monitoring, oversight and accountability**

As with any significant activity in the public sector, it is important that public protection work is regularly monitored, reviewed and evaluated, both at the level of individual cases and at the strategic level.

**Case monitoring and evaluation**

Although some areas had procedures for reviewing cases at regular intervals, there was little evidence of careful system monitoring or evaluation, either of processes or outcomes. Admittedly, the development and implementation of outcome measures for risk work with offenders has been recognised as particularly problematic (Kemshall, 1998). The negative indicators of risk management failure are very apparent (death or injury of victims); the positive indicators of effective risk management are less obvious. However, some evaluative criteria could be put into place. For example, PPPs should be able to demonstrate:
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- the defensibility of the decisions taken (especially if serious incidents occur);
- that victim protection has been achieved;
- that access and opportunities to commit serious offences have been diminished;
- the factors which are effective at reducing risk (e.g. particular treatments/interventions, resettlement/re-housing, community supports, etc.);
- that resources are effectively targeted at high risk offenders;
- the consistent and transparent use of rational criteria for decisions;
- the consistent and transparent use of rational criteria for thresholds of risk (i.e. low, medium, high); and,
- the integrity of risk management plans.

All this, of course, would require greatly improved information and monitoring systems. It is suggested that the following should receive serious consideration:

- The creation of a database for each panel, distinct from the Sex Offender Register. This should cover, for example, referrals made to the panel; breakdowns by race, gender, age and offence; and, details of panel decisions and their outcomes.
- Efforts to improve the quality of minutes and recording of decisions.
- Systematic recording of actions and risk management plans.
- Case surveys and audits to help determine ‘what works’ for risk management.

Whilst overall responsibility should rest with the management committee, routine monitoring tasks should be delegated to a public protection co-ordinator.

Strategic oversight of the system

Strategic oversight of the work of PPPs was found to be exercised in a variety of ways. In some areas, largely for historical reasons, it was almost entirely vested (in practice if not in theory) either within the police or within the probation service. Feelings were expressed that other agencies were co-opted mainly to service the dominant agency's needs and concerns. In such situations, in the absence of genuine multi-agency structures, the management and accountability of the system tended to depend too much upon informal processes and personal networks. A much more satisfactory model was represented by the set-up in area F, where greater attempts had been made to pursue a genuinely corporate approach, including joint funding and the appointment of an independent co-ordinator and chair. Commitment to strategic management of the process had been agreed at senior
management level by all the agencies involved, and this was reflected in key areas such as the provision of resources, objective setting, and formal systems of accountability. Apart from removing potential sources of inter-agency jealousy and resentment, the obvious benefits were that panels: operated within a clear and well thought out framework; were run professionally and in a consistent manner by an independent chair; and, decisions could be made with confidence that adequate resources would be available to carry them out.

It should be emphasised in this context that the importance of public protection work can hardly be overestimated, both from the point of view of the seriousness of the crimes it is designed to prevent, and of the need to convince the public that the risk from known sexual and violent offenders can be effectively managed by the relevant authorities rather than justifying ‘witch-hunts’ and vigilantism. It should also be remembered that such work has the potential for serious violations of (ex-) offenders’ civil liberties, and has to be carried out with regard to the Human Rights Act 1998. For all these reasons, it is strongly recommended that the work of panels is overseen by a management committee comprising personnel at chief executive or deputy level (or equivalent), and that such committees accept responsibility for the following:

- strategic management and oversight of public protection work;
- formulation of corporate policies and protocols;
- resource allocation and budgetary matters; and,
- strategic review, to include oversight of quality assurance matters and evaluation.

A final thought on the issue of oversight of public protection arrangements is that external inspections might be conducted jointly by HM Inspectorate of Constabulary and HM Inspectorate of Probation. This would help to reinforce the notion of a genuinely corporate enterprise by the two main agencies.

In conclusion, one of the central aims of those responsible for the public protection systems described in this report should be the promotion of defensible decision-making. Decision-making needs to be guided by clear policy aims and criteria; based on effective systems of information exchange, case referral, panel discussion, and case monitoring and review; and the reasons for taking particular actions properly recorded. While errors are inevitable in this difficult field of work, such an approach offers the best chance of simultaneously providing effective protection to the public, safeguarding the rights of offenders, and protecting decision-makers from unfair recriminations when new crimes are committed despite their best efforts.
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