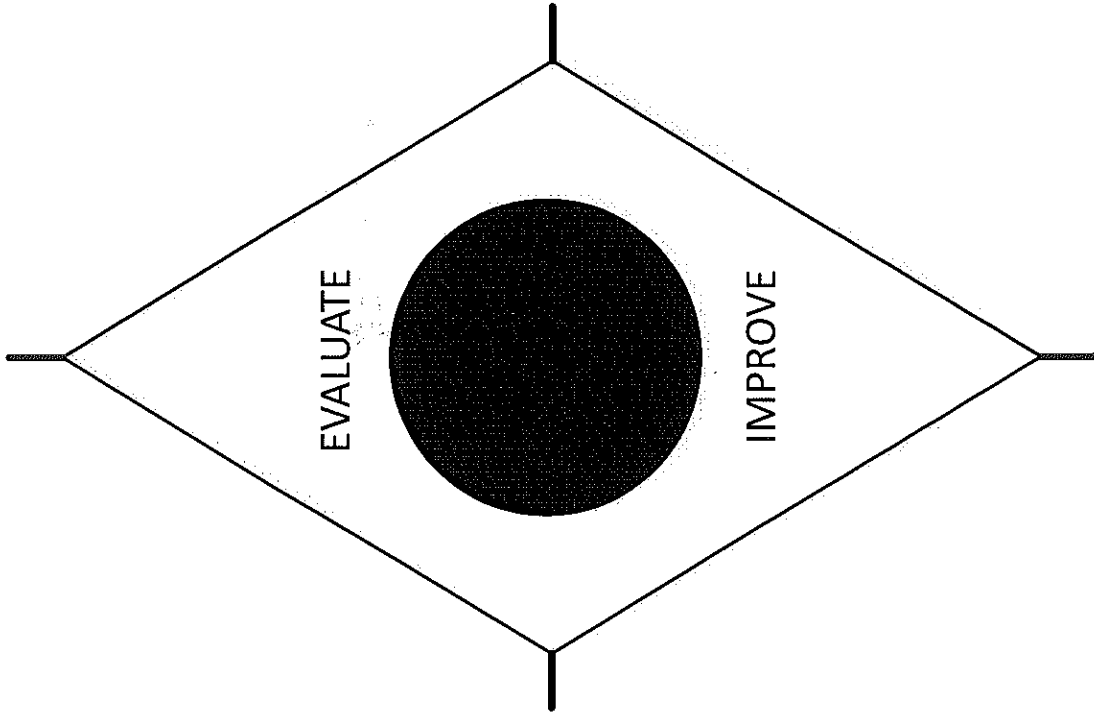


# National Strategy for Community Justice

**[REDACTED]**  
Community Justice Division

OUTCOMES



VISION

COMMUNITY  
JUSTICE NEEDS  
ASSESSMENT

LOCAL  
OUTCOMES  
IMPROVEMENT  
PLAN

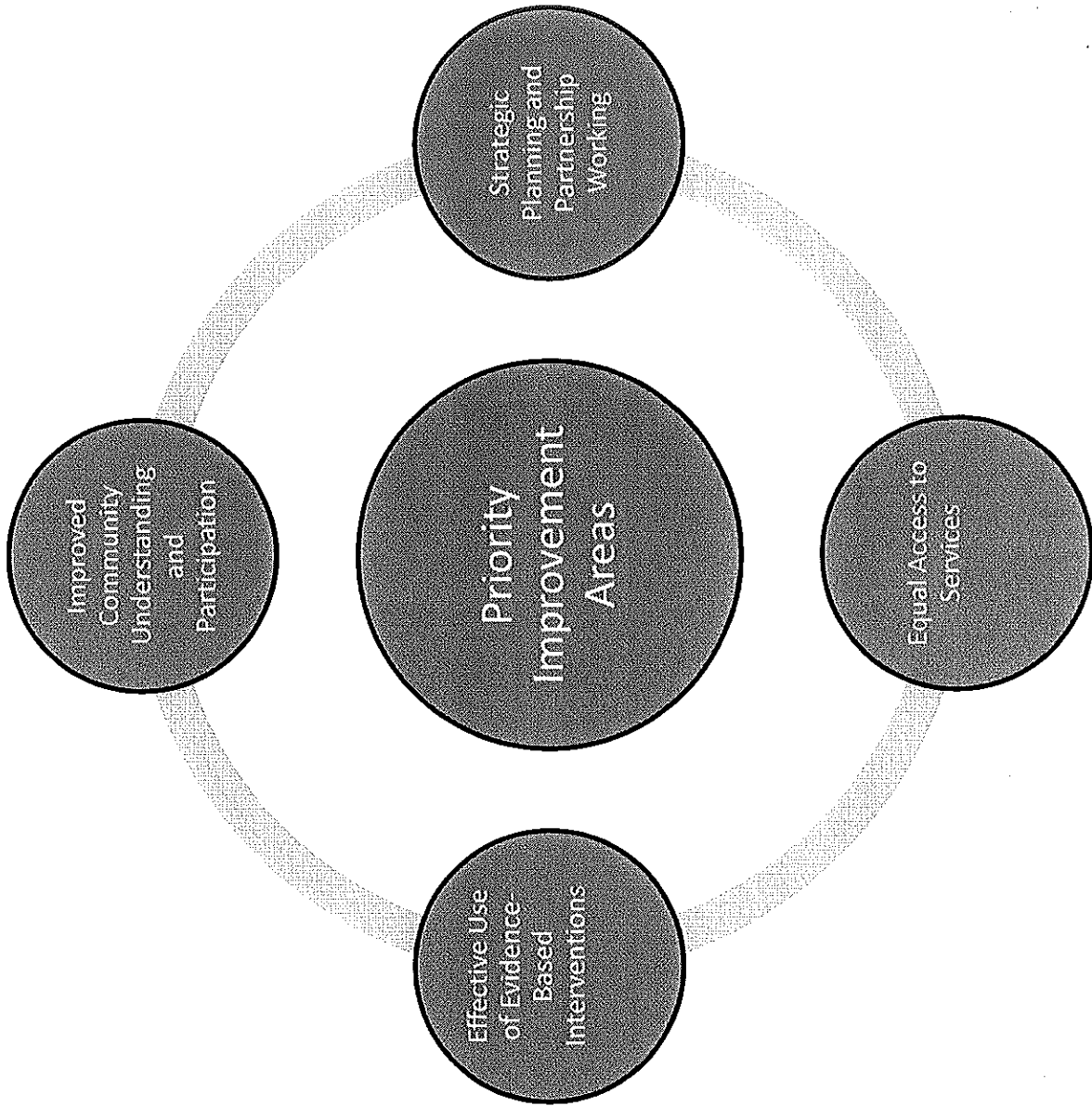
LOCAL  
CONTEXT

IMPROVEMENT  
ACTIONS

# Strategic Vision

Scotland is a safer, fairer and more inclusive nation where we:

- prevent and reduce further offending by addressing its underlying causes; and
- safely and effectively manage and support those who have committed offences to help them reintegrate into the community and realise their potential for the benefit of all citizens.



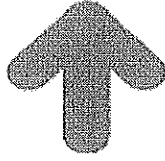
**STRUCTURAL OUTCOMES**  
What we deliver as partners

Communities improve their understanding and participation in community justice

Partners plan and deliver services in a more strategic and collaborative way

Effective interventions are delivered to prevent and reduce the risk of further offending

People have better access to the services they require, including welfare, health and wellbeing, housing and employability



**PERSON-CENTRIC OUTCOMES**  
Changes to Users

Life chances are improved through needs, including health, financial inclusion, housing and safety being addressed

People develop positive relationships and more opportunities to participate and contribute through education, employment and leisure activities

Individuals resilience and capacity for change and self-management are enhanced

# Implementation and Review

## Implementation through...

- Community Justice Outcome Improvement Plans, reporting annually;
- Thematic discussions in support of implementing the new model;
- Specific actions, including at a national or pan-Scotland level.

## Monitoring and Review...

- Scottish Ministers retain ownership of the National Strategy;
- Review after 5 years – or at any time if there is a change;
- Evidence based review - intelligence from reports, policy changes, new opportunities/research.

# How does MAPPAs fit in?

- Community Justice definition applies to those who are subject to MAPPAs also;
  - Be mindful of the importance of language and coordinating activity locally;
- Responsible Authorities are also statutory Community Justice Partners but not all vice versa;
- Specific mentions in the National Strategy and in the OPI Framework;
- Consequential amendments re MAPPAs reporting.
- <http://www.gov.scot/communityjusticestrategy>

**MAPPA NATIONAL STRATEGIC GROUP, COMMONWEALTH HOUSE, ALBION STREET, GLASGOW THURSDAY 16 FEBRUARY 2017**

**Present**

[REDACTED] (chair) Scottish Government (SG),  
 [REDACTED] North Strathclyde Strategic Oversight Group (SOG)  
 [REDACTED] South West Scotland SOG  
 [REDACTED] Forth Valley SOG  
 [REDACTED] Northern SOG  
 [REDACTED] Lanarkshire SOG  
 [REDACTED] Edinburgh, Lothian & Borders SOG  
 [REDACTED] Glasgow SOG  
 [REDACTED] Tayside SOG  
 [REDACTED] Fife SOG  
 [REDACTED] Social Work Scotland  
 [REDACTED] Police Scotland  
 [REDACTED] RMA  
 [REDACTED] SG, Community Justice  
 [REDACTED] Scottish Prison Service (SPS)  
 [REDACTED] Care Inspectorate/ MAPPA Inspection team  
 [REDACTED] SG, Social Housing Charter & Regulation Manager  
 [REDACTED] SG, Community Safety Unit (CSU)  
 [REDACTED] SG, CSU  
 [REDACTED] SG, CSU  
 [REDACTED] SG, CSU

**Item 1 Welcome, Introductions and Apologies:**

[REDACTED] welcomed members to the latest meeting of the MAPPA National Steering Group. It was noted that [REDACTED] was representing [REDACTED] from Edinburgh, Lothian and Borders. It was also noted that [REDACTED] from the Care Inspectorate/MAPPA Inspection team was attending as an observer.

Apologies had been received from:

[REDACTED] (NSS- VISOR)  
 [REDACTED] Police Scotland  
 [REDACTED] the Forensic Network  
 [REDACTED] SG Child Protection

**Item 2 – Previous Minutes**

The note from the MAPPA NSG meeting held on 28<sup>th</sup> September was agreed as a true record.



### Item 3      **MAPPA: Thematic Inspection Action Plan**

██████████ gave a brief overview of the Action Plan, an updated version of which was circulated on 9<sup>th</sup> February. In doing he explained that the SG's response to the Thematic was the subject of a recent Parliamentary Question from Ruth Maguire (SNP South West Scotland).

#### **Recommendation 1      Environmental Risk Assessment standards**

██████████ spoke to the recently circulated near final version of the standards. In doing so he explained the extent to which the draft developed by the ERA Short Life Working Group (SLWG) had been consulted upon with a range of interests including Housing SOLO and Link Officer Groups. ██████████ highlighted that one of the main areas that was commented on previously was "*offenders subject to an annual ERA,*" where a number of respondents felt the draft was disproportionate to the risks posed. In further discussion it was agreed that while the criteria for ERA needed to be proportionate it also needed to be defensible. Accordingly it was agreed that consideration should be given to the specific inclusion in section 3 of RSOs who had committed contact sexual offences against children. In support for this position, ██████████ agreed to circulate the ViSOR numbers of RSOs likely to be affected by the additional criteria.

#### **Action ██████████**

In closing this part of the discussion, ██████████ also agreed to quickly reconvene the SLWG, with appropriate Social Work Scotland representation, to agree the further changes discussed, and circulate the amended standards for NSG comment and endorsement.

#### **Action ██████████**

#### **Recommendation 2      Guidance re Internet offenders**

██████████ and ██████████ explained that following an initial discussion between the SG and the RMA on 13 January, implementation of recommendation 2 was likely to require the following work:

A detailed research and implementation plan, involving:

- a piece of national research;
- a review of the international literature;
- evaluation of any available risk assessment tools;
- the writing of practice guidelines;
- training, testing, implementation; and
- and evaluation of the resulting method.

The SG and RMA were scheduled to next meet on 17 February 2017. NSG members noted the position and the emerging view that fulfilment of recommendation 2 would require significant work.

### **Recommendation 3      Social media devices**

██████████ confirmed that the SG led review needed to take forward this recommendation had not yet commenced. For her part ██████████ referred to her recently circulated paper updating the NSG on the Future Digital Software used by Police Scotland to Remotely Monitor the Internet Use of RSOs. She also confirmed that 6 RSOs were subject to such monitoring as part of a Sexual Offences Prevention Order (SOPO) condition, but that this was expected to increase to 10 in the near future.

### **Recommendation 4      'Sexting' strategy**

██████████ explained that the SG was currently working across government to refresh the SG's action plan on internet safety for children and young people. The plan would be the subject of external consultation before being published by the end of next month. Among other things this action plan was expected to include reference to the updates on the Child Protection Improvement Programme. The SG's Child Protection team was also looking to better integrate 'sexting' into the Relationships, Sexual Health and Parenthood education which was an integral part of the health and wellbeing area of the school curriculum in Scotland.

In response to questioning, ██████████ confirmed that young people had been involved in aspects of the action plan, which would include the insights and recommendations emerging from a Youth Commission made up of young people.

### **Recommendation 5      Level 1 minimum practice standards**

██████████ explained that she continued to engage with Police Scotland, the RMA and Social Work Scotland relative to the draft standards following which she would circulate for wider NSG consultation. The standards were seen as key given the increased number of offenders being managed at Level 1. This may be attributed to increased confidence in routine multi agency cooperation and practice and the on-going continuous improvement in MAPPA related processes. It was further noted that the minimum practice standards would emphasise the importance of information sharing, which would allow for the escalation or otherwise of cases to be better managed. All this would provide greater consistency of approach in some areas.

In closing this part of the discussion, ██████████ explained that the standards would take cognisance of associated guidance such as Police Scotland's Standard Operating Procedures and Risk Practice Model, as well as Local Authority National Outcomes and Standards. ██████████ also noted that ownership of the standards would be for SOGs.

### **Recommendation 6      MAPPA Coordinators function and role**

NSG members noted that the new streamlined role/responsibilities had been approved by the NSG and would be included in the next publication of the MAPPA guidance.

**Recommendation 7      ViSOR**

See agenda item 4.

**Recommendation 8      Offender Management Engagement Strategy**

██████████ confirmed that no further comments had been received from NSG members to the previously circulated Strategy document. Comments were however sought from CoSLA. Accordingly, CoSLA had since indicated its support for MAPPAs and the Engagement Strategy. In so doing CoSLA felt that the Strategy needed to reflect the new local community justice partnerships. Accordingly SG Community Justice colleagues were currently looking at this aspect of the document. Once finalised a new version would be circulated for the NSG's consideration.

**Recommendation 9      Governance/Trend Data analysis**

██████████ explained that the previously circulated paper outlining trends in sexual offence convictions would be updated and recirculated to take account of the SG data on Criminal Proceedings in Scotland 2015-16, which was published on 17 January. In further discussion ██████████ explained that current data suggested that 'Other sexual crime' categories now accounted for 41% of all sexual crimes recorded by the police in 2015-16 – compared to 26% in 2010-11 and 34% in 2013-14. ██████████ added that the SG was conducting a review into why sexual crimes reported to police are on the rise. The outcome of this review would be shared with NSG members in due course.

For her part ██████████ confirmed that Police Scotland would be starting some analytical work in respect of the current RSO demographic. Initially it would be based on information contained on ViSOR but would inform what areas required further in-depth analysis. ██████████ **agreed to circulate the findings of this analytical work when available.**

**Action** ██████████

**Recommendation 10      ICR/SCR**

NSG members noted that the new MAPPAs ICR/SCR process was now in place and working. In this connection it was noted that the captured learning from an ICR relative to a young person in MAPPAs, had resulted in multi-agency awareness raising event with the involvement of the Centre of Youth and Criminal Justice. Also the learning from a Case Review Summary relative to offences committed by a RSO against a number of vulnerable women had resulted in similar engagements, with the main focus being on the need to forge stronger connections between MAPPAs and Adult Support and Protection.

**Item 4      MAPPAs Development Group Update**

██████████ provided the following brief overview of the work of the MAPPA Development Group, which last met on 9<sup>th</sup> February:

#### 4.1 ViSOR

██████████ explained the outcome of the ViSOR Scottish Regional Users Group meeting on 10 January and the Chief Social Work Officers Group meeting on 12 January.

In terms of key areas being progressed through the ViSOR Improvement Plan, the following were highlighted:

- SWS was currently seeking legal advice on the contractual obligations of local authority employees;
- The NSS 6 month vetting plan had been completed, which had resulted in 23 vetting applications submitted and processed during this time period. As of 12/01/17 – 54 CJSW persons had been vetted across the country, with 18 Authorities who have personnel vetted.
- A ViSOR housekeeping letter was being prepared and will be disseminated through CSWO Group to address account security and system performance.
- In light of on-going concerns about vetting failures, further 'myth busting' FAQ material was being developed.

In wider discussion, and noting that the above issues were scheduled to be discussed at the SWS Standing Committee meeting on 20/02/17, the following additional points were made:

While the vetting issues appeared to be straightforward for new starts, it did present a degree of complexity in terms of existing employee contracts, with the potential of creating a 2 tier system. Notwithstanding, and looking beyond vetting, it was generally felt that a range of practical options, and 'work-a rounds' were needed if usage was to be improved.

In closing this part of the discussion, ██████████ also explained the background work and thinking that informed the recently created process for ViSOR nominal records for Category 3 offenders being released from custody and thereafter managed in the community. NSG members noted and **endorsed the said delineated process map, which would be formally commenced on 1 March 2017, and thereafter be included in the next version of the MAPPA guidance.**

#### 4.2 MAPPA Referral form

██████████ explained the improvements made to the MAPPA Referral form, which took account of the new Category 3 group and risk assessment /risk management plan processes. NSG members noted the changes to the form **and endorsed its inclusion in the next version of the MAPPA guidance.**

██████████ also confirmed that the form would feature as part of the SPS's PR2 process on 1 March 2017.

#### **4.3 Annual Report publication**

██████████ explained that in the post-CJA world, there was a need for national consistency relative to the publication of MAPPA Annual Reports. In further discussion and noting the views of the MAPPA Development Group, it was agreed that the Reports would be published on each individual Local Authority Website, with a link being provided to the SG's national report. ██████████ would also produce a consistent form of words to be included in each report.

#### **Item 5 National Strategy for Community Justice: The Implementation Plan**

██████████ updated the NSG on the National Strategy for Community Justice, which was launched on 24 November 2016, together with the Outcomes, Performance and Improvement (OPI) Framework, which made specific mention of MAPPA. In doing so she explained that the new model would go live on 1 April 2017, although the new arrangements would need time to bed in, and it would not be until the implementation and reporting phase(s) had been completed, circa September 2018, before progress could be ascertained.

Partners were currently developing Community Justice Outcomes Improvements Plans and working towards implementing the new model. In terms of strategic vision, the emphasis was on prevention and the reduction of further offending. Seven long range common outcomes had also been framed, which included 4 structural and 3 person-centric outcomes.

██████████ also explained that while Responsible Authorities were statutory Community Justice Partners this was not reciprocal, e.g. the Crown Office and Scottish Courts and Tribunal Service were Partners only.

In summing up this discussion, ██████████ explained that a multi-agency Implementation Group had been established. The Group would be based on co-production principles where Members would jointly agree, own and drive the business and work plan. The fundamental aim of the Group was to provide a distinct forum for Partners to implement the National Strategy and the OPI Framework, so as to allow them to share learning and develop best practice. The work of the Group would complement that of other groups and bodies, including the Community Justice Coordinators Network and Community Justice Scotland, which latter organisation was currently recruiting staff.

#### **Item 6 Update from the Scottish Prison Service**

██████████ explained that the SPS and Parole Scotland continued to work together to improve understanding of the operational arrangements relative to Parole and

Immediate release. This on-going work was informed by legal advice, which it was hoped would form the basis of jointly agreed guidance for practitioners.

██████████ also alluded to the fact that the SPS and SG were planning to hold a development event in Spring 2017 for prison and community MAPPA co-ordinators on referral practices, with particular reference to Category 3 referrals.

In closing this part of the discussion, ██████████ explained that the SPS continued to engage in the Level of Service/Case Management Inventory Short Life Working Group, which was aiming to provide interim guidance to practitioners on the use of LS/CMI ROSH.

#### **Item 7 - Update from Police Scotland**

██████████ talked to her previously circulated paper on the recently piloted Police Practice Model, which the force intended to evaluate shortly. The pilot was to test a document set and formulaic approach to **POLICE** risk assessment and risk management planning for Level 1 offenders given there had never been any consistency to this. It was essentially the police equivalent of LSCMI ROSH.

██████████ emphasised that it was **NOT** a MAPPA Level 1 process; rather it was a police risk assessment/Risk Management Plan process for Level 1 cases.

██████████ noted, for information that, the National Police Chiefs' Council in England and Wales had recently approved changes to Policing Practice relative to the reactive management of low risk RSOs.

#### **Item 8 - Strategic Oversight Group Chairs, including SCRs/ICRs**

SOG Chairs provided the following updates from their areas:

##### **Tayside**

██████████ noted that scoping work continued to identify who would conduct an external SCR relative to ██████████. Consideration was also being given to the ways and means of resourcing this independent review. Any help SG representatives and NSG members could offer in taking this forward would be appreciated.

##### **Forth Valley**

██████████ confirmed that he would provide feedback from a recently arranged multi-agency training event which considered the findings and recommendations from a significant Case Review relative to offences committed by a RSO against ██████████  
██████████

##### **Action ██████████**

## **Edinburgh, Lothian and Borders**

██████████ explained that a joint training event had been organised with the NHS Lothian Sex Offender Liaison Service relative to Internet offending on 31 March 2017.

██████████ also expressed interest in the type of offender making up the new Category 3, which he expected would comprise individuals convicted of domestic abuse related offences. In terms of ICR/SCR, the area had dealt with a rising number, some 17 ICRs since April, none of which resulted in an SCR.

## **Fife**

██████████ was also able to confirm that joint training had been provided by Social Care Institute for Excellence (SCIE) to a methodology for investigating SCRs, called '*Learning Together*', involving 24 staff from child and adult services. Since April some 9 ICRs had been processed. One emerging theme was the fact that the cases arose through proactive work by practitioners, which had been welcomed.

## **Northern**

██████████ explained that Grampian and the Highland and Islands were still moving to create 2 SOGs. ██████████ was likely to represent Grampian, although this had yet to be confirmed. In terms of ICRs, Grampian had processed 7, and Highlands and Islands 4. One SCR continued to be processed, the results of which were due to be available within the next 6 weeks. ██████████ **agreed to share the findings of the SCR in due course.**

## **Action**

██████████ also explained the area had also organised a seminar on Internet offending scheduled for April 2017.

## **South West Scotland**

██████████ explained that the area had benefited from a Development Day which focussed on the integration of adult and child services. ██████████ also noted the positive work that had gone into the successful integration into the community of a High Risk RSO, this had included providing him with a better understanding of the SOPO conditions he had to adhere to, as well as arranging a Circle of Support, all of which was reducing the likelihood of his reoffending.

## **Lanarkshire**

██████████ explained that ██████████ had taken up post as the new MAPPA Coordinator. She also confirmed that a training day had been organised to look at Internet offending.

██████████ also sought advice relative to the practical difficulties associated with managing MAPPA offenders who had No Recourse to Public Funds (NRPFs). ██████████ understood that CoSLA previously provided a Regional NRPF Network for Scotland, which facilitated the sharing of information and good practice about NRPF service provision between practitioners in Scottish. **He agreed to find out if the Network still existed and would be able to provide any advice.**

**Action** ██████████

**Glasgow**

██████████ noted and agreed that MAPPA offenders who faced deportation but had NRPF status presented challenges to the MAPPA responsible authorities, which they had to balance against their wider public protection responsibilities.

In terms of training and development, ██████████ noted that in February, joint (police and social work attendee) training would be delivered on internet offending through the Lucy Faithfull Foundation. Similar to Fife a 3 day training was planned in May 2017 by SCIE relative to a methodology for investigating SCR's. A joint event with MAPPA and Adult Protection Committee colleagues following the Forth Valley SCR was also scheduled.

██████████ noted that the new ICR paperwork was found to be helpful, but it may need to be slightly amended to take account of certain processes relative to Restricted Patients. In this latter connection, ██████████ would approach ██████████ with further information.

**Action** ██████████

## Item 9 – Forward Look

### Victims

██████████ explained that by virtue of area for development 17 in the Thematic report, namely that ***“the process of engagement with victim support services could be further improved through involvement with Strategic Oversight Group chairs at a national level”***, the Secretariat was keen to generate discussion about the possible role of Victim Support Scotland in relation to MAPPA. Accordingly NSG members noted that ██████████ Victim Support Scotland had agreed to attend the next meeting of the NSG in June.

It was hoped the involvement of victim support services in MAPPA had the potential to add informative victim perspective in planning for the delivery of services. It was also noted that the extent to which the SOGs engaged with such services varied and ██████████ attendance would allow him and the NSG the opportunity to consider how best to use their time.

### Proportionality



██████████ spoke to the recently circulated paper on Proportionality. In doing so he mentioned that at the NSG meeting on 28 September 2016, a question arose about the availability of research supporting proportionality (in terms of offender management and risk assessment). The question was prompted by earlier discussion about the number of eligible MAPPA cases the authorities were currently expected to deal with and the increasing number of MAPPA offenders envisaged in the trends and projections paper.

██████████ explained that proportionality was a well-founded notion that was linked to ethics and defensibility. Among other things he cited the RMA's FRAME guidance and the risk, needs, and responsivity model (RNR) as approaches that if applied proportionately, legitimately and purposefully yielded positive benefits.

In response ██████████ expressed the view that it was perhaps timely to promote and/or bring together the conclusions from the available research on Desistance (i.e. 'strengths based activity'), the RNR model and offender Rehabilitation/Management.

For her part ██████████ explained that while there was a number of differing approaches to risk assessment and treatment, there was not a lot of differences between them, in terms of the important contribution they can make to effective offender assessment and treatment.

#### **Item 10 Any other business**

No other business was noted.

#### **Item 11 – Date and Location of Next Meeting**

It was proposed that the next meeting of the NSG would be held in June 2017, venue to be confirmed, but it would avoid clashing with the Social Work Scotland conference also held that month.

[Redacted]

**From:** [Redacted]  
**Sent:** 15 February 2017 10:16  
**To:** [Redacted]@scotland.pnn.police.uk); [Redacted]  
 [Redacted]@scotland.pnn.police.uk); [Redacted]  
 [Redacted]@strathclyde.pnn.police.uk); [Redacted]@edinburgh.gcsx.gov.uk;  
 [Redacted]@renfrewshire.gcsx.gov.uk'  
 [Redacted]@renfrewshire.gcsx.gov.uk); [Redacted]  
 [Redacted]@northlan.gcsx.gov.uk); [Redacted]@fife.gcsx.gov.uk); [Redacted]  
 [Redacted]@scotland.pnn.police.uk); [Redacted]  
 [Redacted]@sps.pnn.gov.uk); [Redacted]  
 [Redacted] (Social Work); [Redacted]@glasgow.gcsx.gov.uk';  
 [Redacted]@angus.gcsx.gov.uk'); [Redacted]@scotland.pnn.police.uk';  
 [Redacted] (Social Work)  
**Cc:** [Redacted]@careinspectorate.com  
**Subject:** RE: NATIONAL MAPPA MEETING - THURSDAY 16 FEBRUARY 2017  
**Attachments:** MAPPA NSG REFERRAL FORM LEVEL 2 AND 3 DRAFT FINAL 26012017.docx;  
 MAPPA NSG - CREATION VISOR RECORDS - SPS - CATEGORY 3.docx

Dear All,

Please find enclosed a further 2 papers for consideration under agenda item 4 at tomorrow's meeting:

- MAPPA Category 3 process agreed by the Development Group and the Scottish Prison Service, for which NSG endorsement is sought; and
- MAPPA Referral form, which takes account of the new Category 3 group and risk assessment /risk management plan processes. Again, NSG endorsement is sought.

[Redacted]  
**Community Safety Unit**  
**Safer Communities Division**  
**Scottish Government**

[Redacted]

**From:** [Redacted]  
**Sent:** 10 February 2017 15:29  
**To:** [Redacted]@scotland.pnn.police.uk); [Redacted]  
 [Redacted]@scotland.pnn.police.uk); [Redacted]@strathclyde.pnn.police.uk);  
 [Redacted]@edinburgh.gcsx.gov.uk; [Redacted]@renfrewshire.gcsx.gov.uk'  
 [Redacted]@renfrewshire.gcsx.gov.uk); [Redacted]@northlan.gcsx.gov.uk); [Redacted]  
 [Redacted]@fife.gcsx.gov.uk); [Redacted]@scotland.pnn.police.uk); [Redacted]  
 [Redacted]@sps.pnn.gov.uk); [Redacted]  
 [Redacted] (Social Work); [Redacted]  
 [Redacted]@glasgow.gcsx.gov.uk; [Redacted]@angus.gcsx.gov.uk);  
 [Redacted]@scotland.pnn.police.uk'; [Redacted] (Social Work)'

Cc: [REDACTED]@careinspectorate.com

Subject: RE: NATIONAL MAPPA MEETING - THURSDAY 16 FEBRUARY 2017

Dear All,

Please find enclosed 2 papers from Police Scotland for consideration at next week's meeting.

- an update on Future Digital Software to Remotely Monitor the Internet Use of RSOs, which will fall to be considered under agenda item 3, as it relates to recommendation 3 of the Thematic Action Plan, and
- a briefing note on the Police Risk Practice Pilot, which will fall to be considered under agenda item 7, as it related to Police SCOTLAND'S GENERAL UPDATE.

Regards

[REDACTED]  
Community Safety Unit  
Safer Communities Division  
Scottish Government

[REDACTED]  
[REDACTED]  
From: [REDACTED]  
Sent: 09 February 2017 13:26

To: [REDACTED]@scotland.pnn.police.uk); [REDACTED]@strathclyde.pnn.police.uk);  
[REDACTED]@scotland.pnn.police.uk); [REDACTED]@renfrewshire.gcsx.gov.uk';  
[REDACTED]@edinburgh.gcsx.gov.uk; [REDACTED]@northlan.gcsx.gov.uk); [REDACTED]  
[REDACTED]@renfrewshire.gcsx.gov.uk); [REDACTED]@northlan.gcsx.gov.uk); [REDACTED]  
[REDACTED]@fife.gcsx.gov.uk); [REDACTED]@scotland.pnn.police.uk); [REDACTED]  
[REDACTED]@sps.pnn.gov.uk); [REDACTED] (Social Work),  
[REDACTED]@glasgow.gcsx.gov.uk'; [REDACTED]angus.gcsx.gov.uk);  
[REDACTED]@scotland.pnn.police.uk); [REDACTED] (Social Work)'

Cc: [REDACTED]@careinspectorate.com  
Subject: NATIONAL MAPPA MEETING - THURSDAY 16 FEBRUARY 2017

Dear All,

Please find enclosed the agenda and some papers for the next meeting of the MAPPA National Strategy Group which will take place on Thursday 16 February 2017 at 10:30 am in Commonwealth House, 32 Albion Street, Glasgow G1 1LH (map attached and directions below<sup>4</sup>).

I also provide a link to the Scottish Government's National Strategy for Community Justice, which falls to be considered under agenda item 5:

<http://www.gov.scot/Resource/0051/00510489.pdf>

We hope to see you all then but if you are unable to make it and wish to send a substitute, please note that this should be the Deputy Chair of your Strategic Oversight Group or equivalent.

I look forward to seeing you on 16 February.

## MAPPA REFERRAL FORM LEVEL 2 / LEVEL 3

(Return to: \_\_\_\_\_ )

<b>Referral Level:</b>	<b>2</b>		<b>3</b>	
<b>Category of Offender:</b>				
<b>Registered Sex Offender</b>			<b>Other Risk of Serious Harm Offender</b>	
<b>1. Agency / Establishment Referring:</b>				
Name:				
Job Title:				
Agency:				
Telephone Number:				
E-mail:				
Date of Referral:				
<b>2. Offender Information</b>				
Last name:				
Forenames:				
Alternative name(s):				
Date of birth:			Age:	
Gender:	M	F	Ethnicity:	
Prison Number:			PNC Number:	
CHS Number:			ViSOR Number:	
Last known address before sentence:				
Proposed release address:				
Current Address if in community:				
Lead Agency:				
<b>3. Conviction Details / Relevant Dates</b>				
Index Offence:				
Date of conviction:				
Sentencing Court:				
Sentence:				
If in custody, earliest release date:				

Licence Expiry date:	
Sentence Expiry date:	
Parole Qualifying date:	
Details of any other statutory order (SOPO, OLR, RSHO, CORO):	
Registered Sex Offender Notification End Date:	

#### **4. SUMMARY OF OFFENDING BEHAVIOUR**

**(i) Where individual meets criteria for RoSH, attach Risk Assessment (RA) and Risk Management Plan (RMP)**

**(ii) Where no completion of RA and RMP provide; rationale for level 2/3 management providing a summary of the risk of serious harm and include conclusion of overall risk level and statement of manageability.**

**1. PATTERN** - *Based on previous convictions and other information, outline since when, how often and how much particular types of harmful behaviour have occurred. Highlight violent and sexual offences and any incidents which occurred in prison/hospital. Please attach a record of previous convictions:*

**2. NATURE** - *Outline what types and how many types of offending that are evident. Give details regarding known or potential victims (specifying any risk to children, vulnerable adults and threats to staff) and any requirements under the terms of the Victim Notification Scheme or engagement with Victim Support Scotland:*

**3. SERIOUSNESS** - *What is known about the degree of planning and the intended and actual impact of the offending?:*

**4. LIKELIHOOD** - *Comment on the balance of risk and protective factors. Is the balance in favour of desistance or further offending? What is the nature and seriousness of further offending likely to be? Refer to current or most recent risk assessment:*

**5. ANY OTHER RELEVANT OFFENDER INFORMATION / CONCERNS (e.g. Current prison intelligence, associates, sexualised behaviour in custody, substance misuse, access to finance, mental health, attach any relevant pending case information):**

**6. OTHER RELEVANT INFORMATION**

What inter-agency work has been undertaken so far?

Any other relevant information (e.g. media handling, disclosure, medical issues etc.)

Provide index of attached documents:

- |    |     |
|----|-----|
| 1. | 6.  |
| 2. | 7.  |
| 3. | 8.  |
| 4. | 9.  |
| 5. | 10. |

**7. VICTIM - CHILD/ADULT SUPPORT AND PROTECTION CONCERNS**

Outline any concerns about the victim of the index offence or potential victims:

Are there any child protection or adult support and protection concerns?  
(provide detail of what they are and any allocated social worker)

<b>8. MAPPA CO-ORDINATION (processed by:)</b>				
Name:				
Title:				
Area:				
Date Referral Received:				
MAPPA Qualifying Offender:				
If no, return form to referring agency outlining reasons for rejection:				
Is the Risk Assessment attached:	Yes		No	
Is the Risk Management Plan attached:	Yes		No	
Where no completion of RoSH - has a rationale been provided for Level 2 or 3 management:	Yes		No	
If NO, return form to referring agency outlining reasons for rejection:				
Date referral accepted / rejected:				
If referral accepted, confirm MAPPA Level?	Level 2		Level 3	
State reasons for accepting referral:				
Date referring Agency notified:				
Meeting to which referral is to be taken:				
<b>9. VISOR</b> <small>(Record creation: Category 1 - Police Category 3 - Local Authority Social Work)</small>				
Date created:				
VISOR Number:				

**MAPPA  
CATEGORY 3  
OFFENDERS -  
VISOR RECORD  
CREATION**

Scottish Prison  
Service

Pre- release ICM / Pre-progression  
ICM – determines provisional  
MAPPA referral level 2 or 3



ICM Coordinator – submits referral  
to MAPPA Coordinator



MAPPA Coordinator in discussion  
with Lead agency accepts referral  
where evidence provided meets  
criteria



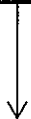
Initial MAPPA Meeting



Yes

Agreement at meeting by Local  
Authority Social Work to accept  
transfer of ViSOR record from SPS  
providing CPC details & recorded in  
MAPPA minutes

No



MAPPA Coordinator requests SPS  
ViSOR Team to create ViSOR record



SPS ViSOR Team create and populate  
record as per ViSOR standards



Nominal record transferred to Local  
Authority Social Work CPC for  
management

Record creation & ViSOR use to be  
considered by Local Authority Social  
Work on prisoner release.  
**NO FURTHER SPS ACTION**



**From:** [REDACTED]  
**Sent:** 09 February 2017 13:26  
**To:** [REDACTED]@scotland.pnn.police.uk); [REDACTED]  
 [REDACTED]@scotland.pnn.police.uk); [REDACTED]  
 [REDACTED]@strathclyde.pnn.police.uk); [REDACTED]@edinburgh.gcsx.gov.uk;  
 [REDACTED]@renfrewshire.gcsx.gov.uk'  
 [REDACTED]@renfrewshire.gcsx.gov.uk); [REDACTED]  
 [REDACTED]@northlan.gcsx.gov.uk); [REDACTED]@fife.gcsx.gov.uk); [REDACTED]  
 [REDACTED]@scotland.pnn.police.uk); [REDACTED]  
 [REDACTED]@sps.pnn.gov.uk); [REDACTED]  
 [REDACTED] (Social Work); [REDACTED]@glasgow.gcsx.gov.uk'; [REDACTED]  
 [REDACTED]angus.gcsx.gov.uk); [REDACTED]@scotland.pnn.police.uk); [REDACTED]  
 [REDACTED] (Social Work)'  
**Cc:** [REDACTED]@careinspectorate.com  
**Subject:** NATIONAL MAPPA MEETING - THURSDAY 16 FEBRUARY 2017  
**Attachments:** MAPPA NATIONAL STRATEGIC GROUP agenda February 2017.docx; Joint Thematic Review of MAPPA in Scotland ACTION PLAN FEBRUARY 2017.docx; RESEARCH ON PROPORTIONALITY paper.docx; MAPPA NSG ERA Process Map February 2017.docx; MAPPA NSG ERA Template Revised - February 2017.docx; MAPPA NSG Draft ERA Guidance revised following consultation February 2017.docx; Scanned from a Xerox multifunction device.pdf

Dear All,

Please find enclosed the agenda and some papers for the next meeting of the MAPPA National Strategy Group which will take place on Thursday 16 February 2017 at 10:30 am in Commonwealth House, 32 Albion Street, Glasgow G1 1LH (map attached and directions below\*).

I also provide a link to the Scottish Government's National Strategy for Community Justice, which falls to be considered under agenda item 5:

<http://www.gov.scot/Resource/0051/00510489.pdf>

We hope to see you all then but if you are unable to make it and wish to send a substitute, please note that this should be the Deputy Chair of your Strategic Oversight Group or equivalent.

I look forward to seeing you on 16 February.

Kind Regards

\*The attached map of Glasgow City Centre shows the location of Commonwealth House along with proximity of train stations. The office is just off the Trongate after High Street. I have marked it on the map with X. There is a train station in High Street, Argyle Street, Queen Street and Glasgow Central which are all within walking distance of the office. There is also a subway at St Enoch Square. Unfortunately there are no parking facilities, however there is a multi-storey car park directly across the road from the office which you would need to pay for. The reception is on the first floor where you will be directed to our meeting room.

**MAPPA NATIONAL STRATEGIC GROUP**  
**Commonwealth House 32 Albion Street, Glasgow G1 1LH**  
**16 February 2017, 10:30 Hours**

**AGENDA**

- 1. Welcome, Introductions and Apologies**
- 2. Minutes of previous meeting and matters arising**
- 3. MAPPA: Thematic Inspection Action Plan**
  - 3.1 Environmental Risk Assessment standards**
  - 3.2 Level 1 standards**
  - 3.3 Offender Management Engagement Strategy**
- 4. MAPPA Development Group Update**
  - 4.1 ViSOR**
  - 4.2 MAPPA Referral form**
  - 4.3 Annual Report publication**
- 5. National Strategy for Community Justice**
- 6. Update from Scottish Prison Service**
- 7. Update from Police Scotland**
- 8. Update from Strategic Oversight Group Chairs, including SCRs/ICRs**
- 9. Forward Look**
- 10. AOCB**
- 11. Date of Next Meeting**

## RESEARCH ON PROPORTIONALITY

Lord Diplock, describing proportionality as meaning “[I]n plain English, ‘you must not use a steam hammer to crack a nut, if a nutcracker would do’.

### Background

At the MAPPA National Strategic Group meeting on 28 September 2016, a question arose about the availability of research supporting proportionality (in terms of offender management and risk assessment). The question was prompted by earlier discussion about the number of eligible MAPPA cases the authorities were currently expected to deal with and the increasing number of MAPPA offenders envisaged in the trends and projections paper.

The short answer is there is not a lot of research that specifically focuses on proportionality in terms of offender management. Suffice to say that it is a notion that is linked to ethics and defensibility.

By way of context, offender management is often characterised by sentence length and legal frameworks which, in most cases, are calibrated to be proportional to the seriousness of the offending. The overall legal timespans are sometimes determinate and sometimes indeterminate, and often vary during any period of management contact as a result of breaches of such management and/or further offending.

By way of additional context the MAPPA guidance has long promoted consistent and proportionate practice, and underlines the importance of standards, principles and practice being delivered “proportionate to the risk”.

While slim, there is a body of research that explores the ways in which strategies of assessment, intervention and supervision contribute to improved outcomes in terms of reduced risk of reoffending. This literature identifies a number of principles of effective, evidence-based practice but perhaps the most compelling of them is the risk, needs, and responsivity model (RNR), which is cited in the following helpful review of RNR:

<https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/rsk-nd-rspnsvty/index-eng.aspx>

### Risk Needs Responsivity (RNR)

The RNR model is widely regarded as the main reference point as far as effectiveness goes in reducing reoffending.

RNR principles have also been converted into the Level of Service/Case Management Inventory (LS/CMI)<sup>1</sup>.

The evidence base on the risk principle is extensive and complex. However, drawing on a few academic reviews of RNR including the Scottish Government's 2015 review 'What Works to Reduce Reoffending'<sup>2</sup>, which has a short section on RNR.

The 'R' (risk principle) states:

- People differ from each other in the likelihood of committing a crime, and this likelihood can be predicted from a wide range of factors, including current characteristics and previous criminal behaviour.
- Level of risk is important because, all other things being equal, more crime can be prevented by targeting higher rather than lower risk offenders for service. Therefore, offenders' current risk level should be identified prior to making intervention decisions (Andrews, Bonta et al., 1990).
- Reductions for higher risk cases require intensive intervention; brief or narrowly focused programmes have little impact (Andrews & Bonta, 1994).

## FRAME

The Framework for Risk Assessment (FRAME) guidance has also been quite heavily informed by Human Rights principles such as the 'least restrictive means necessary to achieve the desired goal' and some rulings by ECHR. The aim of FRAME<sup>3</sup> is to develop:

***'A consistent shared framework that promotes defensible and ethical risk assessment and management practice that is proportionate to risk, legitimate to role, appropriate for the task in hand and is communicated meaningfully.'***

Accordingly FRAME proposes a tiered approach to risk assessment in which the depth of assessment corresponds to the level of risk that is present in any given case. Where there is limited concern regarding risk of serious harm it may be sufficient that the assessment provides an awareness of the key risk markers that are present. As risk increases it will be necessary to pay more detailed attention to the risk factors in the case. However, when there is concern about risk of serious harm, it will be necessary to undertake an in-depth scrutiny of the risk which informs an active and alert response. (RMA, 2011).

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<sup>1</sup> <http://www.mhs.com/product.aspx?gr=saf&prod=ls-cmi&id=overview>

<sup>2</sup> <http://www.gov.scot/Publications/2015/05/2480>

<sup>3</sup> [http://www.rmascotland.gov.uk/files/5713/0943/0052/FRAME\\_Policy\\_Paper\\_-\\_July\\_2011.pdf](http://www.rmascotland.gov.uk/files/5713/0943/0052/FRAME_Policy_Paper_-_July_2011.pdf)

## **Defensible and ethical practice**

FRAME also provides that defensible decision making is one of the agreed guiding principles of risk management.

Rather than taking defensive decisions governed by fear of reprisals, decisions should be balanced, **proportionate** and informed by the evidence. This does not mean that decisions about risk should become defensive, but that they should be informed, balanced and **proportionate** risk decisions (Carson & Bain, 2008).

In keeping with the principle of defensible and ethical practice, the degree of risk assessment which is undertaken should be proportionate to the level of risk and the complexity of the case to ensure that practice is not overly intrusive or restrictive, and that resources are used appropriately. In considering the case of someone who presents a risk of serious harm for example, the assessment should provide a detailed scrutiny of the risk, however, if the level of risk diminishes over time, it may no longer be necessary to undertake such an in depth examination on every occasion (RMA, 2011).

### **Other supporting evidence:**

The vast majority of available research that looks at whether proportionate intervention in relation to risk actually reduces reoffending is on treatment interventions not on offender management standards, services and practices (incl. risk assessments) more widely. Accordingly the question is whether the evidence is transferable or not.

The following evidence is instructive:-

- There is pretty strong and consistent research showing that treatment services provided to high risk offenders does give authorities an optimal return – Higher risk offenders show lower levels of reoffending compared to treatment provided to low risk offenders. In fact, in 374 tests of the risk principle, treatment delivered to high risk offenders was associated with an average 10% difference in recidivism (Andrews & Dowden, 2006). Of course that % was found to increase in some studies that adhered to all 3 RNR principles.
- There are a few studies that show that providing intensive services to low risk offenders may actually increase criminal behaviour but that the same services can lead to a significant decrease in reoffending when delivered to higher risk offenders. For example, a Canadian program<sup>4</sup> found that low risk offenders who received minimal levels of treatment had a reoffending rate of 15% and low risk offenders who

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<sup>4</sup> Bonta, J., Wallace-Capretta, S. & Rooney, R. (2000a). A quasi-experimental evaluation of an intensive rehabilitation supervision program. *Criminal Justice and Behavior*, 27, 312-329.

received intensive levels of services had more than double the reoffending rate (32%).

- In the same study, the high risk offenders who did not receive any intensive treatment services had a reoffending rate of 51% but the high risk offenders who did receive intensive services had almost half the reoffending rate (32%).
- A separate 2004 research study has also shown how, without a clear framework for resource allocation, the effort and energy put into different corrections cases can tend to drift into a "one size fits all" middle ground (see Bonta, Rugge, Sedo and Coles Case Management in Manitoba Probation (2004)).
- There is also some evidence from evaluations of mentoring services that show mentoring is more likely to work when its goals are defined in agreement with the service user and when the amount of contact is proportionate to the offenders' level of needs<sup>5</sup>.
- The vision of current policy in working with adults who offend is to break the cycle of reoffending by ensuring proportionate and early interventions with effective re-integration into the community.<sup>6</sup>
- Other important features of supervision include dealing with relapse (e.g. breach, reoffending) in a proportionate and fair manner, rewarding progress towards change and involving users in the design of interventions. Some studies have found that public recognition of offenders' progress towards desistance can help them develop a new, non-criminal identity and lead to improved self-esteem<sup>7</sup>.

In addition, it is important to remember that whilst public protection requires the assessment of risk, all assessment should seek to be holistic and should therefore be grounded in a wider acknowledgement and consideration of need. This is particularly relevant when working with young people and vulnerable adults. All assessment should be individualised (RMA, 2011, p14), but in working with particular groups it may be necessary to be aware of research and policy which relates to their particular needs. For example, research indicates that the physical, psychological and emotional development of young people differs from that of adults (Scottish Government, 2008, 2010). When working with young people who offend, it will be necessary to ensure that practice reflects and respects these differences and strives

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<sup>5</sup> 388 Maguire, M., Holloway, K., Liddle, M., Gordon, F., Gray, P., Smith, A. and Wright, S. (2010) Evaluation of the Transitional Support Scheme. Final Report to Welsh Assembly Government. Accessed on 10/04/14 at <http://wccsj.ac.uk/images/docs/tss-report-en.pdf>.

<sup>6</sup> Scottish Government (2010) Reducing Re-offending Programme.

<sup>7</sup> 80 Caverley, A. And Farrall, S. (2011) The Sensual Dynamics of Processes of Personal Reform: Desistance from Crime and the Role of Emotions in S. Karstedt, I. Loader & H. Strang (eds) Emotions, Crime and Justice. Oxford: Hart Publishing.

to uphold the rights of the young person to be treated as a child and not just as an offender (Council of Europe, 2011; Scottish Government, 2011a, 2011b).

## **Discussion**

In summary, and on the basis of the available evidence, the risk principle calls for intensive treatment services to be reserved for the higher risk offender.

So although there is evidence to support this principle much depends how this is transferable to offender management in a MAPPA context. One aspect that does not readily apply is the proportionate use of risk tools. To explain, the same risk tools would have to be used for all offenders initially to determine their risk of reoffending in the first place. The results would be used to determine intervention intensity thereafter. However it is difficult to see how proportion would not work in terms of performing risk assessments. Thereafter though, it would seem to make sense to adopt a proportionate response according to risk of reoffending IF the use of risk tools that determine risk is robust and reliable in practice.

In general, RNR is referred to as the 'premier rehabilitation model' (even by its critics) as it is totally dominant across the world. Although there is an impressive body of robust evidence to back up the principles, its success in reducing reoffending in practice depends entirely on how robustly its principles are adhered to in practice (including applying the risk principle)– which is often 'not very well' according to some researchers. If all 3 principles are adhered to though – a number of studies do show that reoffending can be reduced quite significantly - especially for high risk offenders and that result has been shown across different types of offender.

## **Conclusions**

To resume, the principle of proportionality appears to be well founded. The rising trends and projections of the number of people convicted of sexual offences has practical implications for MAPPA and the criminal justice system as a whole. The resources made available to the authorities are finite, and every effort needs to be made to direct resources where they will be most effective. This calls for discretion, proportionality, and an individualised approach, which "broad brush" or disproportionate approaches cannot hope to deliver.

However success in reducing reoffending in practice appears to depend entirely on how robustly an individualised approach, and its principles are adhered to on the ground (including applying the risk principle)– which is often 'not very well' according to some researchers. If all 3 principals are adhered to though – a number of studies do show that reoffending can be reduced quite significantly.

January 2017



## TEMPLATE –ENVIRONMENTAL RISK ASSESSMENT

### PART A

#### OFFENDER DETAILS

Name:	
D.O.B	
Current address:	
ViSOR No:	
MAPPA Level / Risk	
Reg. Expires	
Conviction M.O. (include age and sex of victim):	
Victim profile /Location of Victims /relationship to offender	
Risk Formulation Statement:	
Health Issues / adaptation requirements	
Any other relevant info e.g. alcohol, domestic violence:	
Reason for ERA request:	

Name/Job title/Agency:	
Date referred:	

### PART B

#### ADDRESS BEING CONSIDERED

House No:	
Street:	
Town:	
Postcode:	
Property - Type/size/location:	
Property owner:	

First ERA:	Y / N
Review ERA Date:	

Appendix A attached contains all relevant addresses and known occupants.

**CHECKS CONDUCTED – SOLOS / NASSO COORDINATOR**

Date property identified / received:	
Date completed:	

Housing System / RSL's:	YES / NO
Council Tax / Housing benefits:	YES / NO
Private Landlord Registration:	YES / NO
Assessors / Voters Role:	YES / NO
Care inspectorate web check:	YES / NO

Comments and Analysis:

Is address recommended as manageable: YES / NO

Name/Job title:	
Date:	

**SOCIAL WORK SYSTEMS**

Date received:	
Date completed:	

CJ Cases:	YES / NO
C & F Cases:	YES / NO
Adults at Risk of Harm:	YES / NO

CJ Social Worker Comments and Analysis:

Is address recommended as manageable: YES / NO

Name/Job title:	
Date:	

**POLICE CHECKS**

Date received:	
Date completed:	

Appendix Check List:

IMAGE / STORM:	YES / NO
ViSOR:	YES / NO
PNC / CHS2:	YES / NO
VPD:	YES / NO
SID:	YES / NO
Local Crime / PPU Management:	YES / NO
OMIS:	YES / NO
SEEMIS:	YES / NO
Community Policing:	YES / NO

Name/Rank:	
Date:	

**POLICE PHYSICAL CHECKS**

<b>ADDRESS</b>	Date:	Officer:
<b>PLAY PARKS</b>	Date:	Officer:
<b>COMMUNITY CENTRES / LIBRARIES</b>	Date:	Officer:
<b>SCHOOLS / NURSERIES</b>	Date:	Officer:
<b>SHOPS</b>	Date:	Officer:
<b>CHURCHES</b>	Date:	Officer:
<b>CHILDRENS TOYS / EQUIPMENT</b>	Date:	Officer:
<b>ANY OTHER EVIDENCE</b>	Date:	Officer:

OMU Analysis and Recommendations:

Is address recommended as manageable: YES / NO

Name/Rank:	
Date:	

**OTHER CHECKS – EDUCATION / NHS / SPS /**

Date received:	
Date completed:	

SEEMIS	YES / NO
HNS Internal Case Management Systems	YES / NO
SPS Intelligence checks:	YES / NO

Comments and analysis:

**PART C**

**Approval of Property**

Date received:	
Date completed:	

Approval of Property	YES / NO / DEFFERED
Name/Position:	
Date:	

**PART D**

**Decision (where agreement cannot be reached by parties)**

Approval of Property: YES / NO

Comments and Analysis:

Name/Position:	
Date:	

**THIS ENVIRONMENTAL RISK ASSESSMENT WAS CORRECT AT THE TIME OF COMPLETION BASED ON THE ATTACHED COLLATED INFORMATION.**

**ENVIRONMENTAL RISK ASSESSMENT (ERA) PROCESS MAP**

