

Policing Registered Sex Offenders

The number of Registered Sexual Offenders (RSO's) across England and Wales has risen steadily over the last decade. In April 2007 the Ministry of Justice recorded a total of 30,416, yet by March 2016, this figure had grown to 52,770 (Ministry of Justice, 2016). The rise in RSO's is due in part to an increase in criminal convictions. For example, improved technology has assisted policing in terms of detecting online crime (Byrne & Marx, 2011). Likewise, with an ageing population (Bows & Westmarland, 2016), and a steady rise in the length of time people remain on the register for (Lieb, Kemshall, & Thomas, 2011), it is perhaps unsurprising that there has been an increase in the number of RSO's over the last decade.

The management of this group falls under Multi-Agency Public Protection Arrangements (MAPPA) as established by the Criminal Justice Act 2003. Legislation requires RSO's to be jointly managed between prison, probation and the police. These are identified as the *Responsible Authorities* with mandatory statutory responsibility to assess and manage RSO's across England and Wales. Under MAPPA arrangements, RSO's are categorised into three levels, each level determining the degree of resources needed to manage their assessed risk. RSO's assessed at level 1 require *ordinary agency management*; those at Level 2 require an *active multi-agency management*; and those at Level 3, *an active enhanced multi-agency management* (MAPPA Guidance 2012 Version 4.1 [Updated December 2016], 2012, p. 43). These classifications are of course dynamic and where risk changes, RSO's can move between levels of management. While, RSO's assessed as needing to be managed at levels 2 or 3 require a multi-agency approach, the number of cases falling within these levels is relatively small. For example, between 2015 and 2016 only 4% ($n=2,059$) of the population were managed at these intense levels. The large majority ($n=50,711$) were assessed as needing management at an ordinary level (Ministry of Justice, 2016). It is also worth noting that even at an ordinary level of management, agencies continue to work together; although the responsibility for the management of risk sits with a single agency. It is likely, that during the RSO's sentence, they will

have involvement with all three key agencies. For example, towards the end of the client's imprisonment, prison practitioners will work with the resettling probation and police area to arrange release and transfer of the case. During licence and/or community sentences, while the probation service manages the risk, they still work with the other agencies to support the risk management plan. Yet, once the licence or community sentence period ends and registration requirements extend beyond this period, the majority of RSO's become the sole responsibility of the police.

To manage these cases, each police area has a specialist unit dedicated to managing sexual and violent offenders. Areas vary in terms of what these units are called but tend to centre their teams within Public Protection Units; teams and officers are sometimes called Sex Offender Liaison Officers (SOLO); Management of Sexual and Violent Offender Officers (MOSOVO); Sex Offender Managers (SOM) etc. In essence, their role requires them to carry a caseload of RSO's and serve as an 'offender manager' who both assess and manage the risks posed. Traditionally, police and staff in Public Protection Units have been responsible, in the main, for the investigation and detection of sexual and violent crimes. However, in light of changes to legislation, police forces across England and Wales have experienced a shift in responsibility of duty from one of control and surveillance, to what has now become more of a system of supervision.

In light of these new duties and the rising rates of RSO's, a number of strategies have been adopted by the police to ensure they are able to continue to both protect people from further sexual abuse as well as help to reduce the risk presented by the large caseload of RSO's. Given this significant change in role, it is perhaps surprising that very little empirical research has been undertaken to examine the utility of police practitioners and teams carrying out a more supervisory and restorative type role. Indeed, of the studies available, this change in police practice has not been without its challenges (Nash, 2016).

A strategy to work more effectively with RSO's has recently been implemented across all police forces in England and Wales. A risk assessment and risk management planning tool called the Active Risk Management System (ARMS) is a structured tool designed to assess both dynamic factors

known to be related to sexual recidivism, along with protective factors that might support the desistance process. The tool provides officers with a structured framework that informs their professional judgement and is guided by the Risk Matrix 2000 (RM2000: Hanson & Thornton, 2000). For a detailed review of the development of the tool please see Blandford and Kewley (2017 (in press)). In short, the tool enables assessors to carry out an assessment that informs and determines the resources, actions and interventions needed to help reduce the client's risk. The risk management planning is therefore driven by what are known to be both a risk and a protective factor in the client's life. Here, risk management strategies help to control and mitigate risk, as well as develop and strengthen a client's protective factors. It is worth noting that ARMS is intended to be used across the police, probation and prison service, at the point of writing, it has only been fully implemented by the police.

Traditionally, police forces have determined how to manage their RSO's not only by MAPPA levels but also by the risk classification as determined by a RM2000 assessment. RM2000 is a statistically derived risk assessment tool, used for adult males convicted of a sexual offence. While this is an invaluable tool that helps classify potential recidivism outcomes of groups of RSO's, it has little clinical value for helping practitioners develop individual risk management plans. Therefore, the use of the ARMS tool should provide an opportunity for officers to develop relevant and clinically meaningful plans to manage and reduce the risk of RSO's. While dynamic and strengths based approaches to working with clients in the criminal justice system are not new, it is perhaps a practice yet to be fully embraced across all service providers. This is partly due to the resources required to carry out individual assessments, as well as a range of conflicting organisational aims, and of course changing political agendas driving criminal justice policy and budgets (Kewley, 2017a). While the police across England and Wales have embraced this new approach, the implementation of the ARMS tool has brought with it a number of challenges. Following a study in which four focus groups of police officers responsible for the completion and implementation of ARMS assessments was undertaken (Kewley, 2017b (in press)), a number of issues were identified. These include: limited

resources available to forces for carrying out assessments; limited training and supervision of staff; a conflict in assessor value base; and a deficit of interpersonal skills required to carry out assessments. The remainder of this review aims to detail some of these problems and provides suggested solutions as to how both management and individual officers might begin to address some of these challenges.

Working with clients convicted of sexual offending from both a strengths perspective, and one of rehabilitation, requires particular skills, knowledge, experiences, and of course organisational support. Practitioner's need to have the resilience to deal with the subject matter (which of course in itself can be distressing) but also have the resilience to work in a positive and future focussed manner with their clients. Clients themselves might face barriers such as stigma, fear, social rejection, unemployment, homelessness etc., and practitioners therefore have to navigate these obstacles and at times advocate on behalf of their client. Up until recently however, police practitioners have worked with RSO's from a mainly risk perspective, yet the ARMS tool requires them to not only consider the factors that might take clients closer to offending, but also those that may help move them away from crime. It is therefore essential that people recruited to do this important work:

- a) hold values and beliefs that support the idea that people convicted of sexual offences can change;
- b) have the interpersonal skills to work in a humane and dignified way with such clients; and
- c) are fully trained and supported by formal and regular supervision sessions, so that meaningful risk management plans can be fully implemented.

While much of the sex offender literature does not specifically include the work of police practitioners, arguably it is highly transferable. The literature includes the work of many other practitioners and assessors in the criminal justice system who work with clients convicted of sexual offending (e.g. therapists, prison officers, probation officers and forensic psychologists). Much of the literature details key characteristics proven to engender a *therapeutic alliance* that supports the

change process and ultimately helps reduce the risk of recidivism (Marshall, Marshall, Serran, & O'Brien, 2011). Thus, establishing a positive therapeutic alliance ought to be an important goal for all practitioners working with these clients.

Police practitioners might benefit by engaging with some of the characteristics needed to develop an alliance with RSO's, particularly given that poor interpersonal skills or practice hinder the process of change, and may even be the cause of resistance. For example, attending a client's house on an unannounced police visit and then requiring the client to engage in a detailed interview to complete an ARMS assessment, has the potential to be received as both hostile and disrespectful, thus comprising the therapeutic alliance. This type of police practice has the potential to undermine the ability of individual officers developing meaningful relationships and building risk management plans based on client's risks and strengths. Setting officers the task of designing and delivering quality risk management plans is likely to have a greater impact on enhancing therapeutic alliance rather than requiring officers to achieve a certain number of unannounced visits.

The desistance literature also provides a wealth of knowledge that can help practitioners understand what factors are needed to support an individual moving through a process of change and ultimately cease offending. McNeill (2009) provides a summary of the desistance literature and how it can be best applied to a model of supervision within a criminal justice agency context. While there are several explanations within the literature that detail the process of desistance that include theories of maturation, social control, narrative identities, social learning and situational theory (Gottfredson & Hirschi, 1990; Laub & Sampson, 2001; Maruna, 2001), there are some supervisor skills that McNeill highlights as being essential for this environment. The process of desistance, he suggests is a human one, and supervisors should therefore recognise that all processes of change are complex and embedded within much wider social contexts that reach beyond those of the criminal justice system. This means that supervisors or police practitioners working with RSO's must be able to engage and support all aspects of change, including, psychological transformation, development of social capital and the repairing of broken or weakened social bonds. Practitioners have the

opportunity to work with, and support, RSO's to develop capacity and opportunity to restore social and family bonds, and to help engender hope and the belief that they can make positive changes in their life. However, in order for practitioners working with RSO's to support the desistance process in a safe and effective way, they themselves need to be supported by trained professionals who can offer them meaningful supervision and guidance during their practice.

Formal supervision not only provides a safe environment for practitioners to talk through difficult cases or issues, but it provides an opportunity for practitioners to develop and practice new skills and learn new ways of approaching issues. It provides a mechanism for external oversight of practitioners work, and thus prevents drift or collusion. While supervision does not always need to be provided by an external professional, this type of model does provide benefit to the supervision process. For example, with an external agent, practitioners can talk about cases and strategies without the fear of management questioning their ability or competency. Likewise, an external agent can report back, with limited bias, the themes emerging from supervision and thus identify training needs within a team. There are also costs implicated in this model, and so supervision can be delivered effectively in-house, as long as supervisors are trained and qualified to provide guidance in this specialist area.

A final issue for those engaged in the process of working with people with sexual convictions is the need for their knowledge base to be regularly updated and alert to new knowledge. Practitioners should not only be keen to develop skills and adopt new practices that are evidenced as effective, but they ought to be provided with the space to do this. Regular continual professional development events are likely to be most effective if they are underpinned by academic knowledge, and delivered to practitioners with an applied and skills based approach. Practitioners provided with an opportunity to test out new approaches and skills in a supportive training environment are also more likely to embed them into practice. Indeed, extending training beyond formal sessions is an example a best practice. Training and supervision can of course take many forms, including the

completion of reflective diaries, peer observation, supervisor observation, workshops, informal best practice discussions etc.

Criminal justice practitioners working with people who have a history of causing sexual harm to others require a particular and unique set of skills, values and knowledge. These requirements are not of course limited to one agency within the criminal justice system, and as noted in this short review, specialist teams in the police are now required to work with RSO's in an effort to support their reintegration back into the community. In order that this process effectively reduces future harm, police practitioners must be supported to do this work. With high quality supervision and training, practitioners can begin to foster an alliance with RSO's that promotes a client's sense of worth in the community, enhances their social capital, and by default begins to reduce the risk they may present to others.

Implications for Practice

- Recruitment of assessors with values and beliefs that support the idea that people convicted of sexual offending can change should be an essential criteria for assessor selection
- Training ought to be regular and ongoing, grounded in academic knowledge and applied in nature
- Formal supervision sessions should be made available for all ARMS assessors. Sessions should be led by assessors needs and areas of professional development
- Assessors ought to be assessed and observed in practice, this should be linked to formal supervision
- Performance measures must be related to the quality and effectiveness of the design and implementation of risk management plans rather than the quantity of plans or home visits

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