

THE MANAGEMENT OF SEX OFFENDERS

in light of the murder of Mrs Attracta Harron

INTERIM REPORT

December 2006





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Mrs Attracta Harron

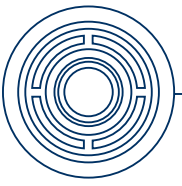
An inspection of the implementation of
recommendations from investigations
into the handling of the violent sex
offender Trevor Hamilton

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Criminal Justice Inspection
Northern Ireland
a better justice system for all

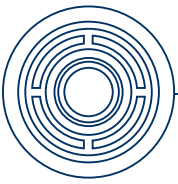






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List of abbreviations

ACE	Assessment, Case Management and Evaluation
ASORMC	Area Sex Offender Risk Management Committee
CJI	Criminal Justice Inspection Northern Ireland
Core Agencies	PSNI, PBNI, NIPS and Social Services – all of whom must attend ASORMC meetings
DHSSPS	Department of Health, Social Services and Public Safety
DRM	Designated Risk Manager – the person responsible for overseeing a case. For PSNI cases this is usually an Inspector
ICIS	PSNI's Integrated Crime Intelligence System
MASRAM	Multiagency Procedures for the Assessment and Management of Sex Offenders. The procedures only apply to adult offenders, as there are separate arrangements for juveniles
Neighbourhood Officer	PSNI Sergeant or Constable who oversees compliance with sex offender registration requirements – usually a different person to the PSNI DRM
NIO	Northern Ireland Office
NIPS	Northern Ireland Prison Service
NISOSMC	Northern Ireland Sex Offender Strategic Management Committee
PBNI	Probation Board for Northern Ireland
PSNI	Police Service of Northern Ireland
ROSHO	Risk of Sexual Harm Order
RM 2000	Risk Matrix 2000 – an assessment method to determine offenders' risk level
SCR	Serious Case Review
SOO	Sex Offender Order
SOPO	Sexual Offences Prevention Order
SOTP	Sex Offender Treatment Programme
ViSOR	Violent Offender and Sex Offender Register – IT system which is linked to the UK police network



Chief Inspector's Foreword

On 4 August, following the sentencing of Trevor Hamilton for the murder of Mrs Attracta Harron, I was asked by the Minister for Criminal Justice, David Hanson MP, to review the implementation by the agencies involved (the PSNI, the Probation Service and the Prison Service) of the recommendations both of their own internal reviews and of the independent Serious Case Review. The purpose was

“to provide assurance to Government and to the public that every effort is being made by the agencies to ensure that, where failings have been identified and recommendations for improvements made, these are being fully implemented in a consistent and verifiable manner.”

This is an interim report, which has been prepared as promised in three months. A full report will follow next year.

Separately from the tragic case of Mrs Harron, in 2004 CJI conducted a general inspection of the arrangements for the management of sex offenders in Northern Ireland, the report of which was published in March 2005 ('the MASRAM report'). The findings of that report are highly relevant to this inspection. CJI was due to review progress against the recommendations of the MASRAM report in 2006 in any event, and it makes sense to combine the two exercises.

The papers which follow are in two parts, therefore: a report specifically on the Hamilton recommendations, and a supplement (the tinted grey pages) reporting on the MASRAM recommendations.

There is more to do, but there is already evidence that protecting the public from dangerous offenders like Hamilton is being made a higher priority by the agencies. Northern Ireland already has arrangements for inter-agency management of sex offenders which are as good as any in these islands. The challenge now is to go on and demonstrate excellence in this function, which is of such concern to the public. That would be the best memorial we could offer to Attracta Harron.

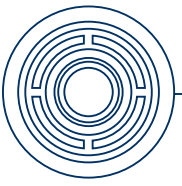
I am bound to conclude, however, on a note of caution. Even if all the agencies do the best they can there can be no guarantee that such offences will not happen in future. We can hopefully make them very rare, but supervision in the community is never going to be as secure as custody, and it would be wrong to pretend otherwise.



Kit Chivers
Chief Inspector of Criminal Justice
in Northern Ireland.

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Executive Summary

Although the primary focus of this interim report is on checking progress, we also make recommendations where there are immediate or major issues that need attention. A full report will be completed by August 2007.

CJI identified six themes in the reviews of Mrs Harron's abduction and murder, of which four required priority attention.

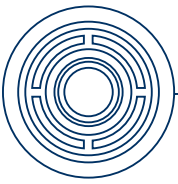
The initial problem in this case was Hamilton's eligibility for release after serving 50% of his sentence for the original crime of rape. Had there been provision for parole arrangements to manage the sentence, a Board would certainly have thought twice about whether Hamilton was fit to be released back into the community. But that option was not available.

Once released, participation in managing Hamilton was simply not a high enough priority for the PSNI. They failed to attend the interagency meetings on sex offender management regularly, did not communicate adequately either internally or externally, and officers on patrol were not sufficiently alert to the danger he posed in their area. We have seen evidence to suggest that PSNI's management of sex offenders has improved as a result of this case, but we also highlight several areas where further progress is required.

Although each agency has improved in its approach to working collaboratively within MASRAM, there is still scope for agencies to work more collaboratively together. It is of fundamental importance that the expectations and powers of operational staff are made clear in this area of work. This process would be enhanced by staff of the core agencies working together as a co-located team.

There has been much good work at strategic level, and progress is evident. However there remains a considerable challenge for NISOSMC members to lead the next phase of change within their agencies, especially where a major cultural shift is required. It will be imperative that the agencies agree a way forward to which all can subscribe.

Besides these themes we identified two pressing concerns that are relevant to the management of sex offenders: serious pressure on the offender hostels, which are essential for management of the most dangerous offenders; and Article 26 Licences. The former is a complex matter, which needs to be addressed within the framework of an accommodation strategy. The latter is a matter for legislative amendment.



Our overall conclusion is that there has been considerable progress in the interagency management of sex offenders since the murder of Attracta Harron. More robust measures for managing sex offenders are now in place, and we expect progress to be consolidated during 2007. Yet much remains to be done at all levels. This includes the Government, which is committed to taking legislative action in the light of the Sentencing Review, while the responsible agencies need to adapt their cultures and sharpen their practices.

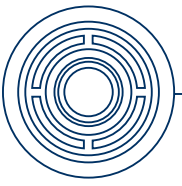
Next Steps

CJI will return to examine progress in Spring 2007, by which stage important new Practice Guidelines will have had six months to bed in and can be properly tested. We shall use a similar format to this interim inspection, and in the interests of completeness we also propose to consider the outcomes from other relevant case reviews.



Recommendations

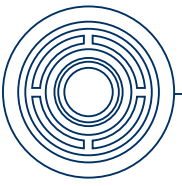
- We recommend that the Government should bring forward legislation that would have the effect of ending automatic 50% remission for dangerous offenders, create more scope for indeterminate sentences and generally place Northern Ireland on a similar footing to England and Wales (Paragraph 2.3);
- PSNI should provide wider internal access to the ViSOR information system (Paragraph 2.9);
- MASRAM work should feature in the Northern Ireland Policing Plan (Paragraph 2.13);
- The NISOSMC should initiate work on an accommodation strategy as a priority, considering all options for providing this important service. (Paragraph 3.3);
- Article 26 of the Criminal Justice (Northern Ireland) Order 1996 should be reviewed in order that breaches can be dealt with more expeditiously and outcomes more appropriately mark the seriousness of failure to comply with PBNi supervision (Paragraph 3.5);
- Future Serious Case Reviews should follow the more detailed and wide-ranging format that was utilised by the Probation Inspectorate for England and Wales in their enquiries into the murders of John Monckton and Naomi Bryant (Paragraph 3.9);
- In the most serious cases (comparable to the case of Mrs Harron) CJI should be asked to undertake future SCRs (Paragraph 3.10).



PART



Interim Report



Introduction

Trevor Hamilton

- 1.1 Hamilton's history is well known. He had a record of sexual offences from the age of 12. When he was 17 he committed a violent rape, for which he received four years custody and three years probation, subsequently increased on appeal to seven years custody and one year probation. The sentence took the form of a Custody Probation Order, meaning that on release from Hydebank Wood YOC he was under the supervision of the Probation Board. While under supervision, and little more than four months after his release, he abducted and murdered Mrs Harron in a crime which the judge, Mr Justice McLaughlin, characterised as 'the stuff of nightmares'. He received a whole life sentence, the first time that such a penalty had been imposed in Northern Ireland.

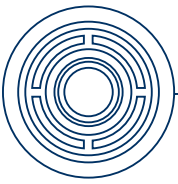
Reviews of the handling of Trevor Hamilton

- 1.2 Each of the agencies responsible for Hamilton's rehabilitation and supervision – the Police Service (PSNI), the Probation Board (PBNI) and the Prison Service (NIPS) – conducted its own internal review of this tragic case; and when the internal

reports had been completed the Northern Ireland Sex Offender Strategic Management Committee (NISOSMC) commissioned a former senior civil servant to conduct an independent Serious Case Review (SCR) pulling together all the findings and recommendations on a cross-agency basis. All these reports have been published on the websites of the agencies involved, the PSNI internal report in summary and the other reports in full.

The Recommendations

- 1.3 The detailed recommendations of all these reviews are reproduced in Appendices A1 to A4. In the interests of clarity we focus in this report on the main themes that came out of the four reviews.
- 1.4 The main themes are in turn linked to the recommendations of CJs MASRAM inspection report, referred to previously. Those recommendations are more wide-ranging than the SCR, and need to be implemented for a properly functioning system of sex-offender management. They are reproduced as a supplement to this report, together with detailed commentary on the progress that has been made to date.



Coverage of this interim report

- 1.5 It is already possible to check whether recommended changes in systems and procedures have been implemented but what really counts is the execution of the procedures by front-line officers of the agencies. As a set of new arrangements (“Practice Guidelines” which have been under development since Summer 2005) only came into operation in October 2006, proper inspection of their implementation needs to allow time for the changes to bed in.
- 1.6 CJI has therefore divided this inspection into two stages:
- The first stage, leading to this interim report, relates to the recommendations on systems and procedures;
 - The second stage will examine practice on the ground to check that the new arrangements are proving effective in practice, and a report will be completed by August 2007. It may make further recommendations for developments in the machinery of public protection designed to achieve even greater effectiveness.

The Themes

The main themes that Inspectors identified in the internal agency reports and in the Serious Case Review were as follows: (the references in brackets are to the relevant report recommendations)

(A) Automatic early release from custody (SCR 15, NIPS 4, MASRAM 1)

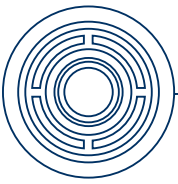
- 2.1 In accordance with current legislation, Hamilton was released from prison after serving only half of his seven year sentence. This reflects current statutory provision for the application of 50% automatic remission to an offender's sentence¹. There is now demand for Northern Ireland to enjoy the same public protection as elsewhere in the UK.
- 2.2 The law in England and Wales (the Criminal Justice Act 2003) provides for a dangerous offender such as Hamilton to be detained for up to the full length of a determinate sentence until the Parole Board determines that he is safe to be released. The 2005 CJI MASRAM report recommended that Northern Ireland should likewise have a system of parole for regulating the release

of those serving determinate sentences.

Progress:

- 2.3 In March 2005 the NIO's Criminal Justice Policy Division issued a public consultation on the Review of the Sentencing Framework in Northern Ireland for adult offenders. The main areas and disposals under consideration included extended and public protection sentences, compulsory post-release supervision and electronic monitoring. An announcement on the conclusions of the review is imminent.
We recommend that the Government should bring forward legislation that would have the effect of ending automatic 50% remission for dangerous offenders, create more scope for indeterminate sentences and generally place Northern Ireland on a similar footing to England and Wales. We are conscious that this would have significant resource implications, but it is the most important single step that could be taken to improve public protection.

¹ The rate of remission was increased from one third to one half in 1976 in recognition of the difficulties in introducing discretionary release and supervision arrangements, similar to those operated by the Parole Board in England & Wales, to the Northern Ireland prison population of that time. The introduction of similar community supervision arrangements, following early release at the one-third point in the sentence, would have been difficult in the circumstances of Northern Ireland at the time. Time has moved on and the changed character of the prison population in the post Good Friday Agreement era means there are less difficulties in this respect.



2.4 In this context it is important to note the difficulties currently facing the England and Wales parole system. The Parole Board is struggling to deal with a backlog and subject to a range of ongoing reviews and changes. Public confidence in the system has been damaged by certain recent high-profile cases. Care will need to be exercised in the design of the Northern Ireland system to ensure that it does not encounter similar difficulties. The Life Sentence Review Commissioners will no doubt provide a useful starting point for developing any new arrangements.

(B) Contribution of the PSNI (PSNI 1, 2, 3, 4, 7 and 8)

2.5 The main theme of the Serious Case Review was that after Hamilton was released police did not carry out the formal visits required, did not understand the structure for managing him, and did not communicate effectively either internally, or externally with their MASRAM partners. There was a specific failure to note that Hamilton had access to a car, which it should have been realised was integral to his *modus operandi*. These failings were not detected by PSNI managers at the time. Nor did the NISOSMC follow up on Area Committee failure to provide it with information requested in relation to Hamilton's progress. The PSNI's internal review is frank about these shortcomings, which resulted in misconduct interviews with four officers.

Progress:

2.6 There is no doubt the PSNI have felt the impact of the Hamilton case. However it was concerning that none of the staff whom we interviewed, including specialists, had read the Serious Case Review – which is available on the PSNI website. Their awareness came mainly from a television documentary about the murder of Mrs Harron.

2.7 The misconduct interviews concluded that no officer should be disciplined because the failings were deemed to be system failings within the Police Service rather than failings of individual officers. This situation has been addressed by Circular 37/05 which sets out detailed requirements for police officers, and structures for MASRAM working have improved. We found that awareness has been heightened, roles are clearer, and practice is more consistent. Each DCU that we visited had identified staff responsible for MASRAM work, and the central MASRAM Unit at North Queen St has helped. The responsible Assistant Chief Constable has introduced a practice of random dip-sampling Category 3 cases to satisfy himself that they are being properly managed. Nonetheless we identified some outstanding matters that need to be fully tested in the second stage of this review.

2.8. We repeatedly heard of concerns from the police officers who deal directly with offenders that they are uncertain of their authority in undertaking this work. These are



usually Neighbourhood Officers who undertake unannounced home visits to ensure compliance with sex offender registration requirements. They expressed fear of transgressing Human Rights Act and Data Protection Act requirements. It is imperative that police officers are confident to operate effectively – in this instance by recognising that Common Law, case law and the statutes under which they operate all prioritise their duty to protect the public. We believe that the NISOSMC must decide its view on whether and how to apply a case management approach to sex offenders. This process would undoubtedly be assisted by the core agencies working together as a co-located team.

2.9 The ViSOR IT system has now been introduced within PSNI, and a business case is currently being prepared for its extension to NIPS and PBNI. It is undoubtedly a powerful tool to aid the management of sex offenders. However access to ViSOR is very restricted, to the extent that most Neighbourhood Officers know little about the sex offenders with whom they are calling. This is inhibiting. If police officers are to manage properly then ViSOR needs to be more widely available. **We recommend that PSNI provide wider internal access to ViSOR.**

2.10 Many staff complained that their training for the specialist role of managing sex offenders had been very inadequate. This has begun to be remedied, and the training for Designated Risk Managers and

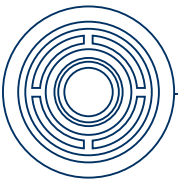
Neighbourhood Officers that Inspectors observed was comprehensive and tailored to PSNI needs.

2.11 Different models for managing sex offenders were operating in each DCU. This is understandable, given the varied size and nature of their sex offender populations. South Belfast, which has the highest number of sex offenders and good resources, had developed sophisticated arrangements for their management. This is an area of best practice by PSNI, and worthy of replication elsewhere.

2.12 PSNI is due to undertake a major overhaul of its structures in April 2007, in order to conform to the Review of Public Administration changes. This would be an ideal opportunity to sort out its MASRAM arrangements. CJI Inspectors were not convinced that the specialist MASRAM Unit at North Queen St makes best use of specialist police resources. They found that experienced police officers were largely undertaking administrative functions that could be done by civilians.

2.13 The issue of sex offending does not appear in Community Safety Plans, local Policing Plans or the Northern Ireland Policing Plan. We were told that District Policing Partnerships seldom raise sex offending as a concern, and indeed it only represents a small percentage of the PSNI's work. The public profile of sex offending and its impact on victims are disproportionate to its volume, and each of the statutory





agencies allocates relatively high resources to it. Yet within DCUs it is clearly regarded as a bolt-on area of work for specialists, which is less significant because it is not measured against policing objectives. **We therefore recommend that MASRAM work should feature in the Northern Ireland Policing Plan.**

(C) Interagency practice (SCR 5, 6, 9, 12 and 16; PSNI 5 and 6; NIPS 1)

2.14 The reviews made a number of recommendations about regularity and consistency of attendance at local sex offender management (ASORMC) meetings, levels of participation, circulation of minutes and setting and reviewing of objectives. They also suggested that Designated Risk Managers should assume more authoritative roles.

Progress:

2.15 CJI's observation of the ASORMC meetings suggested that there is now a more consistent pattern of attendance, especially by PSNI officers and NIPS Governors. We found that participants were generally better informed than when we last inspected. Both the NIPS and PSNI have now issued detailed MASRAM instructions to relevant staff and training has been provided.

2.16 However many ASORMC meetings were tedious and lengthy. A number of personnel from different agencies complained that this is a deterrent to consistent and active participation. Records are complex and jargonistic

and not sufficiently clear in their objective-setting and review. The new Practice Guidelines are designed to sharpen the pace and focus of the meetings, so we expect to find clear evidence of improvement next year.

2.17 Whilst we saw much good communication about specific issues, there is still limited evidence of routine communication between operational practitioners in the community (PSNI Neighbourhood Officers, Probation Officers and Social Workers) outside the MASRAM meetings. This is the type of communication where practitioners learn from each other, and a co-located team would undoubtedly assist in this respect.

2.18 The new Practice Guidelines have prescribed an enhanced role for Designated Risk Managers (DRMs), requiring them to be more authoritative, take a wider overview of the case and to collate updated reports well in advance of ASORMC meetings. It was clear to us that DRMs are apprehensive about these requirements, and we will wish to measure progress next year.

(D) Strategic Management (SCR 1, 7, 8, 10, 11, 13 and 14)

2.19 The reviews made recommendations to ensure that each stage of the offender management process is working correctly. There needs to be clear lines of accountability and support from DRMs to the ASORMC, and from the ASORMC to the High Risk Committee.

Progress:

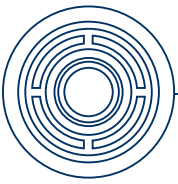
- 2.20 Full compliance with these recommendations can only be tested upon implementation of the new Practice Guidelines. CJJ's view of the new Guidelines is that they are well-designed, and should go a long way to enhancing MASRAM practice.
- 2.21 We saw evidence of proper, formal communication between ASORMCs and the High Risk Committee, with the High Risk Committee fulfilling a quality assurance role for the most serious Category 3 offenders. This marks an improvement on previous practice.
- 2.22 We also saw copious material generated by the NISOSMC which reflected due attention to strategic matters and operational interfaces, especially with local ASORMCs. The NISOSMC and its seven subcommittees are in the front line of dealing with the most difficult issues that arise in this challenging area of work, and treat their responsibilities seriously. They face a major challenge in implementing the additional responsibilities which the new Practice Guidelines entail. The challenge is greatest for police, whose culture has not traditionally required them to undertake case management - yet they have lead (and often sole) responsibility for most of Northern Ireland's sex offenders. 300 out of 540 (55%) sex offenders for whom a Designated Risk Manager was known in August 2006 had a police DRM, and this figure will steadily increase due to lengthy periods of registration when only police are involved.

(E) Preparation for release (SCR 2 and 3, NIPS 2 and 3)

- 2.23 Hamilton completed Anger Management and Enhanced Thinking Skills programmes while serving his first custodial sentence, and was required to undertake a sex offender programme in the community after release as a condition of his Custody Probation Order. He had in fact commenced that programme prior to his rearrest. However the SCR tells us that he refused to participate in a sex offender treatment programme while in Hydebank Wood YOC. This was on the advice of his solicitor, as he allegedly intended to appeal against conviction and to participate would amount to a confession of guilt. Yet he ultimately did not even lodge an appeal. Members of the public would understandably wish to see such a refusal to participate challenged in order to reduce the risk from re-offending.

Progress:

- 2.24 The NIPS and PBNi are addressing the practical issue of programme availability for prisoners in Hydebank Wood YOC, and are committed to having arrangements in place by March 2007. Programmes are important, not only for addressing offending behaviour, but also because they provide a valuable opportunity to assess risk. A short motivational programme that can be used with all types of prisoner, including those who deny their offences, has been introduced in the prisons. This is positive progress upon which to build.



2.25. However, we were told it is often difficult to get prisoners to participate in programmes. Even when they are motivated, the Prison Service faces other difficulties, as eligibility is restricted due to a variety of factors:

- Appellant status – people who are appealing against conviction cannot participate;
- Literacy levels – participants must be able to read and write, and a high percentage of Northern Ireland’s prison population have very low literacy levels;
- Length of time to serve – must be at least 12 months, and the prisoner should remain in the same prison for the duration of the programme;
- Risk level - only high to medium-risk prisoners are eligible;
- Participants must be compatible to work with other prisoners in a group setting over a lengthy period of time.

2.26 Any deviation from these criteria would compromise programme integrity, and lead to a loss of hard-earned accreditation.

2.27 In simple terms the best way to motivate prisoners such as Hamilton to undertake programmes would be by having parole arrangements as an incentive. It is not sufficient to assume that a prisoner who is compliant with basic prison requirements about conduct, and therefore earns extra privileges (as Hamilton did), will be safe to release at the earliest opportunity. If the prisoner knows that his release date will depend, among other things, on programme participation then he is more likely to participate.

2.28 An increase in programme uptake by prisoners would stretch the NIPS’s ability to provide facilitators. They have not yet achieved this goal for a variety of reasons, particularly Prison Officer reluctance to change shift working patterns and the demanding nature of this specialist work. This is part of a wider cultural shift that is required within the NIPS as it strives to develop the role of Prison Officers. There are also difficulties in obtaining other sufficiently qualified and experienced staff, such as Probation Officers and Psychologists, to deliver offending behaviour programmes.

2.29 The Prison Service also told Inspectors of concerns about the future direction of MASRAM. They anticipate further pressures on the prison population, with commensurate resource implications, if 50% remission is removed, or if scope is extended for sentencers to impose more discretionary indeterminate sentences.

2.30 The NIPS is also concerned that disproportionate resources will be invested in those who command the most attention already i.e. Category 3 offenders. They feel this may lead to underestimation of the risks posed by Category 2 offenders who are defined as giving “clear and current cause for concern with regard to their capacity to carry out a contact sexual offence”. Consequently they are unhappy about focussing on the “critical few”. They are also uneasy about the additional work that may be involved with violent offenders and unadjudicated offenders coming into



the MASRAM arrangements.

2.31. These concerns were not of equal weight for all the MASRAM partner agencies and negotiation was needed before the full implementation of the new Practice Guidelines. There is much more work for the operational agencies to undertake, and it is imperative that each partner should participate fully and communicate clearly in order to progress some challenging matters.

- PBNI also delivered Standards training for its staff in September 2006, prior to implementing the Northern Ireland Standards for Management of Offenders. It is noteworthy that PBNI is the only statutory criminal justice agency to operate case management standards, which provide very useful guidance for Probation Officers in fulfilling their public protection roles. This expertise would prove valuable in a co-located Public Protection Team.

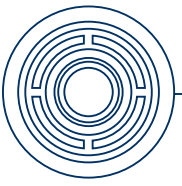
(F) Risk assessment (SCR 4, 17 and 18; PBNI 1, 2 and 3)

2.32. There is no doubt about the accuracy of risk assessments in relation to Hamilton: they demonstrated conclusively that he was a high risk offender. Risk assessment is therefore a lesser theme, but the SCR made recommendations for the Probation Board to maintain its body of expertise in this field.

Progress:

2.33 These recommendations have been fulfilled by PBNI:

- The new specialist sex offender manager was appointed in June 2006 and took up post in October 2006.
- Update training for PBNI staff in the ACE risk assessment process took place during September 2006 and will be fully completed in early December.



Other Issues

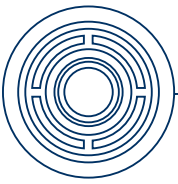
3.1 In order to understand fully the extent of progress in improving the management of sex offenders it is essential to read the Supplement to this report. It outlines the follow-up to CJI's MASRAM inspection, and addresses a range of issues that did not feature in the SCR. Two of these issues are particularly topical and relevant to the management of the most dangerous sex offenders, so we believe it is necessary to highlight them here.

(A) Hostels

3.2 Northern Ireland's offender hostels provide an invaluable service in managing high risk offenders. They are currently however, facing serious difficulties. Following the Home Secretary's announcement of June 2006 the agencies in Northern Ireland conducted a review of the accommodation arrangements for sex offenders. Some individuals were relocated as a result of that review. The outcome in practice is that some hostels are less willing to accommodate sex offenders, due in part to sensitivities caused by heightened public concerns. We understand there has been confusion about the terms of the policy

directive and this has led to the need for urgent clarification. The risk is that some sex offenders will be subject to much less rigorous management in the community if they cannot now be accommodated in a hostel, where curfews and room searches can be applied along with other restrictive interventions such as monitoring of acquaintances.

3.3 As difficulty in providing accommodation for sex offenders has increased in recent years, the MASRAM agencies have benefited from NI Housing Executive's participation in their process. There are several complex issues involved, including clustering, move-on provision, differentiation and staffing shortages. Whereas "approved accommodation" in England and Wales is operated by the National Probation Directorate, offender hostels in Northern Ireland have always been run by voluntary organisations. Given recent developments **we recommend that the NISOSMC should now initiate work on an accommodation strategy as a priority, considering all options for providing this important service.**



(B) Article 26 Licences


- 3.4 As was the case at the time of the MASRAM inspection, CJI's Inspectors again heard of the inadequacies of Article 26 Licences. These apply to sex offenders who receive a determinate sentence of imprisonment. After serving 50% of the sentence in custody, they are subject to Probation supervision in the community for the remaining 50% of the sentence. Article 26 Licences are not often used, but they apply to some of the most serious sex offenders. When these offenders do not comply with supervision requirements they must be dealt with in a Magistrate's Court. This is unsatisfactory as there are immediate concerns about the risk of further offending and time is of the essence, yet the process can take a long time to complete.
- 3.5. Even if successfully prosecuted for non-compliance with supervision, the maximum penalty for failure to comply with an Article 26 Licence is six months in custody – in reality this equates to three months to actually be served in custody, which in no way reflects the risk to the public by a serious offender who is relapsing. We heard of a rapist who had received an 11 year custodial sentence, was twice breached by PBNI for non-compliance, and on each occasion had fines imposed, without even appearing in court. PBNI is aware of three cases where Article 26 Licences have been suspended between two and four times, and in each case the offender was MASRAM Level 3. Consequently **we recommend that Article 26**

of the Criminal Justice (Northern Ireland) Order 1996 should be reviewed in order that breaches can be dealt with more expeditiously and outcomes more appropriately mark the seriousness of failure to comply with PBNI supervision.

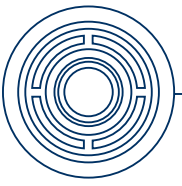
(C) Other relevant Case Reviews

- 3.6. Although it lies outside the Terms of Reference for this review, another local Serious Case Review highlighted several problems, despite major resources being devoted to management of the offender, and despite having a “sensible” management plan in place. It involved a life sentence prisoner on a pre-release scheme who was not a registered sex offender. Because of concerns about his risk he was brought under MASRAM supervision in the community in September 2003. A SCR was undertaken after he was charged with a sexual offence in January 2005, for which he ultimately received a six year prison sentence. It identified, inter alia:

- Communication breakdown between agencies;
- Inconsistent attendance at ASORMC meetings;
- “Glaring omissions” from MASRAM records;
- Competing powers between MASRAM and the Life Sentence Review Commissioners;
- Inadequate training for Prison staff;
- Lack of clarity about who should fulfil the role of DRM.

- 
- 3.7 We therefore propose in the interests of completeness, that CJI should also examine progress in respect of these matters when revisiting this subject next year.
- 3.8 Two reviews were published in February and May 2006 by the Probation Inspectorate for England and Wales into the murders of John Monckton and Naomi Bryant. They dealt with concerns which were broadly similar to those which arose in the murder of Mrs Harron and in the MASRAM inspection, and drew similar conclusions about the need for improvement. We would expect that Northern Ireland, which is a single jurisdiction, with only one Police Service, one Prison Service and one Probation Service, should be ideally placed to deliver optimum public safety practice following this series of reviews.
- 3.9 The Hamilton SCR used the DHSSPS model “Co-operating to Safeguard Children,” which is normally associated with Social Services enquiries. Feedback from the agencies involved in reviews of the Hamilton case suggests that although the “lessons learned” aspect of the SCR Terms of Reference was achieved the exercise should have been more comprehensive. We agree, and **recommend that future Serious Case Reviews should follow the more detailed and wide-ranging format that was utilised by the Probation Inspectorate for England and Wales in their enquiries into the murders of John Monckton and Naomi Bryant.**

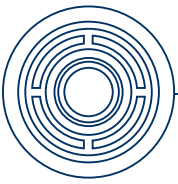
- 3.10. **We also propose that in the most serious cases CJI should be asked to undertake future SCRs.** That might require a minor legislative change to enable the Secretary of State to override the normal prohibition on CJI investigating individual cases for that specific purpose.



PART




Appendices

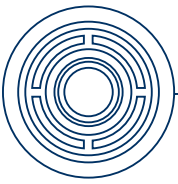


Appendix A1

RECOMMENDATIONS OF THE HAMILTON SERIOUS CASE REVIEW

1. There need to be mechanisms to ensure that agreed action is taken for the management of offenders (paragraph 6).
2. The NIO should review the question of whether an offender subject to a Custody Probation Order should be permitted to refuse to attend a Sex Offender Treatment programme while in custody (paragraph 6).
3. The NIPS and PBNi should examine the possibility of a course for Sex Offender treatment at Hydebank Wood Young Offenders Centre (paragraph 9) [cf. NIPS recommendation 2].
4. Arrangements should be made to facilitate the structured input of the NIPS into subsequent case management including by prison psychologists where appropriate. This should include attendance at ASORMCs and input to the risk management plan at all stages as it develops through the life of the case so as to help identify particular risks which might have become apparent in prison (paragraph 10).
5. The principle of consistent attendance should be re-emphasised to both key ASORMC personnel and all those likely to attend meetings. Moreover, there should always be a specified alternate for each member, so that briefing and updating is simplified in case of enforced absence. The opportunity should also be taken to re-emphasise the central importance of ASORMCs to successful case management (paragraph 13) [cf. NIPS recommendation 1].
6. The roles and authority of ASORMC chairs and DRMs should be further clarified and re-emphasised. The clarification of roles, with particular emphasises on the need for cross boundary working and acceptance of legitimate external authority in the MASRAM process, should be re-emphasised to all those who potentially participate in the MASRAM process (Paragraphs 14 & 15).
7. Each DCU must identify the Officer responsible for MASRAM matters. A suitable deputy must also be identified. He or she should be seen as the central point of the DCU who ensures that the agreed action is taken (paragraph 16) [cf. PSNI recommendation 3].
8. Checking that agreed steps have been executed should be an explicit element of the role of ASORMCs as prescribed in guidelines, which should also make clear the weight of the Chair's responsibility and the need for commensurate firmness in approach. The risk management action plan should always identify clearly the following: specific actions to be taken, the agency and person to be tasked with taking them or ensuring they are taken and the date by which the action should be taken (paragraph 18).

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9. There should be a tightening up in the clarity and distribution of the minutes of ASORMC meetings (paragraph 18.3) [cf. PSNI recommendation 5].
 10. DRMs (and indeed other members as necessary) should have an explicit right to raise with ASORMC Chairs, either at or between ASORMC meetings, any concerns he or she might have developed that any of the agencies is not undertaking an action as agreed, so that the Chair can seek to remedy it (paragraph 18.4).
 11. ASORMCs Chairs should be encouraged to develop a greater sense of collective responsibility in their committees and show a lead, for example, by ensuring collective discussions of actions taken to date on each individual case on the agenda and an opportunity for appropriate cross questioning of one agency by another. Each committee member should be encouraged to critique, constructively and sensitively, the actions of other members and agencies, as well as to respond positively to such critiques (paragraph 18.5).
 12. The clarity of guidance of frequency of ASORMC meetings should be re-visited (paragraph 19).
 13. Responsibility for monitoring execution of risk management plans should be made a more explicit responsibility of NISOSMC (paragraph 22).
 14. Liaison arrangements between NISOSMC and ASORMCs should be re-visited to ensure that clearing mechanisms are in place to chase progress (paragraph 23).
 15. NISOSMC should draw to the attention of the NIO its concern about the current policy concerning automatic early release of offenders like Hamilton (Paragraph 26) [cf. NIPS recommendation 4].
 16. To the extent that it accepts the findings and recommendations of this review, NISOSMC should put in hand a review of the implementation of both these recommendations and those made by the internal reviews directed at individual agencies (paragraph 27).
 17. NISOSMC may wish to refer the training aspects of both this report and the underlying internal reviews to its training sub-group to consider the implications and draw up an appropriate training response (paragraph 28).
 18. NISOSMC may wish to seek an update from the PBNi of its plans to ensure continued availability of adequate specialist expertise (paragraph 29).




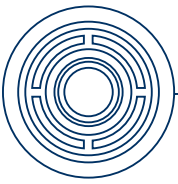
Appendix A2

Police Service of Northern Ireland

INTERNAL HAMILTON REVIEW RECOMMENDATIONS

1. PSNI should formulate and promulgate policy as a matter of priority regarding police responsibilities for the management of registered sex offenders in the community.
2. The management of sex offenders must be recognised as a policing priority for DCUs. DCU Commanders should be encouraged to take a proactive interest in this important area of community safety and should consider including it within their NIM strategies.
3. Each DCU must identify the officer responsible for MASRAM matters. A suitable deputy must also be identified. A record of these officers should be maintained by the MASRAM team and updated by DCUs as necessary. Training for MASRAM officers is referred to at Recommendation 10.
4. These officers must be conversant with current service instructions, MASRAM guidance and procedures. They should be proactive in the dissemination of relevant information to and from ASORMC meetings.
5. Where ASORMC minutes are distributed, receipt should be acknowledged by the addressee.
6. Where a sex offender is subject of an ASORMC meeting, the relevant DCU MASRAM officer must attend (see Recommendation 3).
7. It is accepted that officers responsible for MASRAM matters may require the assistance of other officers in the visiting of sex offenders. Where this is the case the MASRAM officer must ensure that these officers are aware of their powers and responsibility. Additionally these should be pro-actively supervised to ensure both that they are done but also to ensure that any information required for or generated by such visits is communicated from/to the MASRAM officer.
8. A short aide memoire should be produced for the benefit of officers visiting sex offenders under the MASRAM framework. This aide memoire should set out the requirements of such visits and their legal basis.
9. MASRAM practice guidelines should be amended to require the recording of all visits to registered sex offenders. These should be reported on at relevant ASORMC meetings.

- 
10. The PSNI Missing Persons Risk Assessment Form should require the officer completing and all officers signing to time and date the form. This will ensure the continuity of Risk Assessments, as well as bringing integrity to the process.
 11. When received, the MASRAM induction package should be made available to the whole service via PoliceNet.
 12. The MASRAM induction package should form the basis of a distance learning package supplied to all officers identified under Recommendation 3. This package should address MASRAM roles and responsibilities but must also clarify the relevant legal considerations (e.g. Human Rights and Data Protection legislation) with regard to sharing of information. A record should be maintained of those officers supplied with this package and the date on which it was supplied.
 13. Consideration should be given to the establishment of a mechanism to facilitate the exchange of information and best practice between the MASRAM Unit and other officers involved in the process. Active consideration should be given to use of PoliceNet in this regard.
 14. Consideration should be given to raising awareness throughout all parts of the service of the MASRAM process. As in Recommendation 13 it is suggested that use be made of PoliceNet. It may also be appropriate to utilise CallSign in this internal exercise.



Appendix A3

Probation Board for Northern Ireland

INTERNAL HAMILTON REVIEW RECOMMENDATIONS

1. There is a need to replace specialist expertise.
2. There are practice development needs in relation to the new standards for offender management.
3. Renewal training on ACE (Assessment, Case Management and Evaluation) is required for all Probation Officers and Managers.

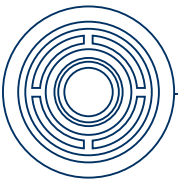


Appendix A4

Northern Ireland Prison Service

INTERNAL HAMILTON REVIEW RECOMMENDATIONS

1. The need for regular and consistent attendance of prison representatives at ASORMC meetings.
2. It is recommended that accredited sex offender treatment programmes are available at Hydebank Wood for young offenders.
3. It is recommended that more prison staff be trained as programme facilitators.
4. The legislative position on how someone considered High Risk, who failed to do anything significant to address their offending behaviour, can be released from custody on 50% remission, should be reviewed.



Appendix B

METHODOLOGY

- Examination of all Category 3 case files from PSNI and PBNI, plus a sample of Category 2 and Category 1 cases;
- Observation of a High Risk Committee meeting, plus urban, rural and prison ASORMC meetings;
- Interviews with and feedback from:
 - NIO – Director of Criminal Justice, Head of Criminal Justice Policy Division and officials;
 - PSNI – ACC Crime, District Commanders, Designated Risk Managers, Home Visitors and Criminal Intelligence Officers from six urban and rural areas;
 - NIPS – Director General; Director of Operations, Head of Resettlement and Head of Psychology;
 - PBNI – Chief Executive, Assistant Chief Officer responsible for MASRAM and MASRAM Manager.
- Observation of interagency training day in new Practice Guidelines;
- Observation of PSNI DRM training;
- Review of PBNI, PSNI and NIPS policy and operational guidance documentation, statistical data and annual reports;
- Sight of the PSNI IIB Misconduct Investigation File;
- Other Reading:
 - Hamilton Serious Case Review;
 - Serious Further Offence Reviews by the Probation Inspectorate into the murders of John Monckton and Naomi Bryant.

PART

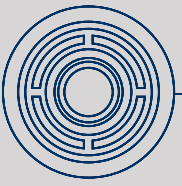


Supplement

to the interim report on the case of Trevor Hamilton

The MASRAM Inspection Report:
Review of action against recommendations

December 2006



CHAPTER 1:

The MASRAM Inspection Report: Review of action against recommendations

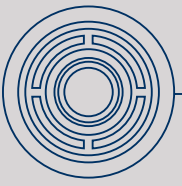


CJI reported on its inspection of the MASRAM arrangements in March 2005, and made seven Key Recommendations and 29 other Recommendations. This was a detailed and wide-ranging report. All the recommendations were accepted by the NISOSMC and an Action Plan was prepared in June 2005; this was updated in March 2006 and September 2006. The purpose of this follow-up inspection was to assess progress against the recommendations of the original inspection.

It was not anticipated all of the recommendations would be fully implemented by the time of this follow-up inspection. This was particularly the case for Key Recommendations which required major planning, and needed to be cross-referred with other initiatives such as the Review of the Sentencing Framework, and/or had major resource implications. Nonetheless Inspectors were looking to see that the spirit of the recommendations was being actively progressed, with target dates for full implementation. We also recognised that several recommendations will require introduction of the revised MASRAM Practice Guidelines in October 2006 before they can be fully-implemented.

The NISOSMC was shaping its own progress during the original inspection, and three particular areas of development have subsequently come to fruition: establishment of a Co-ordinators post, with administrative support, funded by the Northern Ireland Office; implementation of the ViSOR IT system; and publication of an Annual Report. These have been helpful developments. The Co-ordinator post has provided a liaison function and promoted a more consistent approach to sex offender management; ViSOR provides better information about offenders; Annual Reports have made the work of the MASRAM agencies publicly accessible and promoted responsible debate about this sensitive topic.

The findings of the follow-up inspection in relation to the recommendations, starting with the seven Key Recommendations are contained in Chapter 2.



CHAPTER 2:

Progress on the recommendations of the MASRAM Report



Key Recommendation 1

The NIO should work with core agencies to introduce legislation, with supporting guidance to underpin MASRAM activity. The Criminal Justice Act 2003 and the MAPPA guidance should be used as a basis for future development of MASRAM. (Para 2.17)

Comment

A proposal paper was issued by NIO in July 2005 to key agencies seeking views on legislative requirements, financial implications and sentencing and disposals necessary to underpin the arrangements. This was followed by a detailed consultation process that commenced in November 2005. The NIO expects to introduce draft legislation in Autumn 2006, with agencies having a lead in time of 12 months before the legislation becomes effective.

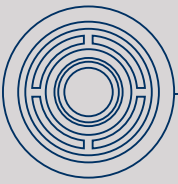
Key Recommendation 2

The remit of MASRAM should extend to include violent offenders. This will require clear criteria. The NIO should assess whether introduction of a supervised parole system would best serve this purpose. (Para 2.5)

Comment

As above. Besides legislating to place MASRAM arrangements on a statutory footing, proposed legislation is also expected to extend to a specific defined group of violent offenders. The issue of supervised parole and a range of other safeguards were included in the NIO Review of the Sentencing Framework. Consultation on this review ended in May 2005, and consideration of the findings has been ongoing since then. Inspectors heard of significant agency concerns about the undue length of time that this process, upon which much depends was taking, however CJI understands an announcement is now imminent.

We reiterate this recommendation, and urge that it is expedited promptly.



Key Recommendation 3

In the interests of manageability and effective use of resources the MASRAM agencies should return to first principles and manage cases at the lowest possible level consistent with providing a defensible risk management plan. (Para 4.4 i)

Comment

Inspectors observing the High Risk Committee in May 2006 learned that the number of cases designated as High Risk had reduced from 48 to 15, and additional training had been provided on the subject of defensible decision-making and the application of standards as set out in the Manual.

The ASORMCs ceased considering Category 1 cases on an interagency basis in September 2005, and they are now being more appropriately dealt with by single agencies.

The Co-ordinator and Chairs meet to ensure consistency across panels with regard to established risk levels. Each case is categorised individually with evidence to support the assessed level of risk.

Key Recommendation 4

The core agencies should decide about the appropriateness of using a case management system. Inspectors suggest interagency case management is not necessary for most Category 1 and Category 2 cases, but a proper case management system should be introduced for Category 3 cases, and supporting standards should be developed. PBNIs practice and recording systems offer a good model upon which to base such standards. (Para 5.4)

Comment

While the new MASRAM Practice Guidelines are to include case management standards, and "Work has been completed on development of a standardised case management system to ensure review and supervision of Category 3 cases" (March 2006 Action Plan), Inspectors' analysis of PSNI case files and observation of meetings suggests that there is still scope for developing the quality of case management in those cases where PSNI is the only agency involved. This is notwithstanding the fact that there has been significant improvement in file administration arrangements at North Queen St MASRAM Unit.

It was suggested that ViSOR was expected to provide a structure for managing Category 3 cases, but ViSOR alone cannot provide the detailed material to evidence a thorough case management process in action.

We reiterate this recommendation. In the first instance it is for the NISOSMC to determine how much agencies can legitimately demand of registered sex offenders. Then they should devise and implement appropriate standards of supervision for Category 3 offenders who are only subject to Sex Offender registration requirements. Realistically Key Recommendation 4 depends on implementation of Key Recommendation 5 in order to be successfully implemented.



Key Recommendation 5

The MASRAM agencies should consider establishing a co-located Public Protection Team, drawing upon best practice in GB. (Paras 3.22-3.25)

Comment

A dedicated co-located public protection team is at the heart of the proposed new arrangements that are being drawn up for implementation in 2007. Preparatory work has been undertaken by NIO and the agencies, though a unanimously-approved model with agreed line management arrangements has yet to be developed. It is important that this model should command the full support of each agency. A final decision is contingent upon provision of resources, and also awaits the new legislation to incorporate violent offenders. Recent cases have highlighted communication difficulties within the MASRAM process which would undoubtedly be aided by a co-located team.

We reiterate this recommendation.

We further recommend that the new model should be more neutral in its composition than heretofore, where staffing and location have had a disproportionately PSNI identity.

Key Recommendation 6

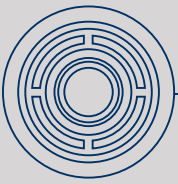
The MASRAM administration processes and documentation should be overhauled to become more user-friendly. This should include application of the ViSOR IT system to establish a searchable database that can generate useful management information. (Paras 2.10; 4.3; 1.11)

Comment

The documents that Inspectors viewed adhered to a standard format, and we also saw ViSOR information incorporated in reports provided to Area and High Risk Committee meetings. A full review of the documentation contained in the MASRAM Manual is to be carried out following implementation of the revised Practice Guidelines. This task has been included in the 2006/2007 Business Plan of the Policy & Practice Sub Committee.

PSNI introduced the Violent and Sex Offender Register in January 2006, and PBNI and NIPS have shared some of its benefits. ViSOR has begun to generate important case management information, as evidenced in the 2005-06 Annual Report.

An update on progress and use of ViSOR is provided to each meeting of NISOSMC.



Key Recommendation 7

Specialist practitioners should become familiar with the provisions of the Sexual Offences Act 2003, and apply these in relevant cases. (Para 2.4)

Comment

Training in the Sexual Offences Act (3 x 1 day events) was provided to key representatives in January 2006. Furthermore the High Risk Committee now requires evidence that the Sexual Offences Act's provisions were considered in each case that is submitted for its consideration.

NISOSMC's 2006 Annual Report provides the following data for the period April 2005 – March 2006 inclusive:

Sexual Offences Prevention Orders:

12 Applications; 4 Interim Orders granted;

Risk of Sexual Harm Orders:

3 Applications; 2 Interim Orders granted.

While there is no comparable data for previous years, this suggests an increase on the anecdotal information of very low usage that was provided to Inspectors during the 2004 inspection.

Since the inception of the Sexual Offences Act 2003, PSNI have taken out a total of 7 Notification Orders, 6 of which have been for Registered Sex Offenders from the Republic of Ireland.



MASRAM Report: Other recommendations

Recommendation 1

Unadjudicated offenders should be dealt with on a case by case basis within the terms of the MASRAM Practice Guidelines and the Police (Northern Ireland) Act 2000. (Para 1.14 c)

Comment

The arrangements have now been extended to include a defined group of unadjudicated sex offenders. From October 2006 the MASRAM arrangements have been extended to include all persons charged or reported by the police for prosecution for sexual offences involving children or serious sexual assaults on adults. This is subject to phased implementation as there may be issues to address of capacity depending on numbers.

Recommendation 2

MASRAM agencies need to reach a clear understanding with courts about the point at which sex offender registration commences – at the point of conviction, sentencing court, or upon release from prison. (Para 2.7)

Comment

It has been clarified that offenders become subject to notification requirements at point of conviction, or caution for a relevant sexual offence. PSNI guidance on this matter has been formulated and disseminated to DCU Commanders.

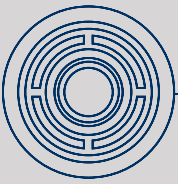
Recommendation 3

The practice of automatically reducing Category 3 registration levels while offenders are in custody should be clarified. (Para 2.8)

Comment

NIPS now ensures that every person subject to a prison sentence for sexual offences or sexually motivated offence will, within 12 weeks of entering custody, be subject to a Risk Management Meeting. The input of the local ASORMC will be sought at each significant point in the offender's sentence. This will include all types of temporary release, whether accompanied or not. The practice of automatically reducing an offender's category of risk while in prison has ceased.

NIPS policy and guidance now requires that MASRAM assessments and action plans take account of and complement risk assessments and determinations of other bodies including the Life Sentence Review Commissioners.



Recommendation 4

Inspectors would encourage progress in respect of Recommendation 291 of the Criminal Justice Review which suggests a co-ordinated cross-border approach to dangerous offender registers. (Para 2.15)

Comment

A draft Memorandum of Understanding has been agreed between officials from the Home Office and the Department of Justice in the Republic of Ireland, with input from the NIO about sharing information for the purposes of protecting the public from the risks presented by sex offenders and the investigation of serious sexual offences. Decisions around how the MoU should be implemented have yet to be finalised.

In July 2005 the Irish and British Governments signed an agreement to enhance co-operative working between criminal justice agencies in both jurisdictions, which includes sharing information on issues of mutual interest and concern. A priority area is the exchange of information on registered sex offenders.

An initial meeting about sex offender management between the two policing services took place in Dublin in February 2006. PSNI are keen to share all registration and sex offender intelligence information with An Garda Síochána and arrangements are being put in place to facilitate this. Information flow in the other direction is more complicated due to constitutional issues in the Republic.

Recommendation 5

The rationale for agency participation at each level of MASRAM should be reviewed in order to ensure appropriate engagement of agencies and lay representatives. The sub-committees may provide an opportunity for wider community and criminal justice voluntary sector engagement with MASRAM. (Paras 3.2-3.3)

and

Recommendation 28

Future development of MASRAM should recognise the criminal justice voluntary sector contribution by engaging them more fully than has been the case to date. (Para 5.15)

Comment

Lay representation has been considered by the NISOSMC and by the Policy & Practice Sub Committee. It was agreed that NISOSMC should use a recruiting agency to recruit a lay representative following wide advertising in local newspapers. It was also agreed that this process should await the implementation of relevant legislation.

Some voluntary sector groups now participate in the NISOSMC Sub Committees, and it is anticipated that this may increase.



Recommendation 6

There should be a more formal referral process from the ASORMC to the High Risk Committee, and formal reply using an agreed template. This should be copied to the DRM as well as to local police in order to improve communication. (Para 3.6)

Comment

A proper referral system is developed and in operation. This is formalised in the new Practice Guidelines, and provides a good quality control mechanism.

Recommendation 7

The PSNI should re-examine its internal structuring of MASRAM operations, and place them within a single branch – ideally Criminal Justice Department. (Para 3.10)

and

Recommendation 8

Deployment of PSNI's specialist MASRAM Unit should be rethought. They should be provided with dedicated administrative support, and thus be freed up to fulfil their true potential. (Para 3.11)

Comment

PSNI is still deliberating on the future arrangements for its MASRAM staff. These will need to fit in with restructuring as part of the Review of Public Administration and possible establishment of a co-located team.

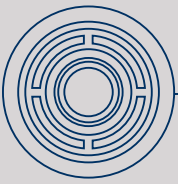
Recommendation 9

Preparation and publication of an Annual Business Plan and an Annual Report should become standard practice for MASRAM once the co-ordinator is in post. (Para 3.12)

Comment

The Co-ordinator now prepares a full business plan for the NISOSMC for each year which includes an individual business plan for each Sub Committee.

The first Annual Report was published in June 2005, and all 2000 copies of the report have been disseminated. The second Annual Report was launched in June 2006.



Recommendation 10

The core agencies should take credit for the important contribution they make to public protection by incorporating MASRAM objectives in their published Business Plans. (Para 3.13)

Comment

PBNI and NIPS now include reference to MASRAM in their annual Business Plans and also in their Corporate Plans. Other agencies are presently giving consideration to inclusion. PSNI have still to do so.

Inspectors believe that the profile of sex offender management would be significantly heightened within PSNI if MASRAM activity was incorporated in the annual Policing Plan.

We recommend that this be done from 2007 onwards.

Recommendation 11

Either a fresh report should be presented to each ASORMC, or a separate update should be attached to existing reports. (Para 4.3)

Comment

This is now a more established practice – Inspectors saw supporting evidence at ASORMCs during June and September 2006. However many reports are still confusing in their content, and will need to be revised if they are to assist the offender management process.

Recommendation 12

The status and accuracy of the Risk Matrix 2000 in current use needs to be clarified. (Para 4.3)

Comment

Only one version of the Risk Matrix 2000 form is now in use.

The validity of the Risk Matrix 2000 was reviewed with a series of special workshops in June 2006. This process drew attention to Acute Dynamic Risk Assessment and updated practitioners on the instruments presently available for risk assessment. It is important that any new risk assessment model be agreed by all agencies concerned and properly signed off by the NISOSMC. Full agreement will also be required when a separate risk assessment model is being developed for violent offenders.



Recommendation 13

The number of cases dealt with at ASORMCs and at the High Risk Committee should be reduced to a manageable level. (Para 4.4 i)

Comment

This recommendation is particularly significant given the intention to extend MASRAM arrangements to include violent offenders; and also the fact that there has been a 15.3% increase in the number of offenders managed within MASRAM between April 2005 – March 2006.

The March 2006 Action Plan states that arrangements had been made for Category 1 offenders to be taken off ASORMC agendas unless specific issues of concern were expressed. Inspectors' observation of ASORMCs verified that this was the case.

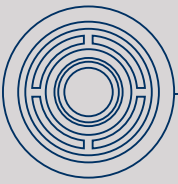
The new Practice Guidelines stipulate strict time schedules for each ASORMC meeting, and Chairpersons will be required to ensure that discussions are strictly kept to these times. The High Risk Review Committee will consider all new Category 3 cases and review those other cases referred due to specific issues. The maximum number of cases considered at any such meeting will be five.

The High Risk Committee that Inspectors observed ran efficiently, with each case considered thoroughly. However Inspectors found that considerable time was still being expended in ASORMC meetings debating semantic matters such as different understandings of "Risks", "Hazards" and "Dangers", listening to read-aloud reports, and agreeing the wording of action plans. In several cases the quest for interagency agreement consumed undue time and energy. The addition of violent offenders to MASRAM's remit will further pressurise ASORMC meetings unless the business can be conducted more rigorously.

The difficulty of managing ASORMCs was compounded by attendance of DRM's deputies at meetings, as they were not always familiar with the cases being discussed. There were also ongoing difficulties in timetabling meetings to accommodate participants who only attended for specific cases.

The cumulative effect was that, despite improvements in the MASRAM administration processes and documentation, some key participants had become deterred from continued participation. This is counter-productive, and requires prompt remedial attention.

Inspectors recognise the new MASRAM Guidelines are designed to assist in this respect, and will want to carefully assess progress next year, after the guidelines have had time to bed in.



Recommendation 14

Practitioners should be constantly encouraged and trained to use all opportunities for proactive information-sharing in their management of sex offenders. (Para 4.4 ii b)

Comment

A seminar was held on the subject of information sharing, and work is now ongoing in relation to use of ViSOR and development of further proactive information sharing provisions. The importance of information sharing is now included in all training events organised by NISOSMC.

This matter is also addressed in the work being done to implement the Richard Recommendations. The new Practice Guidelines will include advice on proactive information sharing.

Recommendation 15

Consistent availability of an electronic database showing prisoners home leave applications, outcomes, visitors and phone calls would further improve the process in prison ASORMC meetings. (Para 4.4 ii c)

Comment

Inspectors saw evidence of this at Magilligan in June 2006. The NIPS IT system – PRISM – provides this data, which will be enhanced when ViSOR becomes available in each of the prisons.

Recommendation 16

The existing protocols for sharing information with non-core agencies should be reviewed to ensure opportunities are not missed. (Para 4.4 ii d)

Comment

NI Housing Executive have now signed up to a full information sharing protocol, and the NISOSMC is still working on a similar protocol with the criminal justice voluntary sector. Arrangements are being made with various organisations and agencies including the NI Tourist Board, Alcoholics Anonymous and accommodation providers.



Recommendation 17

Where relevant MASRAM assessments and action plans should take account of, and complement other risk assessments e.g. the determinations of the Life Sentence Commissioners. (Para 4.4 ii e)

Comment

Inspectors did not hear of any subsequent difficulties in this respect. A meeting between NISOSMC and the Life Sentence Commissioners took place in September 2006 to begin to address this important issue.

Recommendation 18

The practice of joint NIPS/PBNI meetings with prisoners before and after ASORMCs should be replicated in each custodial institution. This practice should also be applied to offenders in the community as far as possible, particularly with Category 3 offenders. (Para 4.4 v a)

Comment

Inspectors saw good evidence of this practice in Magilligan, and NIPS confirms that it is now normal practice to hold joint NIPS/PBNI meetings with prisoners in each establishment before and after ASORMCs.

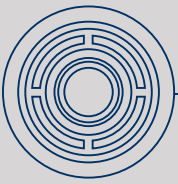
Recommendation 19

Agencies should review the opportunities they provide for offenders to participate in the MASRAM process, and do so with the advice of hostel staff and other service providers where appropriate. (Para 4.4 v b)

Comment

A pilot proposal took effect in October 2006 requiring that all Category 3 offenders be invited to a meeting with the core members of the ASORMC prior to the full meeting of the ASORMC with an opportunity to ask questions and be provided with information.

The Co-ordinator is also in liaison with the Law Society with a view to developing relationships with lawyers representing Category 3 offenders.



Recommendation 20

It is important that the MASRAM process is seen to speak with one voice, even when there has been internal disagreement. (Para 4.4 vii)

Comment

Inspectors did not become aware of any subsequent issues in this respect. Guidelines have now been developed to deal with disagreement. In any circumstance where there is lack of agreement in an ASORMC meeting between representatives of the core agencies, the Chairperson will as soon as possible refer the matter to the NISOSMC Co-ordinator who will seek to resolve the matter or bring it to the NISOSMC for resolution.

Recommendation 21

Agencies should always be clear about fulfilling their statutory roles and not expect the MASRAM process to replace these roles. (Para 4.4 viii)

Comment

Again Inspectors did not become aware of any issues in this respect. Training sessions now make clear that agencies must fulfil their own statutory responsibilities and not expect MASRAM to resolve issues on their behalf. MASRAM arrangements will provide assistance and advice where possible but will not take on the responsibilities of agencies.

Recommendation 22

Each agency should reaffirm its full commitment to the MASRAM process. (Para 5.6 ii b)

Comment

This relates to practice when offenders are in custody. The situation has improved as the NIPS is now more closely and appropriately engaged in the MASRAM process. The Co-ordinator, NIPS and PBNi have met to take forward issues identified in the use of ViSOR, assessment, representation at sub-committees and registration for those on working-out schemes.

Recommendation 23

Handover of cases between DRMs should be more formally structured, particularly in relation to high risk offenders. (Para 5.6 ii d)

Comment

Inspectors heard from operational police that they do not always receive a proper handover. This will be more fully tested in 2007 as the new Practice Guidelines include a process for handover of responsibility of case management from one agency DRM to another agency DRM. This process is to be formally supervised and overseen by the ASORMC in all Category 2 and Category 3 cases.



Recommendation 24

Practitioners need to be assisted to adopt a more victim-centred approach and less process-driven approach to their case management. (Para 5.6 iii)

Comment

Victim awareness training is now built into all training events and a special interest seminar was held in March 2006. This seminar concentrated on victim issues with presentations from victim-oriented organisations. The morning session was devoted to issues relating to adult victims of sexual assault, and the afternoon to child victims.

A further 20,000 copies of 'Protecting Our Children' have been published making a total of 60,000 copies now published. A media campaign advertising the availability of the booklets was carried out during February 2006 with advertising in all regional and local newspapers.

The amended Practice Guidelines now include a reference to victim issues and the development of communication links with victims. This is particularly important as most of the 45 people who used PBNIs Victim Information scheme between April – September 2006 had suffered a sexual offence. Neither the PBNi Scheme nor the Prison Victim Information Scheme have an agreed remit to provide victim information to or from MASRAM, and the majority of MASRAM cases would not be covered by those Schemes.

We therefore recommend that the NISOSMC consider this issue in conjunction with the relevant Victims Units in order to ensure its proposed communication methods are effective in dealing with victims' concerns.

Recommendation 25

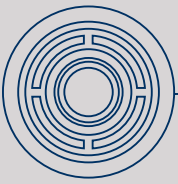
Hostel managers and other service providers should be fully engaged in MASRAM deliberations about their residents. (Para 5.11 i c)

Comment

Hostel personnel are now involved in both the Policy & Practice Sub Committee and the Accommodation Sub Committee. Hostel personnel have also attended recent training events.

The new Practice Guidelines include reference to the role of hostel managers and staff.

See however paragraph 3.2 of this report which outlines serious difficulties that currently face offender hostels, and the associated proposal that NISOSMC should develop an accommodation strategy.



Recommendation 26

Subject to resourcing, it would be worthwhile extending MASRAM training opportunities to District Policing Partnership members and also to responsible local community groups who can help manage sex offenders. (Para 5.12 ii)

Comment

The Training Plan has been reviewed and amended to take account of this recommendation. Much of the general training to date has been delivered via the local Area Child Protection Committee's training plans. Specific training has also been provided to the NI Housing Executive and to other housing organisations. Training has been facilitated for Health and Social Services staff, and briefings have been offered to all the Northern Ireland political parties – with disappointingly low uptake. Consideration is currently being given to providing awareness raising briefings to each of the District Policing Partnerships and local community groups.

Recommendation 27

The option of introducing electronic tagging should be considered by the Northern Ireland Office in conjunction with operational agencies as part of wider developments. (Para 5.13)

Comment

PBNI and NIPS provided a discussion paper for the NISOSMC, which was submitted for consideration as part of the Review of the Sentencing Framework. See comment at Key Recommendation 2 in relation to progress on the Review.

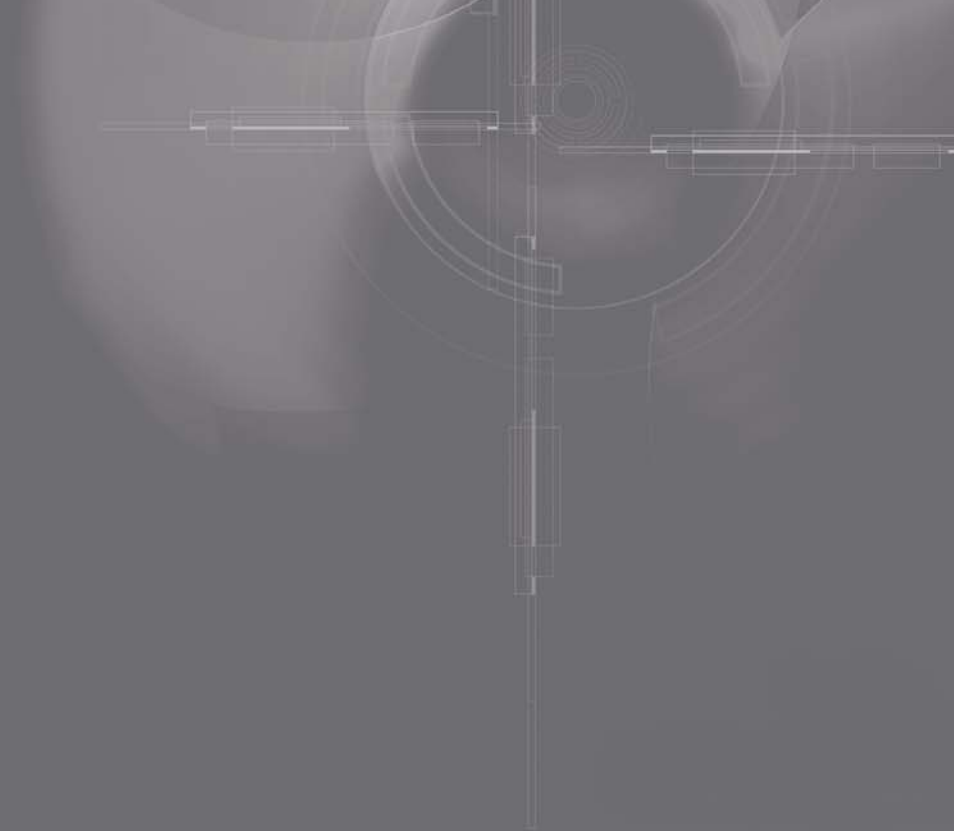
Recommendation 29

The process for discharging restricted hospital patients should incorporate a thorough criminal justice risk assessment and plan for appropriate post-discharge support. (Paras 5.16-5.18)

Comment

A Forensic Subcommittee of the NISOSMC has been established, with representation from the agencies responsible for restricted patients. Work is ongoing to implement the recommendation for having a criminal justice risk assessment carried out on sex offenders subject to Hospital Orders.

The proposed new Public Protection Team arrangements are intended to provide for supervision of dangerously mentally-ill offenders – the design of the team still needs to establish how it will incorporate a mental health perspective.



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