

Sex Offender Liaison Officer – Input on Mr Leon

I am the Sex Offender Liaison Officer for the Health and Social Care Department of the City of Edinburgh Council. I have the overall responsibility for co-ordinating and over viewing the management of registered and unregistered sex offenders in the community.

The object of this exercise in the case study relating to Mr Leon is to outline how social work services work in partnership with other council departments and voluntary sector agencies in the provision of services to sex offenders and overall risk management of this client group.

Before we look into Mr Leon’s case in more detail I would first of all like to highlight the protocol that exists between the consortium local authorities and Lothian and Borders Police in relation to the management of sex offenders in the community. The sex offender’s protocol was agreed in response to the Sex Offenders Act 1997 which was recently updated under the Sexual Offences [Scotland] Act 2003. The protocol recognises that reducing the threat to individuals and to community safety for sex offenders cannot be made effective with one service or with services working in isolation. The over-riding principle underlying the protocol is to maximise the protection of children and young people and other potential victims and to contribute to community safety.

In cases where there is potential for serious harm the need for interagency sharing of information may over-ride an individuals right to privacy and confidentiality. I will speak more about that later. As a general principle there should be no barriers to the proper sharing of appropriate information in relation to the management of sex offenders between police and social work, however it should be noted that the information needs to be shared strictly on a need to know basis only. The key arrangements outlined in the protocol are binding on all of the signatories to the protocol especially in relation to liaison arrangements, sharing of information and disclosure of information to third parties. Any decision to deviate from these arrangements must be justifiable and endorsed by the Detective Superintendent from the police and the criminal justice manager or persons designated in their absence.

The police and each local authority have identified 5 people whose responsibilities will include that of ensuring adherence to these arrangements from the protocol. In police headquarters there will be a Sex Offender Registrar, sometimes referred to as the police sex offender liaison officer or police SOLO and in other police divisions will be the local crime manager.

Each local authority has an identified social work sex offender liaison officer, Edinburgh having the only full time post. The police and social work department SOLOs have the principle responsibility of ensuring good communication and flow of information between partner agencies and adherence to the arrangements set out in the protocol. Police and social work SOLOs are also responsible for further dissemination of information to the relevant departments within their agencies, for example the social work SOLO is responsible for passing information to the local children and families teams where the sex

offender is returning to live. It is important therefore that for the purpose of sharing information that there is close liaison between the police and social work SOLOs and divisional crime managers to enable effective monitoring and management of sex offenders in the community.

Procedures outlined in the sex offender protocol are applied in accordance with the assessed level of risk posed by the offender or potential offender not solely upon the registration requirement. In Scotland the nationally recognised risk assessment tool used by both police and social work is Risk Matrix 2000 which takes into consideration static risk factors. It is important to note that nothing in this protocol will prevent the police social work or other council services taking any immediate or urgent action to discharge any statutory responsibilities or to protect any child, person or vulnerable adult. In particular the facility of the current Edinburgh and Lothian child protection guidelines which enable a service to request an emergency joint discussion case conference strategy meeting at senior officer level will co-exist with arrangements agreed in the sex offender protocol.

Even when a sex offender ceases to be on statutory supervision when the order comes to an end the social work department sex offender liaison officer, the divisional crime manager and the police sex offender registrar/police SOLO continue to be involved in the ongoing risk assessment and review process through joint discussion between police and social work.

We're now going to look at risk management interagency arrangements that need to be put in place for Mr Leon's return to the community. Given that Mr Leon is due to be released on 3 years statutory supervision and will be supervised by a criminal justice social worker what we need to do is organise what is called a risk management case conference after his pre-release meeting has taken place and prior to his release from prison.

The aims and objectives of the risk management case conference are to further facilitate a multi-disciplinary, multi-agency approach to the management of sex offenders in the community. The authority for the risk management case conference comes from the City of Edinburgh Council policy document 'Sex Offenders in the Community – a corporate council approach'. A risk management case conference is a mechanism for discussing the risk that sex offenders present to the community. It is an interagency meeting convened to ensure that information relevant to the assessment of risk is considered and at the end of it to devise a risk management action plan and where relevant to review risk management arrangements, clarify roles and responsibilities in relation to case management. It may also raise issues about the disclosure of information should they arise. It is important to note that the risk management case conference does not replace policy and procedures that currently exist, instead it complements the statutory work that takes place through child protection procedures, National Objectives and Standards in the Criminal Justice system and police enforcement of the sexual offenders act 2003.

Active consideration to hold a risk management case conference should be considered under the following circumstances:-

- As in the case of Mr Leon, where high risk sex offenders are to be returned to the community.
- Those convicted of sexual offences serving 4 years or more
- Sexual offenders released on supervised release orders or extended sentences
- Sexual offenders being released from secure or medium secure hospital facilities
- Or sex offenders whose behaviour indicates a serious risk of re-offending or harm.

The decision to convene a risk management case conference is taken by the social work SOLO in consultation with other relevant agencies. The social work department SOLO will be the single point of contact for agencies to discuss the appropriateness of convening a risk management case conference – at that stage details including date, location and who should be invited should also be agreed. Once a decision has been taken to convene a risk management case conference invitations will be sent out using a standard pro-forma. This task will be undertaken by the supervising social worker where the case is allocated within a criminal justice social work team, SACRO, where the case is a voluntary throughcare case, or the allocated social worker where the individual is under 18 years and allocated within the social work department children and families services. In all other cases the invitations are sent out by the social work SOLO.

Risk management case conferences are usually attended by the social work department SOLO and they also chair the meeting. The police SOLO and/or the divisional crime manager, the housing department SOLO, supported accommodation providers, supervising social workers and line manager if appropriate. Invitations may also be sent to other social work services such as children and family social workers and prison social work teams, voluntary organisations and relevant community groups. As mentioned above the chairing and recording of a risk management case conference is undertaken by the social work department SOLO. This may possibly be devolved to others following discussion with the social work department SOLO.

The risk management case conference should follow the same structure every time which includes introductions, apologies, minute of last meeting, if appropriate, purpose of meeting, victim issues, assessment of risk, risk management action plan and timescale for next risk management case conference, if appropriate. The content of the meeting will be recorded using an agreed pro-forma. The pro –forma requires the reasons for convening a risk management case conference to be recorded, it will also include a list of the core group members and their contact details. A copy of the minute will then be circulated to those invited to the risk management case conference. The name of the recipient will be highlighted on the front sheet. In the event of inaccuracies the chair should be contacted in order that any suggested amendments can be agreed.

OK. We've now established what a risk management case conference is, when it should be convened, who should be invited and what should be discussed. We are now going to go on and organise a case conference for Mr Leon. The social work

SOLO would normally be receiving circular 18 notification from the prison which would give details of when the prisoner is due to be released into the community. This should normally be done three months prior to the release of the client. On receipt of the circular 18 notification the social work SOLO would normally contact the criminal justice supervisor for the client. In Mr Leon's case the probability is that we would convene a risk management case conference, organise the date, time and venue and agree who needs to be invited. Invitations would then be sent out by the supervising social worker to the housing SOLO, the police SOLO, the children and family social worker who made the disclosure to the woman who had visited Mr Leon in prison with her children, also any other agencies involved in employment counselling or supported accommodation

As mentioned the social work SOLO would outline the reasons for convening the meeting. In the case of Mr Leon the social work SOLO would ask the supervising social worker in the community to outline the contact she had had with Mr Leon in the prison and provide any relevant background information about his home circumstances, his current and previous offending, his motivation for offending and attitude toward his victims and the impact the offending had upon them. The meeting would also consider the conditions that had been applied for to the Parole board and whether any further conditions were needed before Mr Leon's release into the community. Obviously one of the main conditions already outlined is that he have no unsupervised contact with children under the age of 17years. This is pretty normal for someone who has been convicted of those types of offences. Given the contact that Mr Leon had had with the woman that had visited him with her children in prison I would ask the children and families social worker to feed into the discussion at this stage with regard to the contact she had had with the mother of the children and her assessment of the mother's ability to protect her children should Mr Leon try to contact her again. It would also be highlighted in the meeting that ongoing reinforcement should continue with Mr Leon that he should have no contact with children unless he was given prior permission by his supervising officer.

Discussion would also take place around Mr Leon's housing options. Given that Mr Leon is no longer welcome back in the family home we would clearly have to look at what housing options would be available for him in the community. At this point the housing department SOLO would be invited to discuss what options the housing department could provide for him. The likelihood is that Mr Leon would probably go into temporary accommodation with a view to placing him in his own local authority tenancy somewhere in the city, unless he had private funds to pay for privately rented accommodation. Obviously this would be subject to the approval of his supervising officer as per the condition that he only live at an address approved by his supervising officer.

The meeting would seek to clarify where the victims of the offences were staying through police intelligence or social work records so that Mr Leon was not located in the same area where his victims were residing, we would also ensure that Mr Leon was not placed in accommodation overlooking a school or a playground or where children congregate for child protection reasons.

We would also discuss at the meeting Mr Leon's employment aspirations for when he gets out of prison. He would hopefully be linked up with an agency such as APEX that has experience in employment counselling so that he could begin his reintegration into the community through making constructive use of his time.

One of the issues we would need to consider at the meeting would be in relation to Mr Leon's employment. His previous employment involved him working in the IT industry. If Mr Leon decided that he wanted to return to this line of work a decision would then have to be made by the meeting, depending on where he was working whether he posed any significant risk to children and a decision would have to then be taken as to whether disclosure would have to be made to any potential employer.

The issue of disclosure is quite a complicated area and the circumstances where disclosure should be made are governed by clear principles and regulations contained in human rights legislation, data protection legislation and also the Children [Scotland] Act 1995 and other guidance. There is also guidance about disclosure within the sex offender protocol and I urge you to look at it if considering disclosure. I would also emphasise that although it is entirely a matter for the local authority to decide whether to reveal information in its own possession, obviously subject to all proper statutory and regulatory provisions, it cannot reveal the registration status of a sex offender without the prior written permission of the police because the police actually hold the sex offender register, therefore they hold the right to disclose the registration.

In conclusion it is essential therefore that the decision to reveal any information about an individual to another party is proportional to the aims commensurate with an identified statutory duty as evidenced and case recorded, also any decision to disclose information about an offender to a third party should be carefully made on a case by case basis and take into account a wide variety of factors including the nature and pattern of previous offending, compliance with previous sentences or court orders, any predatory behaviour which may indicate a likelihood that they may re-offend, the probability that a further offence may be committed, the harm that offending behaviour would cause, the potential subjects of the harm, and the potential consequences of disclosure to the offender and their family. Any disclosure should therefore be on a need to know basis and be limited to information necessary to minimise risk or promote the protection of children or vulnerable members of the community.

Other factors that would be considered by the meeting would be whether any offence focussed work would be undertaken by the client. We would determine who this would be undertaken by and whether a referral would need to be made to the Community Intervention Service, which is an Edinburgh based resource which provides treatment programmes for sex offenders.

We would also consider the risk categorisation which in the case of Mr Leon using Risk Matrix 2000 is Medium risk of reconviction and high risk of harm. As indicated this tool only considers static factors so discussion would take place around any dynamic factors which would seem to increase the risk of further

offending. On the basis of the agreed risk assessment the level of intervention and frequency of supervision would then be determined.

The police would then be asked to feed in any other relevant information or intelligence they have on Mr Leon's offending background. The police would also be required to highlight the registration requirements under the sexual offences act 2003 that Mr Leon be required to abide by when he gets into the community. The police would ask the supervising social worker to advise Mr Leon that upon leaving prison he would be required to register under the Sexual Offences Act 2003 within 3 days. When in the community as he has been assessed as a medium risk of reconviction Mr Leon could expect to be visited at home by the police at least every 6 months.

The final part of the risk management case conference would involve the social work SOLO summing up all of the information that had been fed in by the agencies present. The SOLO would then devise a risk management action plan, allocating specific tasks with set timescales to specific agencies where relevant. The SOLO would then discuss with the partner agencies the merits of re-convening the risk management case conference. A date, time and venue would then be set and included in the minute. A copy of the minute would then be typed by the SOLOs support assistant and distributed to all those agencies in attendance at Mr Leon's risk management case conference.

OK. If you've not already fallen asleep long ago, this concludes my input on Mr Leon's Risk Management in the Community.