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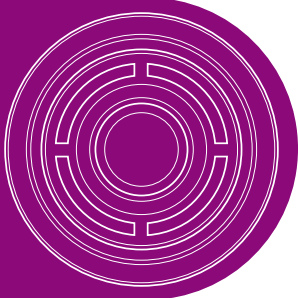
## PUBLIC PROTECTION INSPECTION III: A THEMATIC INSPECTION OF THE PUBLIC PROTECTION ARRANGEMENTS NORTHERN IRELAND

### October 2019

Criminal Justice Inspection
Northern Ireland
*a better justice system for all*

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Laid before the Northern Ireland Assembly under Section 49(2) of the Justice (Northern Ireland) Act 2002 (as amended by paragraph 7(2) of Schedule 13 to The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010) by the Department of Justice.

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# Contents

# List of abbreviations

| | |
|---|---|
| **ACE** | Assessment, Case Management and Evaluation (scoring system/tool to assess likelihood of reoffending) |
| **APs** | Approved Premises |
| **CJI** | Criminal Justice Inspection Northern Ireland |
| **DoJ** | Department of Justice |
| **DRM** | Designated Risk Manager (within NIPS) |
| **HSCT(s)** | Health and Social Care Trust(s) |
| **LAPPP(s)** | Local Area Public Protection Panel(s) |
| **NICTS** | Northern Ireland Courts and Tribunals Service |
| **MUST** | Mid Ulster and South Tyrone hostel |
| **NIHE** | Northern Ireland Housing Executive |
| **NIPS** | Northern Ireland Prison Service |
| **NGOs** | Non-governmental organisations |
| **NPIA** | National Policing Improvement Agency |
| **NSPCC** | National Society for the Prevention of Cruelty to Children |
| **OBP(s)** | Offending Behaviour Programme(s) |
| **PCI** | Presbyterian Church in Ireland |
| **PDU** | Prisoner Development Unit (within NIPS) |
| **PBNI** | Probation Board for Northern Ireland |
| **PPANI** | Public Protection Arrangements Northern Ireland |
| **PPU** | Public Protection Unit (within PSNI) |
| **PPT** | Public Protection Team |
| **PSNI** | Police Service of Northern Ireland |
| **SCNI** | Simon Community Northern Ireland |
| **SCR(s)** | Serious Case Review(s) |
| **SMB** | Strategic Management Board (within PPANI) |
| **SOPO(s)** | Sexual Offences Prevention Order(s) |
| **ViSOR** | Violent and Sexual Offenders Register (database) |
| **VOPO(s)** | Violent Offences Prevention Order(s) |
| **UK** | United Kingdom |
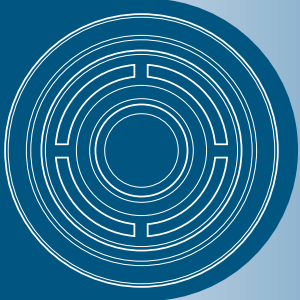
# Chief Inspector's Foreword

*The management of sex offenders generates considerable public interest and concern and during its formative years, was the subject of regular inspection.*

Criminal Justice Inspection Northern Ireland's (CJI's) last full inspection of the Public Protection Arrangements Northern Ireland (PPANI) was published in 2011. At that time I assessed that the partnership was the best example of inter-agency and cross-departmental working in the criminal justice sector and, safely located within a statutory framework and with a clear strategic vision, it was appropriate to allow the process to mature and develop.

Nine years later the arrangements have become embedded within the participating agencies and moved beyond the significant contributions of individuals to having become the accepted way of working.

The introduction of a statutory requirement on the PPANI agencies to cooperate in 2008 has been beneficial and could provide significant learning for others who might have concerns about placing partnership working within a legislative framework.

This inspection acknowledges the progress made and supports the future direction of the partnership which will have to tackle some immediate challenges, particularly in trying to manage the increasing numbers of lowest risk offenders at a time when the pressure on existing resources is increasing.

The participating agencies should now move to maximise their use of technology for information sharing and the Strategic Management Board (SMB) must provide clearer evidence of the benefit they add and their outcomes in managing the risk of reoffending.

The contributions of the Approved Premises (AP) and other voluntary and community sector bodies who support the work of the arrangements remains significant and must be protected.

We have made four strategic and two operational recommendations to support the continuing improvements and effectiveness of the arrangements.

This inspection was conducted by David MacAnulty and Tom McGonigle. My sincere thanks to all who supported this work.
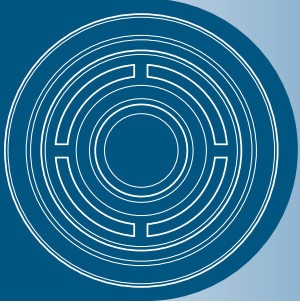
**Brendan McGuigan CBE**
**Chief Inspector of Criminal Justice in Northern Ireland**

October 2019

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# Executive Summary

This is Criminal Justice Inspection Northern Ireland's (CJI's) sixth inspection report of the Public Protection Arrangements for Northern Ireland (PPANI). It assessed the progress of the criminal justice agencies in fulfilling their responsibilities since the last inspection in 2011.

Governance of the PPANI had been strengthened with good levels of engagement among the PPANI agencies and its Strategic Management Board (SMB). The Probation Board for Northern Ireland (PBNI) and Police Service of Northern Ireland (PSNI) remained central to the delivery of the arrangements. Contributions by the Northern Ireland Prison Service (NIPS), Social Services and the Northern Ireland Housing Executive (NIHE) were more active and tangible than in 2011. The statutory agencies continued to dedicate experienced staff to the public protection arrangements, though it was especially challenging for the police to maintain an appropriate level of staffing. Police officers engaged in this area of work were well-motivated, but high levels of sick leave and staff turnover were causing considerable pressure. Similar staffing issues were found in the NIPS where officers were being taken away from PPANI duties to undertake other prison responsibilities.

Offender hostels, which were all run by voluntary sector organisations, continued to provide a very important public protection service in support of the PPANI. Those offenders assessed as posing the greatest risk (Category 3) were rigorously managed by the co-located Public Protection Team (PPT), which comprised police, probation and social services staff.

The PPANI caseload had been increasing steadily since 2011. This was particularly true for the lowest risk level offenders (Category 1). They numbered around 1,400 in October 2018, compared to around 1,000 in 2011, and the PSNI were solely responsible for managing nearly all of them. As a result, the PSNI had begun to examine ways of de-registering[1] cases, but this was not yet making a meaningful impact.

Measures to target resources towards the offenders who were most in need of supervision (Categories 2 and 3) appeared to be working well. Close attention was paid to ensure proper management of public protection cases.

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1    De-registration involves an offender applying to Court for early removal of the requirement to be monitored within the public protection arrangements.

There were quarterly file audits and Serious Case Reviews (SCRs) were commissioned to identify learning when things went wrong.

The ViSOR IT database[2] was an example of a powerful United Kingdom (UK)-wide database for managing public protection cases. Although available to the police, probation and prison services in England and Wales, it was only used by the PSNI in Northern Ireland. There was no obvious reason for the other agencies not accessing ViSOR and/or a similar type of shared database IT system and we recommend that all of the PPANI agencies have access to this type of system. Front line PSNI officers and PBNI staff also required greater technical support in carrying out their duties.

The PPANI agencies worked hard to address public concern about high profile cases. However, it was a constant struggle to promote informed debate in this area of work which aroused considerable public emotion.

Overall Inspectors found the PPANI and the constituent agencies were delivering a good level of public protection in Northern Ireland. There is no room for complacency and as numbers grow, it will be increasingly important that the agencies provide consistency in relation to key personnel, smooth succession planning and an ongoing commitment to resourcing - in particular - the PSNI's Public Protection Unit (PPU) to risk assess and manage with Category 1 offenders.

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2    ViSOR (the Violent and Sex Offender Register) is a database of records of offenders who are required to register with police throughout the United Kingdom (UK). ViSOR enables sharing of risk assessments and risk management information in a timely way. It enhances capacity to share intelligence and allows for secure and immediate transfer of key information for example when offenders move to another area. It is available to criminal justice agencies throughout Scotland, England and Wales but in Northern Ireland only the PSNI was using ViSOR.

# Recommendations

## Strategic recommendations

**1**  The PSNI, should develop an action plan to sustain the resourcing of the Public Protection Units (PPUs) and a system to cope with the demands of Category 1 offenders within six months of the publication of this report *(paragraph 2.20)*.

**2**  The PPANI Strategic Management Board (SMB) should consider the potential to proactively influence member agency issues which affect the delivery of corporate PPANI objectives.  The SMB should also identify any risks posed by all member agencies withdrawing resources and devise an action plan to manage these risks *(paragraph 2.41)*.

**3**  Within six months of the publication of this report, the PPANI SMB should develop an action plan for the roll-out and adoption of a multi-agency information sharing system by all core PPANI agencies *(paragraph 3.20)*.

**4**  Within six months from publication of this report, the SMB should conduct an outcomes review to:
- better understand the causes of increasing/decreasing numbers of offenders in each risk category;
- develop performance indicators which feature in the business plans of the SMB agencies;
- introduce performance indicators for PPANI's public engagement outcomes; and
- commence reporting on all performance indicators on an annual basis (*paragraph 4.10*).

## Operational recommendations

**1**  The PSNI should develop the capability of officers to access and interrogate technology held by PPANI offenders *(paragraph 3.12)*.

**2**  The PPANI Coordinator should report to the SMB regarding the roll out of the unified process for Category 1 reviews on:
- progress of the roll-out on a quarterly basis;
- lessons learned once the roll-out is complete; and
- a review six months post roll-out of implementation (*paragraph 3.13*).

# Inspection Report

# 1 Introduction

## Context and background

1.1　The Criminal Justice Order (Northern Ireland) 2008 provided the legislative basis for the Public Protection Arrangements Northern Ireland (PPANI).  The Department of Justice (DoJ) had overall policy responsibility for the risk assessment and management arrangements set out in the 2008 Order.  It aimed to ensure that the funding provided was allocated effectively and the Minister [of Justice] remained briefed about the functioning of the legislation.  A total of £155,000 of funding was provided by the DoJ in 2018 to deliver PPANI - a reduction of £33,000 from £188,000 in 2017.

1.2　PPANI is a set of arrangements which placed a duty on a range of agencies and Government Departments to work together to collaborate in assessing and managing the risks posed by certain sexual and violent offenders.  The main agencies were the Police Service of Northern Ireland (PSNI), the Probation Board for Northern Ireland (PBNI), the Northern Ireland Prison Service (NIPS), the Northern Ireland Housing Executive (NIHE) and Health and Social Care Trusts (HSCTs).  In every case, the offender was managed under the statutory responsibilities of the relevant lead agency.  Risk management plans were agreed, developed and reviewed via multi-agency Local Area Public Protection Panels (LAPPPs).

1.3　The arrangements were overseen by a Strategic Management Board (SMB). Chairing of the SMB was rotated every three years between the PSNI, the PBNI and the NIPS. The NIPS provided the Chair at the time the fieldwork for this inspection was conducted. A Coordinator was in post to oversee operational delivery of the arrangements.

1.4　Offenders were categorised according to the risks they posed with Category 1 cases assessed as posing the lowest risk.  Most of the Category 1 offenders were registered sex offenders and at the time of inspection, they were managed by the PSNI, whereas both the PBNI and the PSNI supervised and managed Category 2 cases.  Category 3 offenders were assessed as posing the highest risk and were managed by the multi-agency co-located Public Protection Team (PPT) which involved police, probation and social service staff.

1.5     The overall PPANI caseload had grown by 302 since Criminal Justice Inspection Northern Ireland's (CJI's) 2011 report on PPANI[3].  The numbers of violent offenders being managed within the arrangements was low in comparison to the number of sex offenders.  Category 1 offenders were managed by a single agency outside of the PPANI process.  However, they formed an important part of the overall public protection landscape, with the reduction of higher risk offenders to Category 1 occurring through the PPANI management process.  All Category 1 offenders could also be re-referred back into the PPANI at any time if their risk level was viewed as having increased.  As of September 2018, the PSNI were managing a total of 47 Category 1 and 2 violent offenders within the arrangements[4].  In comparison, there were 1,228 Category 1 and 2 sex offenders being managed by the police in the community.

Table 1 shows the numbers of offenders in each category[5].

## Table 1 PPANI cases on 30 August 2018.

|  | In Prison | In Community | Total |
| --- | --- | --- | --- |
| Category 3 | 20 | 7 | 27 |
| Category 2 | 57 | 94 | 151 |
| Category 1 | 27 | 1,300 | 1,327 |

1.6     Data provided by the PPANI Coordination Unit, showed that there was a continuous upward trend in the numbers of Category 1 offenders being managed by the PSNI and this was projected to continue to grow until 2021-22.  The numbers of Category 2 and 3 offenders had remained relatively static except in 2012-13.  The management of nearly all offenders supervised by the PBNI would transfer to the PSNI once their licences had expired.  Many of these were for periods of between 10 years and indefinite/life notification.  Chart 1 was obtained from the PPANI Coordinator as a way to visualise these projected trends and is used for illustration purposes only as the numbers of offenders may fluctuate in each of the categories.

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3     *An Inspection of Public Protection Arrangements Northern Ireland*, CJI, June 2011.  Available at: http://www.cjini.org/TheInspections/Inspection-Reports/2011.

4     Data provided to CJI Inspectors by the PSNI, October 2018.

5     Data provided to CJI Inspectors by PPANI Links Team, August 2018

## Chart 1 PPANI Category 1-3 Trend 2010-17 and projected to 2022.
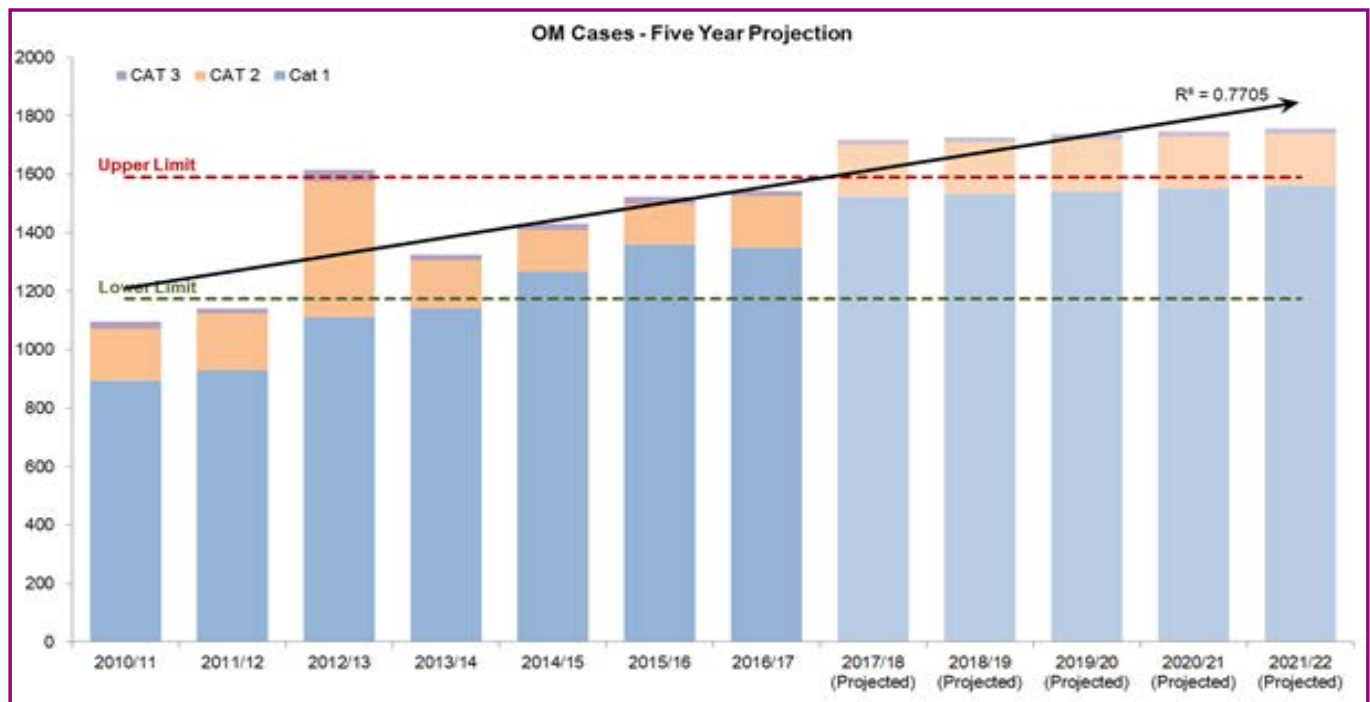


The reasons for the recent and projected trends in PPANI offender numbers could not be provided by the PPANI Links Team and SMB members.

1.7 On closer analysis, Table 2 shows that there was a significant decrease in new Category 1 offenders in 2017-18. Again, there was no information available to Inspectors to provide an explanation for the drop in new PPANI cases. The PSNI expressed a concern that PPANI offenders were required to be monitored for significant periods of time, often indefinitely, and as a result there was an increasing demand placed on offender managers within Public Protection Units (PPUs). This issue is discussed further in Chapter 2 of this report.

## Table 2 Number of new PPANI Cases 2015-18[6]

| | 2015-16 | 2016-17 | 2017-18 |
|---|---|---|---|
| **Category 3** | 10 | 10 | 16 |
| **Category 2** | 45 | 63 | 39 |
| **Category 1** | 105 | 140 | 68 |
| **Total** | **160** | **213** | **123** |

6 Data provided by the PBNI and accurate as of 30 August 2018.

1.8     The majority of Category 3 cases were in custody at the time of inspection fieldwork and the number of offenders in this category had remained consistently low - because the Category 3 criteria were high - with typically less than 12 offenders in the community at any given time. They represented 2% of all notifiable offenders[7] at the time of inspection.

1.9     The duration of PPANI offenders' notification requirements is determined by the Sexual Offences Act 2003.  Notification for Life (indefinite) without an opportunity for review until 15 years post-conviction, is required for all registered sex offenders who have been sentenced to 30 months or more imprisonment for a qualifying offence.  Inspectors requested data to confirm this information from the PPANI Coordination Unit however it was not available at the time of inspection.

1.10    The data and trends detailing the numbers of offenders being managed is an important area which required greater consideration by the SMB.  This is discussed further in Chapter 4 of this report.

## Key developments since 2011

1.11    The 2011 CJI PPANI inspection[8] reported progress with the PPANI being an improvement on their predecessor, the multi-agency procedures for the assessment and management of sex offenders (known as MASRAM). MASRAM had operated on a voluntary basis whereas the PPANI were statutorily-defined.

1.12    The PPANI Coordinator's employment status had been clarified since the last inspection.  After years of negotiation, the PSNI had assumed responsibility for this role and funding provided by the DoJ was ring-fenced.  The Coordinator's post became a permanent PSNI staff position in November 2017.  The PSNI also provided accommodation for the Coordinator and the two PPANI Coordination Unit administration staff at Seapark complex, which created a hub for the coordination of the arrangements. The PPANI Coordination Unit provided a single point of contact and advice on all aspects of PPANI.  It had a range of duties including:

- provision of support and data to the SMB;
- providing quality assurance and auditing processes;
- reviewing the effectiveness of communication by and between all the agencies involved in PPANI; and
- coordinating the administration and work of the SMB five Subgroups.

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7       A person is subject to notification requirements if they are convicted or cautioned for a specific offence as contained within the Sexual offences Act 2003.  Available at: https://www.legislation.gov.uk/ukpga/2003/42/part/2/crossheading/notification-requirements?view=extent.

8       *Public Protection Arrangements Northern Ireland,* CJI, June 2011.  Available at: http://cjini.org/TheInspections/Inspection-Reports.

1.13    In 2011 there were a number of other key changes which were as follows:

- 'Potentially Dangerous Persons' were removed from the arrangements. This had always been of questionable legality and their removal also helped reduce overall caseload numbers;
- single points of contact had been established with the Departments of Social Development, Employment and Learning, (now the Departments of Communities and the Economy) Education and the Youth Justice Agency[9]. This meant these bodies only became involved when necessary; and
- the Victims Subgroup had been re-established which aimed to ensure that victim issues remained a priority.

1.14    Local Area Public Protection Panels (LAPPPs) remained the most regular and tangible manifestation of the protection arrangements in action.  An average of 22 panels were convened each month.  The LAPPP process was also more structured and consistent than in the past.

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9       The number of Northern Ireland government departments reduced from 12 to 9 in 2016. Details can be found online at: https://www.nidirect.gov.uk/articles/changes-government-departments.

# 2  Strategy and governance

## Legislation

2.1    The Criminal Justice (Northern Ireland) Order 2008 empowers the Department of Justice (DoJ) to issue guidance to the public protection agencies on the assessment and management of PPANI offenders.  The agencies have to implement the arrangements and publish an annual report.

2.2    Article 49 of the Order specifies the agencies which have a duty to co-operate to ensure effective assessment and management of the risks posed by certain sexual and violent offenders.  In addition to the main agencies listed in paragraph 1.2 of this report, the legislation also lists the other agencies and groups that 'support' the arrangements including the:

- Northern Ireland Housing Executive;
- NSPCC;
- Department of Health;
- Youth Justice Agency;
- Department of Education;
- Department of Employment and Learning (now Department for the Economy);
- Department for Social Development (now Department for Communities); and
- Education and Library Boards.

2.3    While a legislative basis had been provided for the PPANI, there were still areas where further development was required.  These included limitations in the PBNI's ability to enforce certain prison licence requirements when offenders moved to another jurisdiction.  Operational agencies were also frustrated that there was no notification[10] requirement for violent offenders within the arrangements.  Violent Offences Prevention Orders (VOPOs), which include a notification requirement, were introduced in Northern Ireland in December 2016 which may assist in the future (see Chapter 3 for further information).  Inspectors heard that work was in hand in relation to these matters and would suggest a legislation needs analysis by the PPANI SMB may assist.

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10    Sexual Offences Act 2003, s 80. Available at: https://www.legislation.gov.uk/ukpga/2003/42/part/2/crossheading/notification-requirements?view=extent.

2.4     At the time of writing, the DoJ was planning to update the PPANI guidance[11] in order to reflect developments and clarify the context within which the arrangements work.  A 'Manual of Practice' was the key reference document for the agencies in their operational practice.  The latest version (revised in July 2016[12]) was comprehensive and detailed.  It was also being updated at the time of inspection.

## Structure

2.5     The PPANI Strategic Management Board (SMB) comprised senior managers from core justice agencies, along with two Lay Advisors.  It met quarterly to review the implementation and strategic delivery of the arrangements.  The SMB's duties included:

- strategic overview of the management of PPANI cases;
- development of business and communication plans;
- quality assurance of the arrangements via quarterly audits;
- commissioning Serious Case Reviews (SCRs); and
- producing Annual Reports.

2.6     The Annual Report outlined the progress of the arrangements for the previous year and objectives for the following 12 months.  The 2016-17 PPANI Annual Report's key objectives included:

- ensuring the implementation of recommendations of SCRs;
- ongoing engagement with community groups, the media and elected representatives;
- roll-out of revised documentation across Northern Ireland;
- convening a Special Interest Seminar for practitioners on the subject of Online Offending/E-Safety;
- reviewing the Manual of Practice; and
- addressing inspection findings.

2.7     Inspectors reviewed quarterly SMB minutes for the period covering the years 2016-18 and observed a meeting of the SMB in March 2018.  There were regular attendances from all the key strategic partners as well as the Lay Advisors and the Coordinator.  The standard agenda included a review of previous actions, reports from the Coordinator, Subgroups and Lay Advisors, and SCR updates.  All the agencies were well-engaged and made a significant contribution to the SMB process.  The minutes regularly commended the high standards of LAPPP reports.  Some concerns were raised about completion of documentation for Category 1 offenders, with a suggestion that it required a more consistent approach.  This was identified internally by the PSNI and a template was agreed within the PPANI to address this issue.

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11     Guidance to agencies on public protection arrangements (PPANI), Article 50, Criminal Justice Order 2008.  Available at: https://www.justice-ni.gov.uk/sites/default/files/publications/doj/guidance-to-agencies-on-public-protection-arrangements-ppani.pdf.
12     PPANI Manual of Practice available at: http://www.publicprotectionni.com/index.php/publications/category/C18.

Return to contents

2.8     The detailed business was undertaken in five Subgroups which developed their individual plans in line with the SMB's objectives.  Each of the Subgroups comprised representatives of the main relevant PPANI agencies.  The Subgroups met quarterly (see Appendix 4 for further details).

They were:
- Policy and Practice (chaired by the PBNI);
- Communication (chaired by the NIPS);
- Education and Training (chaired by the HSCT);
- Victim Advisory (chaired by the NSPCC); and
- Accommodation (chaired by the NIHE).

2.9     Review of quarterly Subgroup minutes for 2016-18 showed appropriate topics were addressed.  For example, the Accommodation Subgroup considered hostels and media coverage, private sector rentals, accommodation shortages and the lack of a specialised facility for offenders with Personality Disorder.  The Victim Advisory Subgroup addressed legislation, hate crime and VOPOs.  The Education and Training Subgroup had considered a 'Four Pillars Model'[13] as a structure to assist manage offenders' risk and there was evidence of a commitment to adapt and improve PPANI practices.

2.10    It was suggested to Inspectors that the SMB did not always provide subgroup members with a clear overall direction; and some members of subgroup were unclear about how their work linked to the strategic PPANI direction.  This was a particular issue for the Communication Subgroup, which felt its role was too reactive, usually to media coverage of individual offenders.  The Communication Subgroup attempted to be proactive by offering training and meetings with media and politicians but were frequently disappointed by the lack of engagement from these quarters.

## Resources and funding

2.11    Funding from the DoJ supported the Coordinator role and two administrative posts, plus training and education.  The PPANI agencies provided funding for the operation of the arrangements.  Only the PBNI had a ring-fenced budget for PPANI although the PSNI has dedicated Offender Management officers and PPANI Link staff who performed these roles as their only function.  Other agencies' costs were subsumed within other (non-PPANI) responsibilities, so the discrete costs of delivering the PPANI were not easily quantifiable.

*PSNI*
2.12    The PSNI hosted the co-located Public Protection Team (PPT) and the PPANI Link Team which administered referrals into PPANI and coordinated the LAPPPs.  All those spoken to by the Inspection Team indicated that communication between all the agencies and with the PPANI Link and PPT had improved since 2011.

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13    The 'Four Pillars Model' was an approach designed to build supportive networks for offenders and enhance protective factors to minimise the risk of re-offending and represented a different approach to managing the risk posed by serious offenders.

2.13    In April 2015 the PSNI's Public Protection Units (PPUs), Rape Crime Unit and the Child Internet Protection Team were brought together into a single Public Protection Branch.  This branch was responsible for a range of matters including PPUs (local area police units that manage PPANI offenders) and geographical areas of responsibility were aligned to match those of the Health and Social Care Trust areas.  The purpose of this alignment was to improve collaboration and it appeared to be working well, with positive feedback received during the inspection.

2.14    Resourcing of the PPUs was a significant issue for the PSNI.  The numbers of Category 1 offenders managed had been increasing annually up until 2016-17.  This was attributed in part to more (PPANI relevant) offenders being detected and successfully prosecuted.  At the same time, indefinite and long-term notifications meant offenders were not being removed from the arrangements where it was proportionate to do so, even in changed circumstances for example when someone went to live permanently in a nursing home.  The issue of Indefinite Notifications[14] had been specifically raised by the PPANI Coordinator and still required strategic attention by the SMB as the DoJ Guidance did not address the issue.

2.15    The National Policing Improvement Agency[15] (NPIA - superseded by the College of Policing) guidelines for police on public protection in England and Wales indicated that PPU officers *'should only be required to manage a reasonable number of offenders…(which) must also include the scrutiny of the risk level ratios (categories) being managed by case officers.'* The guidelines also required adequate provision for sickness and back-up officers to be available.

2.16    At the time of inspection, the PPUs had high levels of sickness absences and limited back-up when officers were on longer-term leave.  Some officers indicated that a maximum of 40 cases were deemed to be the most that could be managed properly.  The PSNI also referred to an inspection of Merseyside Police[16] which considered a ratio of approximately one offender manager to 50 cases as reasonable.  However, sickness absences, for example in the South Eastern area, meant there was only one police officer available to manage some 200 cases.  Furthermore, each officer in Belfast was managing around 80 cases.  If this continues, there will be an inevitable reduction in the PSNI's ability to fulfil its public protection responsibilities.  This concern was already manifest in certain ways for example there was a lack of consistency in PPU officers' completion of annual Category 1 reviews.  With examples provided of more than doubled work load in some areas, Inspectors heard of officers' frustration that they found it difficult to carry out their responsibilities.

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14    Indefinite notifications were introduced in Northern Ireland on 1 March 2014 and removal from registration requirement only became possible after this date. The DoJ had issued guidance for such applications.  Available at: https://www.justice-ni.gov.uk/publications/guidance-review-sex-offender-indefinite-notification-requirements.

15    Guidance on Protecting the Public: Managing Sexual Offenders and Violent Offenders 2010, page 9.  Available at: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKEwjP8uqNuN3bAhWCmLQKHdrwBE4QFgg8MAE&url=http%3A%2F%2Flibrary.college.police.uk%2Fdocs%2Facpo%2FGuidance-Protecting-the-Public-2010.pdf&usg=AOvVaw090kMKgGVLv4DSNZhyVGkO.

16    HMICFRS National Child Protection Inspections: Merseyside Police 23 April to May 2018, August 2018. Available at https://www.justiceinspectorates.gov.uk/hmicfrs/publications/merseyside-national-child-protection-inspection/.

2.17    A strategic commitment to dealing with these pressures on officers was evident in Northern and Western Trust/Police areas.  Vacancies in these PPANI/PPU teams had been filled and caseloads were around 40 per officer in September 2018 – which was in keeping with College of Policing guidelines.  Officers felt capable of carrying out their duties and having sufficient time to tailor specific plans for individual offenders.[17]

2.18    The PSNI's strategic lead for Public Protection represented the police on the SMB and recent SMB minutes acknowledged their staffing issues.  Some positive steps had been taken for example the Public Protection Branch had 37 new posts approved in February 2018, some of which were to be used to support the protection arrangements.  However, CJI Inspectors were concerned that at the time of inspection, other Police/Trust areas were still not adequately resourced.[18]

2.19    The PSNI were working on a demand analysis at the time of inspection and this was to include efforts to reduce the numbers of Category 1 offenders by de-registering those who from a risk management perspective, no longer required to be monitored.  The police held data for the numbers of offenders who had been de-registered since 2014.  There had been 89 applications to remove offenders from the register of which: three were ineligible; 68 were removed; and 18 were unsuccessful and remained on the register.

2.20    However, when considering the lack of available officers, the lack of technological training and the prospect of the ongoing and potentially increasing demand for the police to deal with significant numbers of Category 1 offenders, the current police resource model was unsustainable.  This was an area of immediate risk which must be addressed by the PSNI in conjunction with the PPANI SMB.

## Strategic recommendation 1

**The PSNI, should develop an action plan to sustain resourcing of the PPUs and a system to cope with the demands of Category 1 offenders within six months of the publication of this report.**

*PBNI*

2.21    The PBNI estimated its PPANI costs at £1,783,000 as of the 28 September 2018. The total cost of non-PPANI cases (excluding prisons, programmes and community service) was £9,405,000. PPANI therefore made up 14.6% of PBNI costs yet only represented a small number of the overall (PBNI) caseload.  Annual cuts to PBNI's budget made it increasingly difficult to fund this resource, but PPANI work continued to receive priority because it was deemed to be of significant importance and was statutorily required.

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17    Subsequent to the inspection fieldwork, the PSNI indicated that they have prioritised the resourcing of Offender Management to fill vacancies.

18    Ibid.

2.22 In order to help manage budgetary pressures, the PBNI issued a Practice Direction in July 2015 which reduced their role in prisons with offenders who were assessed at a low or medium risk of reoffending. The PBNI maintained responsibility for assessing the likelihood of reoffending and significant risk of harm. Whereas previously they worked collaboratively with the NIPS to manage PPANI offenders, prison officers' roles were enhanced and the NIPS Designated Risk Managers (DRMs) became more involved in assessing prisoners and developing risk management planning.

2.23 The coordinator role for offenders within prisons was determined by the level of risk. PBNI prison staff retained a coordination role with most high-risk prisoners - all Category 3 PPANI offenders fell within this group - but were removed from involvement with a large number of Category 1 and 2 offenders. This shift required a greater staff and financial commitment from the NIPS. Prison officers were dealing with some Category 3 offenders but predominantly dealt with Category 1 and 2 offenders – thus fulfilling the role that PBNI officers previously had. Prison officers dealing with PPANI cases reported they were confident to deal with this change in role and no issues were reported to Inspectors regarding this. Other PPANI agencies noted an increase in the capability of the prison officers who performed this function, with improvements in the quality of their LAPPP reports.

2.24 The PBNI continued to chair all LAPPPs. This has been standard practice since the inception of public protection arrangements and a good consistency of approach had been maintained. Probation officers reported that their communication with the NIPS remained good and prison officers valued the ongoing assistance from the PBNI. The PBNI's contribution was especially useful because of the community perspective which they were able to offer and the co-location of probation officers and prison officers undoubtedly helped.

### NIPS

2.25 The increased role of the NIPS in relation to PPANI was demonstrated tangibly by taking on the role of SMB chair for the first time in April 2016. The SMB representative coordinated tasks between the SMB and Governors in Northern Ireland's three prison facilities. SMB minutes demonstrated that the NIPS had an increased level of strategic input. This was also illustrated elsewhere for example, the 2017 CJI unannounced inspection of Magilligan Prison[19] reported that screening for new arrivals was appropriate and prisoners were informed of restrictions placed on them and that referrals to PPANI were made promptly before release. The prison hosted regular LAPPPs and referrals were being made as appropriate to notify community agencies when necessary. Overall the 2017 report found the public protection arrangements at Magilligan, were sound.

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19 CJI, Report of an Unannounced Inspection of Magilligan Prison 12 – 22 June 2017, 12 December 2017. Available at: http://www. cjini.org/TheInspections/Inspection-Reports/2017/October-December/Unannounced-Inspection-of-Magilligan-Prison.

2.26    The NIPS had a dedicated PPANI team in Maghaberry Prison.  It comprised a Senior Officer and five coordinators to deal with some 200 cases. They enjoyed good support from the Governor. Each of the three prison Governors maintained regular communication with the PPANI Coordinator to consider the outcomes of reviews and LAPPP audits.  The Magilligan Prison staff were co-located with the PBNI staff, which worked well.  The NIPS representatives did not consider it necessary to have a dedicated PPANI team at the Hydebank Wood site due to lower numbers of PPANI offenders - which averaged less than 30 at the time of inspection.

2.27    CJI's 2018 Resettlement inspection[20] found that physical co-location provided benefits for communication and inter-agency working.  However, allocation of prisoners to probation or prison staff following the PBNI's shift in 2015, did not distinguish between PPANI related classifications and the needs of individual prisoners.  In this inspection, Inspectors also found that the categorisation of offenders according to their Assessment, Case Management and Evaluation (ACE[21]) score meant that some serious sexual and domestic violence perpetrators, who had a low or medium risk score, would be managed solely by the NIPS.  This removed expertise that the PBNI could provide which was offset somewhat by the co-location of the NIPS and PBNI teams.  However, there was still a concern around meeting the individual needs of prisoners, risk assessment and protection of the public.   The NIPS indicated that these issues were being addressed by NIPS staff at the time of inspection. This will be considered in any future Follow-Up Inspections by CJI.

2.28    The 2018 Resettlement inspection also reported that the NIPS had moved from programme delivery by psychology staff to the position where the Offending Behaviour Programmes (OBPs) were delivered by NIPS Prisoner Development Unit (PDU) staff: psychologists undertook the role of treatment manager to the programme.  Inspectors saw this as a much more effective arrangement and allowed the psychologists to add value in areas where their professional expertise lay, i.e. in individual assessments, one-to-one interventions and professional oversight of programmes.  It also allowed the PDU staff to deliver the programmes which enhanced their role.

2.29    The evolution of psychology roles in the prisons had a wider impact on the public protection arrangements.  Inspectors heard of communication breakdowns between the Psychology Department and the NIPS PDUs.  Minutes taken from PPANI quarterly audits and Subgroup meetings showed that psychology reports were not always available on time.  The interface between the NIPS Psychology Department and PPANI needed to improve and the NIPS should review the engagement of its Psychology Department with the PPANI process and consult with the SMB to secure improvements.[22]

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20    *An Inspection of Resettlement in the Northern Ireland Prison Service,* CJI, May 2018.  Available at: http://cjini.org/TheInspections/Inspection-Reports/2018.

21    Assessment, Case Management and Evaluation, (ACE), is an assessment tool that is used, in conjunction with the professional judgement of qualified social work staff, to assess the likelihood of general reoffending within a two-year period as well as help plan supervision to target needs and assess progress during this time.  Available at: https://www.pbni.org.uk/about-us/statistics-research/statistical-reports/.

22    Subsequent to the fieldwork stage of this report, the PPANI Coordinator has addressed this issue with the head of NIPS Psychology with a view to improving communication.  This will be considered in any future CJI follow-up review of PPANI.

2.30    Some prison officers suggested the NIPS senior managers should commit more to resourcing their PPANI role.  This was because, as previously, PDU officers were liable to be reallocated away from their PPANI role to backfill other shortages that had higher priority in the prisons, such as visits or court appearances.  This was particularly true in Maghaberry Prison as despite having a specific PPANI Team, prison officers reported that they were withdrawn at least once per week.

2.31    Inspectors noted that the NIPS participation was poor at the Policy and Practice, and Accommodation Subgroup meetings, and that the SMB had written to the organisations that were not regularly attending.[23]  While senior NIPS managers recognised the importance of PPANI cases, officers were being withdrawn from PDU roles too readily; and residential officers were not able to cover PDU staff shortages because they were not suitably trained.  This illustrated how internal agency decisions could impact on the wider PPANI arrangements.

2.32    In summary, while the NIPS had improved its contribution to the PPANI since 2011, sustained improvement was vital.  Inspectors viewed this situation as increasingly important as with effect from April 2019, the NIPS would no longer chair the SMB. The NIPS resourcing of the PPANI therefore needs to be addressed at a senior level within prisons and in conjunction with the SMB.

### *Health and Social Trusts*

2.33    The Health and Social Care Trusts had similar budgetary pressures to other PPANI agencies. However, resources were continuing to be committed to the public protection arrangements. Two senior social work staff were allocated per Trust area: one Principal Officer (two in Belfast) and one Senior Practitioner.  This was a significant level of investment and represented a continued major commitment to the PPANI.

2.34    The incumbents were very experienced.  They met together every three months and also met monthly with relevant staff in their respective Trust areas; and with strategic partners in the PSNI.  They said they were better integrated within the arrangements than at any previous stage.  For example, initial concerns about sharing individual offender information with criminal justice agencies had been overcome.  The Education and Training Subgroup was chaired by a senior Trust officer and principal social workers were involved in each of the Subgroups. Inspectors observed effective communication in operation first-hand during attendance at LAPPPs.

2.35    A senior practitioner from each Trust area was also co-located on a part-time basis in PSNI stations.  This arrangement was working well and the Trusts were developing a plan for co-location of personnel within PPUs and the PSNI's Central Referral Unit which reviews, assesses and allocates cases that involve child abuse.  Inspectors noted the value of their contribution during LAPPPs, where they provided up-to-date evidence of offenders' background, social

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23    The Chair of the SMB appointed new members of NIPS staff to attend these groups which hoped to improve attendance and participation. After this inspection was completed, CJI was later provided with data for 2018 and 2019 which showed that the NIPS attendance at sub groups and audit meetings had improved.

environment, health and information in relation to children and vulnerable adults at increased risk.  There was a high degree of consistency in the experienced Trust and PBNI staff who fulfilled PPANI roles.  Furthermore, there was evidence of good succession planning, which was notably better than the PSNI and the NIPS provision.  In this respect, the PPANI SMB should ensure its representatives address the issue of consistent representation and succession planning on behalf of their agencies.

### *NIHE*

2.36    Public protection legislation provided the NIHE with a useful authority to help manage those offenders within the arrangements.  The NIHE was more involved than when CJI last inspected and was making a tangible contribution at LAPPPs and Subgroups.  It was represented at the SMB and chaired the Accommodation Subgroup.  The NIHE also attended LAPPPs and Senior Hostel Managers Fora, and where relevant, Serious Case Reviews.

2.37    Availability of accommodation for PPANI offenders remained a challenge for everyone but it was particularly difficult to find accommodation for sexual offenders.  This issue was under continual review at the SMB and featured as a standing agenda item on a number of Subgroups.

2.38    The role of Lay Advisors was important to ensure community input to the PPANI.  The two Lay Advisors presented as independent voices who felt empowered to make suggestions for improvement.  This was particularly apparent in the subgroups.  The Lay Advisors also contributed to training for PPANI practitioners for example Designated Risk Manager (DRM) training.

## Governance - Setting direction

2.39    Inspectors heard some concerns from PPANI Subgroup members that the SMB provided a mechanism to report, rather than influence or provide strategic governance, oversight and direction; and that it focused more on the improvement of processes.

2.40    This was accepted as an area for improvement, though it was also a conundrum since the SMB did not have direct input to, or control over agencies' internal decisions.  As such the PPANI governance arrangements were not always synchronised with ongoing shifts in priorities of the key PPANI agencies - which were affected by budgetary and other factors.  The increasing numbers of Category 1 cases being dealt with by the PSNI or need to deal with vigilante groups and 'paedophile hunters' are significant cases in point.  While agencies kept the SMB informed of how they were dealing with these issues, they were considered internal to the agency involved rather than PPANI strategic issues.  The focus on reporting on internal matters that might affect the PPANI provided some assurance but it could not provide an opportunity to strategically influence the arrangements.  This led some members of Subgroups to believe they were reporting on standing agenda items, without knowing how it impacted on the arrangements.

2.41    These governance issues are similar to our findings in 2011 where it was unclear then how lines of accountability operated and to whom the chair should report.  Similarly in 2018, the SMB felt unable to *interfere* with strategic internal decisions of the PPANI agencies even where those decisions made have some bearing on the work of the arrangements.

## Strategic recommendation 2

**The PPANI SMB should consider the potential to proactively influence member agency issues which affect the delivery of corporate PPANI objectives.  The SMB should also identify any risks posed by all member agencies withdrawing resources and devise an action plan to manage these risks.**

## Communication and Coordination

2.42    Sharing information about individual cases was critical to the successful operation of the PPANI. The LAPPPs provided the main forum for doing so. Our assessment is that information sharing was done in an open, but carefully-managed way, and the agencies were acutely aware of the need to protect people's personal information and data rights.

2.43    The SMB received reports from each of the five sub-committees and the Coordinator was responsible for liaison between them and the SMB. This worked well.  Communication on the wider aspects of the PPANI role is dealt with in Chapter 4 of this report.
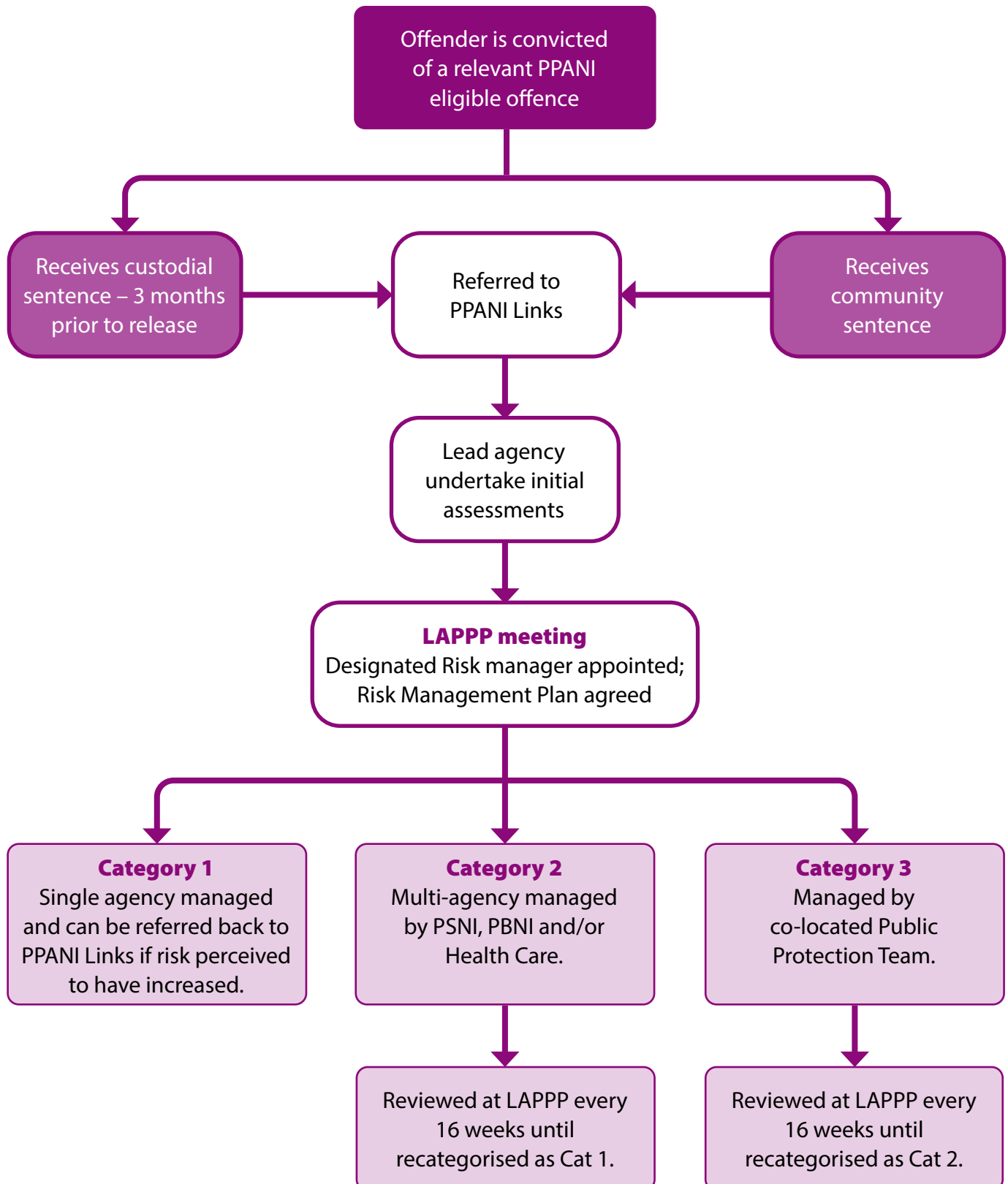
## Assessing the Risk

3.1     All relevant staff had received up-to-date training on risk assessment tools and methodologies. There were two key assessment methodologies used in respect of men who commit sexual offences.  Both were validated and accepted by the criminal courts as a basis for objective and consistent assessment.

3.2     Risk Matrix 2000 (known as RM2K) was the initial assessment tool when an offender was convicted of a relevant offence (see Appendix 3).  This was usually completed by probation officers at the time pre-sentence reports were being prepared following a conviction at Court. Relevant offenders were later referred into the PPANI risk categorisation process as outlined in Figure 1[24].

3.3     From 2011, the Stable and Acute Assessment 2007 (known as SA07) was the primary tool used for assessing offender's risk and identifying targeted interventions.  All Designated Risk Managers (DRMs) were trained to carry out an individual offender assessment using this methodology.  'Stable' assessments were completed annually and 'Acute' assessments were updated at each meeting with the offender.  Training was delivered on an interagency basis by accredited trainers from the core PPANI agencies which required annual refresher training. PPANI agencies had also linked up with their equivalent public protection counterparts in the Republic of Ireland to facilitate training on the SA07 and RM2K assessment tools.

## LAPPPs

3.4     The PSNI Investigating Officer referred PPANI eligible offenders into PPANI at the point of conviction of a relevant offence (see Appendix 3) and the NIPS were expected to refer offenders at least three months prior to release from prison.

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24     Figure 1 was based on information and data obtained from the PPANI website.  Available at: http://www.publicprotectionni.com/risk/.

## Figure 1 The PPANI risk categorisation process.

Offender is convicted of a relevant PPANI eligible offence

Receives custodial sentence – 3 months prior to release

Referred to PPANI Links

Receives community sentence

Lead agency undertake initial assessments

**LAPPP meeting**
Designated Risk manager appointed; Risk Management Plan agreed

**Category 1**
Single agency managed and can be referred back to PPANI Links if risk perceived to have increased.

**Category 2**
Multi-agency managed by PSNI, PBNI and/or Health Care.

**Category 3**
Managed by co-located Public Protection Team.

Reviewed at LAPPP every 16 weeks until recategorised as Cat 1.

Reviewed at LAPPP every 16 weeks until recategorised as Cat 2.

3.5 The primary purpose of the LAPPP Risk Management Plan is to identify steps to reduce the opportunities and motivation to reoffend.  The DRM completed multi-agency assessments of the risk that offenders pose to the public.  Specifically LAPPPs:

- confirm risk categories;
- develop a Risk Management Plan;
- appoint a DRM for Category 2 and 3 cases;
- regularly review the plans (as per Figure 1); and
- refer Category 1 offenders to the appropriate lead agency (predominantly the PSNI).

Although the process had not materially changed since the last CJI inspection, there was evidence that the SMB and the PPANI Coordinator had substantially developed procedures along with associated revised documentation.

3.6 Core attendees at LAPPPs included the PBNI chair, a Principal Social Worker, Probation Officer, PSNI officers, NIHE, and NIPS officials in prison LAPPPs.  Other agencies attended where necessary for specific cases, for example hostel representatives to discuss accommodation for and behaviour management of offenders.  Categorisation decisions were taken in order to determine the level of intervention that would match risk levels.  In all cases any new concerns about increasing risk would be referred back to the LAPPP for review.  The Category definitions were as outlined in Table 3.

## Table 3 The PPANI Categories of Risk

| Category | Definition | Management |
|---|---|---|
| 1 | *Where previous offending and/or current behaviour and/or current circumstances present little evidence that the offender could cause serious harm.* | Cases assessed at this level are referred back to the agency with lead responsibility for the offender, usually the PSNI, or the PBNI if the offender is under community supervision. |
| 2 | *Someone where previous offending and/ or current behaviour and/or current circumstances, present clear and identifiable evidence, that the offender could cause serious harm through carrying out a contact sexual or violent offence.* | Cases assessed at this level are subject to a multi-agency risk management plan overseen by an appointed DRM.  These offenders are generally managed by the co-located police PPUs or by PBNI if they are under statutory supervision. |
| 3 | *Where previous offending, and/or current behaviour and/or current circumstances present clear and identifiable evidence that the offender is highly likely to cause serious harm through carrying out a contact sexual or violent offence.* | These cases are subject to a multi-agency risk management plan overseen by the DRM. They are managed by a team of experienced police, probation and social services staff working together in the PPT based at the Seapark complex. |

3.7 Table 4 shows the total number of offenders managed within the PPANI arrangements[25]. Those offenders assessed as Category 1 were considered outside of the public protection arrangements as they were managed on a single-agency basis.

## Table 4 Numbers of offenders being managed within PPANI

| PPANI | 2015-16 (figure at 31.03.16) | 2016-17 (figure at 31.03.17) | 2017-18 (figure at 31.03.18) |
|---|---|---|---|
| Category 1 | 1,358 | Not available[26] | Not available |
| Category 2 | 140 | 179 | 149 |
| Category 3 | 25 | 18 | 27 |
| Total | 165* | 197 | 176 |
| | | | |
| Sexual/Violent | 82/83 | 105/92 | 94/82 |

\* This is the total figure for Category 2 and 3 offenders. The offenders assessed as Category 1 offenders are omitted as they are considered outside of the PPANI arrangements and managed on a single-agency basis (see par 3.7).

3.8 Inspectors attended urban, rural and prison LAPPP meetings. Observation of these meetings and associated minutes indicated that:

- attendance was consistently good from the three main PPANI agencies;
- the Chairs communicated well and progressed the meetings effectively;
- prison LAPPPs took substantially longer, partly due to being the initial LAPPP for most offenders;
- all the agencies robustly tested the categorisation of offenders and their risk to the public. This was particularly evident when consideration was being given to re-categorise offenders downwards (to lower risk) and was a notable improvement from the previous inspection;
- Social Services information on offenders was invaluable as it provided a more complete picture of risks, in particular to those closest (relationships) to them;
- the incompatibility of IT systems within each Trust area and between the PPANI agencies caused delays. While face to face contact was valuable, it would have been enhanced by a shared database of live information to which all agencies contributed and had access;
- the PPANI Coordinator was trying to ensure more consistency in minute taking;
- completion of the LAPPP templates was good, though in some cases information was not in the right place. Amendments were being made to the LAPPP documentations to address concerns that the information they contained did not flow logically;
- DRMs all had a detailed knowledge of their allocated offender; and
- victims were routinely considered and there were examples of good practice.

Case example 1 demonstrates the complexities involved in the LAPPP process.

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25 Data provided by the PBNI and is accurate as of 20 August 2018.
26 From 2016, Category 1 figures were not included in the PPANI annual report because they were not managed on a multi-agency basis.

**Category 3 offender first LAPPP/life sentenced prisoner.**

*The DRM had considerable insight into the offender and raised concerns about his release back into the community and behaviour towards women when in a relationship.  Consideration was given to a range of interventions, but there were significant residual concerns.  There was evidence of in-depth analysis and the balance that needed to be struck between testing an individual for release and the duty to address public protection concerns.*

3.9    The prison LAPPP process had improved from the previous inspection when Inspectors found the NIPS 'lacked confidence.'  All participants knew their briefs well and joint training and ongoing support from the PPANI Coordinator were also factors in the improved NIPS contribution.

3.10    While the LAPPP process was formulaic, it provided consistency.  The format had become established and was well-focused.  Participants were well-prepared and chairing was good, with one hour allocated per prison case and half hour slots for community LAPPPs.  Nonetheless, there was limited information or data to demonstrate how the processes improved outcomes - which is discussed further in Chapter 4 of this report.

3.11    Table 5 shows the numbers of changes that were made between categories between 2016 and 2018.[27]

## Table 5 Re-categorisations April 2016 – February 2018

| Category reassessed | Number of cases | |
|---|---|---|
| | **April 2016-March 2017** | **April 2017-February 2018** |
| Category 1 reassessed to Category 2<br>Category 1 reassessed to Category 3 | 12<br>0 | 17<br>0 |
| Category 2 reassessed to Category 1<br>Category 2 reassessed to Category 3 | 48<br>3 | 78<br>8 |
| Category 3 reassessed to Category 1<br>Category 3 reassessed to Category 2 | 1<br>8 | 0<br>7 |

The data shows that downward reassessment from Category 2 to 1 was the most common, with the second highest rate being upward from Category 1 to 2.  The review of the audits and observation of LAPPPs reassured Inspectors that re-categorisation was conducted robustly by each of the agencies involved.

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27    Data received from PPANI Links team.

## Category 1 Offender Checks

3.12    Home visits and other checks were conducted with all PPANI offenders in order to establish associations with others, use of electronic equipment and compliance with statutory requirements.  Annual reviews involved a significant amount of preparation work by Health and Social Care Trusts, police and probation officers including background checks and updating records of offenders.  The PBNI had a supervisory role regarding Category 1 registered sex offenders however, the PSNI was responsible for carrying out checks on most Category 1 offenders.  Police officers were concerned about their lack of expertise when checking offenders' technology.  PSNI offender management officers were required to prioritise prosecutorial investigations and some officers had significant backlogs of visits to conduct.  Caseload volumes meant that Category 1 offenders are usually only visited once per year by police public protection officers.  In these circumstances, it could be almost impossible to detect a breach of conditions.

## Operational recommendation 1

As part of strategic recommendation 1 at paragraph 2.20,

> Inspectors recommend **the PSNI should develop the capability of officers to access and interrogate technology held by PPANI offenders.**

3.13    Pressures on PSNI staffing in some areas meant they could only provide cursory checks on offenders and the adequacy of information for LAPPPs was an ongoing issue.  There was inconsistency between PSNI/HSCT areas regarding the format used to complete annual Category 1 reviews for registered sex offenders.  The PPANI Coordinator in conjunction with PPANI agencies, had begun a process of rolling out a unified single process of completing forms and reviews across all HSCT/PSNI areas.

## Operational recommendation 2

> Inspectors recommend **the PPANI Coordinator should report to the SMB regarding the roll-out of the unified process for Category 1 reviews on**:
>
> • **progress of the roll-out on a quarterly basis;**
> • **lessons learned once roll-out is complete; and**
> • **a review six months post roll-out of implementation.**

## Violent Offences Prevention Orders (VOPO), Sexual Offences Prevention Orders (SOPOs) and civil orders

3.14    Inspectors heard that SOPOs were being routinely applied for and granted at court.  This is supported by data from the Northern Ireland Courts and Tribunals Service (NICTS)[28] shown in Table 6.

### Table 6 Defendants who had at least one SOPO/VOPO made at court

| Order type | Court | 2015 | 2016 | 2017 | Total |
|---|---|---|---|---|---|
| **SOPO** | Magistrates' | 12 | 11 | 11 | **34** |
| | Crown | 79 | 98 | 94 | **271** |
| | **Total** | **91** | **109** | **105** | **305** |

| Order type | Court | 2015 | 2016 | 2017 | Total |
|---|---|---|---|---|---|
| **VOPO** | Magistrates' | N/A | N/A | 6 | **6** |
| | Crown | N/A | N/A | 12 | **12** |
| | **Total** | **N/A** | **N/A** | **18** | **18** |

The data showed that over the last three years around 100 SOPOs were granted every year, however very few VOPOs had been imposed by courts.  This may be partly due to a requirement for offenders to be convicted of the most serious violent offences at the time of inspection; and there were extra stipulations.  For example, a VOPO could only be granted in Assault Occasioning Actual Bodily Harm cases where the victim was a victim of domestic violence.[29]  Other reasons for the low usage may include the fact that VOPOs only became available in December 2016; and during fieldwork Inspectors were told that these applications were more frequently challenged by defence solicitors than SOPOs, although there was no evidence to support this at the time of inspection.[30]

3.15    Risk Managers reported that managing violent offenders within the PPANI was more problematic than managing sex offenders.  This was put down in part to violent offenders being less likely to engage, the lack of any statutory order to compel offenders to engage with agencies and the different profile of violent offenders compared with sexual offenders.  VOPOs were seen by risk managers as one way of trying to better manage violent offenders.  Inspectors suggest a review by the PPANI SMB on how to better manage violent offenders would be timely.

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28    Data received from NICTS and accurate as of 23 August 2018.
29    Full specified offences are available from: https://www.nidirect.gov.uk/articles/violent-offences-prevention-orders.  Guidance is available from: https://www.justice-ni.gov.uk/sites/default/files/publications/justice/vopo-guidance-feb-2017.pdf.
30    The number of VOPOs obtained by the PSNI subsequent to the conclusion of inspection fieldwork had increased and covered the range of PPANI Categories 1 to 3.

## IT systems

3.16    Each of the core PPANI organisations operated their own IT system, which were designed to address agency-specific needs.  However there was no single, joined-up IT system that could share PPANI information.  This led to delays in LAPPP meetings, duplication and risk of miscommunication.   An example is shown below:

### Case example 2

*Inspectors observed a LAPPP in Belfast in which the panel was delayed significantly due to the police representatives not having up-to-date information available on request.  This necessitated numerous calls back to the officer's station but there was no-one available to take the call and examine the police IT system.  Ultimately, an Action was raised for the police to follow up on the information request for report at the next LAPPP and to ensure that the LAPPP was kept informed of progress.  This caused delay to the meeting and duplication of work as another (unavailable) officer had previously obtained the necessary information.*

3.17    Further deficiencies were apparent in relation to civil court orders.  Restraint orders and non-molestation orders issued by the Domestic Proceedings Courts were not always accessible for prison officers, yet were essential to inform their risk assessments.  Efforts had been made to improve the sharing of civil orders between the NICTS and the NIPS.  However, this problem had been ongoing for several years, despite a commitment by both sides to resolve this issue.[31]

3.18    The Violent and Sex Offender Register (ViSOR) is a database of records of offenders who are required to register with police throughout the UK.  ViSOR enables sharing of risk assessments and risk management information in a timely way.  It enhances capacity to share intelligence and allows for the secure and immediate transfer of key information for example, when offenders move to another area.  ViSOR also provides consistent management information to support performance analysis and improve working practices.  It is available to criminal justice agencies throughout Scotland, England and Wales.  However in Northern Ireland, the PSNI were the only agency using ViSOR.

3.19    CJI commented in 2011 on the lack of ViSOR usage by other criminal justice agencies in Northern Ireland.  The PPANI Guidance[32] also stated that ViSOR *"…will eventually be made available to the probation and prison service."*[33]  Agencies provided various reasons for not using ViSOR, including resources for implementation and a risk of compromised confidentiality.  Yet the PSNI was content it could apply the necessary filters to diminish any undue risk of confidentiality breaches.  At the time of inspection, the PSNI said there may be some licences which may be available to agencies, subject to justification of cost and training.  However longer-term, each agency may need to fund licences from within their own budgets.

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31    After fieldwork for this inspection concluded, the NIPS indicated to Inspectors that new procedures were put in place to try and ensure that all relevant orders were provided at the time offenders were committed to prison.
32    Found at: http://web.archive.org/web/20110712092327/http://www.nio.gov.uk/public_protection_arrangements_-_guidance_to_agencies.pdf.
33    Ibid, para. 2.9, p.30.

3.20    Each agency demonstrated that they could find workarounds via face-to-face contact, phone calls and emails and at LAPPP meetings.  However the reasons for non-usage should be easily offset by a shared database that for example ViSOR could potentially provide, or be part of.

## Strategic recommendation 3

> **Within six months of the publication of this report, the PPANI SMB should develop an action plan for the roll-out and adoption of a multi-agency information sharing system by all core PPANI agencies.**

## Training

3.21    The Education and Training Subgroup met quarterly and was chaired by a HSCT representative.  Minutes of their meetings during 2016-17 showed the core PPANI agencies were generally in regular attendance.  Training needs were being identified and addressed appropriately, with follow-up reviews taking place to ensure the needs had been met.  For example, the Coordinator identified that internal agency reviews (required for SCRs), were not being completed in a consistent manner and a standard format was agreed.

3.22    There was significant commitment to meet training needs.  Staff from all the PPANI agencies valued the joint training for the SA07 process.  A new model - the 'Four Pillars Model' - had been considered at length by the subgroup over a two-year period but could not be progressed due to resource pressures within the PSNI and NIPS.  However, some of the key principles of this model had been incorporated into the risk management plans which were agreed at LAPPPs.

## Managerial oversight

3.23    Audits of case reviews (LAPPP documentation) were conducted on a quarterly basis.  These were led by the Coordinator and included representatives from the HSCT, PBNI, NIPS, PSNI and a Lay Advisor.  Attendance from most agencies was good.  However, the NIPS only attended two out of seven audits that were conducted in 2016-17, a further example of how the NIPS involvement with PPANI required continued improvement.[34]

3.24    Audit samples comprised 100% of Category 3 cases, 5% of Category 2 cases and 5% of Category 1 cases.  The standard template enquired into relevant areas such as attention to victim needs, risk scoring, Risk Management Plans, disclosure, relevance and quality of interventions and identification of training needs.  Audits for the 2016-17 period were comprehensive and identified both positive and negative aspects of practice.  Category 3 offenders' cases were being robustly reviewed.  References to the Manual of Practice indicated a consistent approach in all case reviews.

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34    After this inspection was completed, CJI was later provided with data for 2018 and 2019 which showed that the NIPS attendance at sub groups and audit meetings had improved.

3.25    Individual agencies also continued to apply their own internal oversight.  The PSNI quality assured the data held on ViSOR and PBNI's routine line management monitoring placed particular emphasis on PPANI offenders.

## Approved Premises (APs)

### Background

3.26    CJI has reported twice previously, in 2008 and 2013, on the Approved Premises ('APs,' also known as offender hostels) in Northern Ireland.  Inspectors have also undertaken short unannounced inspections of each hostel annually since 2008.  These inspections continuously found the APs were providing a valuable public protection service in support of statutory criminal justice agencies.

3.27    There were seven APs in Northern Ireland, all run by non-governmental organisations (NGOs).  Most were owned by Housing Associations - they managed the material assets while the NGOs were responsible for operational management. Six of the APs were run by large NGOs and one by an independent local committee.[35]

3.28    There was little formal differentiation between the APs, apart from the fact that only one accepted female offenders and another did not accept Category 3 offenders.  Some were designated exclusively for PBNI referrals while others also accepted direct referrals.

3.29    There had been improvements to the AP estate and additional beds had come on stream since the last inspection.  Thompson House in Belfast was totally refurbished in 2015; and the Simon Community (SCNI) had taken over Edward Street, Portadown, re-designated it as an offender-only facility and were refurbishing the building at the time of this inspection.

3.30    Other mainstream accommodation providers such as Queens Quarter, Regina Coeli, De Paul and Women's Aid also provided accommodation that supported the management of offenders.  However, they did not reserve beds specifically for PBNI referrals and were therefore not classified as APs.

3.31    In June 2018 there were a total of 87 approved accommodation places in Northern Ireland for PBNI referrals.  A significant number of these people were managed under PPANI.  The places provided a mixture of restrictive and constructive interventions. They considerably curtailed the liberty of residents, though by contractual agreement rather than by the physical measures of a prison.  At the same time, they actively worked to help residents develop responsible, crime-free lifestyles.

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35    There were 101 APs in England and Wales, providing accommodation for 2,267 residents. Some were managed directly by the National Probation Service and some were managed by contractors. All were required to adhere to Probation Instruction 32/2014 and the AP manual (2014).

# Table 7 Northern Ireland AP factsheet

|  | Bonds Hill | Centenary House | Dismas House | Edward Street | Innis Centre | MUST | Thompson House |
|---|---|---|---|---|---|---|---|
| **Management** | Simon Community Northern Ireland (SCNI) | Salvation Army (SA) | Extern | SCNI | Extern | Local Committee | PCI – Council for Social Witness |
| **Location** | L/Derry | Belfast | Belfast | Portadown | Belfast | Cookstown | Belfast |
| **Premises Owner** | Choice Housing Association (HA) | SA | Extern | Choice Housing Ireland Ltd | Radius Housing | Choice Housing Ireland Ltd | Radius Housing |
| **PBNI Referrals/ Capacity** | 4/16 incl. Females | 13/101 | 14/14 | 9/9 | 20/20 | 8 incl. females | 19/19 |
| **Access Criteria** | Direct and PBNI referrals | Direct and PBNI referrals | PBNI referrals only | PBNI referrals only | PBNI referrals only | Direct and PBNI referrals | PBNI referrals only |
| **NIHE Accreditation** | 2013 | 2018 | 2018 | 2017 | 2017 | 2015 | 2018 |

### *Statutory support for APs*

3.32    As when CJI last inspected, the APs continued to work well with the PBNI, the PSNI, the NIPS and with each other.  Levels of cooperation between the NGOs which ran the APs and their statutory partners was a model of best practice.  This collaboration was illustrated by the establishment of inter-agency project teams to ensure responsible management of residents while refurbishments were ongoing.  One AP had twice accommodated residents (and staff) from other facilities in these circumstances.

3.33    The weekly AP allocation meetings that were convened and chaired by the PBNI continued to function well.  Other formal arrangements that promoted good communication between the various parties included quarterly fora for AP managers to engage with senior decision makers from the statutory agencies, and the PPANI Accommodation Subgroup which also met quarterly. It had an average attendance of seven, mainly from the NIHE, the PBNI, the PSNI, the NIPS and a Lay Advisor.  These fora addressed issues such as funding, difficult cases, policy matters and training.

3.34    The relationship with Supporting People (administered by the NIHE) was particularly significant for the APs as it provided their funding.  Supporting People conducted an inspection every three to four years, held quarterly contract meetings and would visit after a significant incident in an AP.  The files examined showed that APs were receiving the necessary information to assess and manage their residents effectively.  Statutory orders and reports were available, along with minutes of meetings and other relevant material.  When concern arose about an escalation in risk, the evidence showed that the APs were quick to highlight their concerns to the statutory agencies.

*Staffing*

3.35　The APs had stable staff groups and regular relief staff.  Team meetings, supervision and appraisals were mostly regular and it was clear that senior managers from the parent NGOs were closely involved in each facility.  Inspectors saw evidence of detailed daily handovers and management briefings.

3.36　Some APs involved volunteers and social work students on placement.  Training was plentiful, relevant to risk management and conducive to good care.  It was mainly delivered by housing agencies, but also by the PPANI agencies.  Out of hours on-call support was mostly provided by the APs parent body. It was seldom required and, when necessary was described as more often a case of confident staff explaining what they intended to do, than receiving guidance.

*Residents*

3.37　AP managers said their populations comprised increasing numbers of people with complex histories, personality disorders, drug users and physical health challenges.  Many simply did not fit in anywhere else. Nor did they cope well with living alone in the community, and many had returned to AP accommodation after community placements broke down.

3.38　It was a challenge to manage the portfolio of available beds as demand for places was high and the overall occupancy rate averaged 93%.  These were mainly prisoners who were released on supervised life licences.  Bail applicants and prisoners applying for home leave had little prospect of obtaining an AP place. The PBNI did not have staff resources to manage people who were not on their statutory caseload and Supporting People were reluctant to fund them if they were taking beds that were prioritised for licensees.

3.39　Nonetheless the PPANI SMB considered the current approved accommodation provided sufficient capacity for serious offenders who were being released after completing a prison sentence.  They suggested other referrals could be accommodated in generic facilities in the same way as other homeless citizens. The PBNI and AP managers commented that there were less inappropriate referrals now than in the past and that more referrals were being referred back by the allocation panel for a generic hostel application, than when we last inspected.

3.40　It was difficult to forecast the number of offenders who would require supervised accommodation.  Increases in the number of online offenders and those convicted of historical offences represented significant changes in the demography.  Account would also need to be taken of the ageing offender population who required care packages as well as residential supervision.

## Table 8 New residents January - December 2017[36]

| | Bail | Post Custody Licence | Inescapable Voluntary[37] | Home Leave | Community Supervision | Other | Total |
|---|---|---|---|---|---|---|---|
| **New residents** | 12 | 162 | 1 | 13 | 10 | 3 | **201** |
| **Subject to PPANI** | 1 | 39 | 0 | 1 | 6 | 1 | **48** |

3.41    Residents with whom Inspectors spoke knew their keyworkers and understood how their risks were being managed.  Most were positive about the AP staff, though they resented curfews and other restrictions - which they tended to attribute to the statutory agencies rather than the AP.  Several reported they were being tightly managed by the hostel in conjunction with supervising probation officers and local police; and some had been breached because of transgressions.  Residents meetings mainly dealt with material conditions, food, duties and activities and other aspects of communal living.

### *Finance*

3.42    Table 9 shows that different funding levels were provided to each AP[38].  The differences were primarily due to factors such as numbers of staff and their qualification levels.  There was ongoing debate between the criminal justice agencies and Supporting People about whether some of these costs should be covered by the criminal justice agencies.

## Table 9 AP funding levels (per resident per week) 2017-18

| | Housing Benefit | Supporting People | TOTAL |
|---|---|---|---|
| **Bonds Hill** | £107.74 | * | * |
| **Centenary House** | £158.13 | £133.64 | £291.77 |
| **Dismas House** | £112.49 | £539.95 | £652.44 |
| **Edward Street** | £112.92 | * | * |
| **Innis Centre** | £178.25 | £508.28 | £686.53 |
| **MUST** | £109.63 | £305.32 | £414.95 |
| **Thompson House** | £170.91 | £392.97 | £563.88 |

* SCNI was asked for this information but declined to release it as they deemed it commercially sensitive. Supporting People - which is administered by the NIHE and funds SCNI – was also asked for the information, but did not respond.  Further information available at: https://www.nihe.gov.uk/Working-With-Us/Supporting-people/About-the-supporting-people-programme.

3.43    The APs provided all meals and accommodation.  Service charges were in the order of £25 per week, of which £10 was set aside as savings for residents to help resettle after they would leave.

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36    This data was provided to Inspectors by each of the Approved Premises.
37    Inescapable Voluntary refer to those higher risk residents who are not subject to statutory supervision.
38    This data was provided to Inspectors by each of the Approved Premises.

3.44    The UK Government's welfare reform programme was having an impact on finances.  Universal Credit had been introduced in Northern Ireland on a phased basis since September 2017.  Hostel managers reported that some residents were subsequently having to wait up to six weeks before receiving their benefits.  While each AP was managing arrears, residents would not have their place withdrawn for this reason alone.

*Security*

3.45    Dynamic security was good in all of the APs: staff knew their residents well and paid particular attention to social associations, habits, curfew adherence and signing-in and out.  They were quick to challenge deviations from individual contracts and the rules.  The restrictions that were inherent in contracts and prison licence conditions were stringent, and several residents were returned to custody when they failed to abide by them.

3.46    Static security features, set out in Table 10, complemented the APs dynamic security and clearly illustrated the significance of their supervisory role.[39]

## Table 10 APs static security features (as at May 2018)

|  | Bonds Hill | Centenary House | Dismas House | Edward Street | Innis Centre | MUST | Thompson House |
|---|---|---|---|---|---|---|---|
| **External cameras** | 5 | 9 | 8 | 6 | 3 | 8 | 9 |
| **Internal cameras** | 20 | 107 | 15 | 21 | 25 | 25 | 75 |
| **Door Alarms** | 1 | 5 | 3 | 4 | 4 | 6 | 6 |
| **Staff personal alarms** | 2 | All staff | 0 | 2 | 15 | 7 | 6 |
| **Room checks** | Yes | 1 daily | 3 daily | Weekly | 3 per day | Fort-nightly | 5 |
| **Residents daily checks** | Yes | 1 | 2 daily | 4 per day | 4 per day | 5 | 5 |
| **Night Cover** | 2 x Waking | Waking | 2 staff | 3 x Waking | 2 x Sleep-in staff | 2 | 2 x Sleep-in staff |
| **Breathalyser** | No | No | Yes | No | Yes | Yes | Yes |
| **Drugs Test** | Yes | No | No | No | No | No | No |

3.47    In June 2018 drug testing was not available for PBNI referrals after a saliva test which had been in use had recently proven unreliable.  A search was under way for an alternative.  AP managers commented that testing could create a barrier with residents.  It could also be difficult to administer given the requirement for a member of staff of the same gender to conduct tests.

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39     This data was provided to Inspectors by each of the Approved Premises.

3.48    Because many drug users lived in the APs, Naloxone was available for staff to administer in the event of an overdose.  Each AP also had a sharps bin onsite. This was a practical response to the situation where the priority was to keep people safe and alive. One AP had three residents die by misadventure over a period between 2016-18.

3.49    High levels of tolerance were expected of the APs by their main funder, Supporting People. This could make life difficult when residents presented challenging behaviour, especially as PSNI response times had reduced. However, the managers understood and supported the Supporting People philosophy.  One said *"We don't give warnings for addictions…we aim to manage behaviours rather than impose bans on functioning alcoholics."*  Nonetheless, they also had to protect other residents and staff, and treat everyone consistently, so places would be withdrawn if necessary.

### *Challenges*
3.50    There were several challenges for the organisations that ran the APs and these are set out below. The important thing was that the challenges were well-known and were being addressed:

- The topic of offender accommodation was highly emotive and some premises were subjected to physical attacks and campaigns of community objection. The PPANI agencies and APs had made considerable efforts to engage with politicians, the media and local communities about the nature of their work, and to explain how offenders were better supervised in an AP than when living alone.  Meetings were offered to journalists, politicians and community representatives but there was very low uptake;
- There were daily challenges in managing the available beds and responding to requirements of the Parole Commissioners for Northern Ireland and emergency referrals.  It was impossible for the hostels to hold beds and they could lose income if a referral did not turn up;
- The transition from custody to an AP could be challenging for prisoners.  It might not be known which AP would have a bed available until the day of their release.  Few prisoners had recent photographic ID at the point of release which made it difficult to register for Social Security benefits or with a GP.  This in turn was especially problematic if they left prison without sufficient medication;
- The APs often had to deal with challenging behaviour, mostly people who were under the influence of another substance and displaying aggressive behaviour, and sometimes curfew breaches.  All such instances were promptly reported and appropriately handled by the APs.  However, decisions to recall to prison were seldom taken quickly by the Parole Commissioners for Northern Ireland and the Public Protection Branch and Supporting People might challenge evictions if they considered greater tolerance was required.  Such experiences could therefore be prolonged and stressful for AP staff;
- One AP had three recent residents' deaths - due to overdoses and hanging - plus another case of serious self-harm.  Suicide awareness training and counselling were offered to all staff.  The manager commented *"This job used to be about rehabilitation, now it is more about trying to keep people alive."*

- It was particularly difficult to obtain move-on accommodation.  Many residents had to stay longer than the notional maximum of six months, which led to bed-blocking.  Some older men became comfortable and did not want to leave and live alone.  One resident had spent six years in an AP before moving out.  PPANI Accommodation Subgroup minutes for November 2016 said: *"It appears that there are a considerable number of clients residing in hostel accommodation for over 12 months, and from the statistics available it appears that 50% of the clients are PPANI offenders."*
  Two main constraints were identified:
  - Obtaining suitable addresses for people with a sexual conviction and adequate finances for deposits.  Private landlords and housing associations were often reluctant to accept sex offenders.  Targets were set to try to improve the situation but they could not be achieved; and
  - AP staff felt powerless in trying to support move-on as the statutory agencies controlled this.  However, there were opportunities to access additional beds via the parent NGOs other facilities.  A private sector access scheme 'Smartmove' was tried but did not work for PPANI offenders before it finished in September 2018.
- In June 2018 a step-up facility for offenders who were struggling in independent accommodation was being considered. This would enable tenancies to be maintained until risk management issues were addressed.

*Occupancy and Leavers progress*

## Table 11 APs average length of stay and occupancy rates in 2017[40]

|  | Overall length of Stay (Days) | Overall 2017 Occupancy Level |
|---|---|---|
| **Bonds Hill** | 1,135 | unknown[41] |
| **Centenary House** | 1,901 | 97% |
| **Dismas House** | 84 | 91% |
| **Edward Street** | 71 | 87% |
| **Innis Centre** | 167 | 94% |
| **MUST** | 49 | 95% |
| **Thompson House** | 138 | 90% |
| **Overall Average** | **506** | **93%** |

3.51   Despite the challenges and differing philosophies, places were seldom withdrawn without a move-on plan or recall to prison.  Table 12 shows that 167 individuals left AP accommodation between January - December 2017: of these, 59% were successfully resettled and 41% were unsettled at point of departure.[42]

40    This data was provided to Inspectors by each of the Approved Premises.
41    Information was not provided following CJI request.
42    Ibid.

## Table 12 APs leavers by status and reason January - December 2017

|  | Bail | Post Custody Licence | Inescapable Voluntary | Home Leave | Community Supervision | Other | Total |
|---|---|---|---|---|---|---|---|
| **Resettled Leavers** | 2 | 82 | 1 | 4 | 8 | 2 | 99 |
| **Unsettled Leavers** | 3 | 56 | 1 | 1 | 4 | 3 | 68 |
| **Total** | 5 | 138 | 2 | 5 | 12 | 5 | 167 |

3.52    An analysis of leavers from five APs was undertaken.  From a total of 61 people who left between July-December 2017:

- 11 were at the same ACE score;
- the scores of 24 had increased, by an average of seven and a half points; and
- the scores of 26 had decreased, by an average of eight points.

3.53    Unstructured lifestyles and difficulty in complying with regulations usually meant the unsettled leavers were a result of enforcement proceedings, and unsurprisingly their risk scores had increased. Inspectors found that the APs and statutory agencies managed the exit process responsibly, irrespective of the circumstances of residents' departure.

*Conclusion*

3.54    The role of APs in Northern Ireland cannot be underestimated, both in terms of their contribution to the public protection arrangements and in supporting the rehabilitation of residents.  Their task is particularly challenging.  CJI's conclusion is that since the last inspection in 2013, APs had continued to provide an important service in support of PPANI.

# 4 Outcomes

4.1    Measurement of outcomes is important for the SMB and PPANI agencies to understand what works and what is effective in their approach to risk assessment and risk management.  The 2016-17 PPANI Annual Report[43] outlined key achievements.  These focused on improving processes such as learning from SCRs and internal reviews and the completion of forms.  Other measures of achievement focused on continued engagement with stakeholders and the community.[44]

4.2    By way of comparison the Ministry of Justice published annual statistical reports[45] on key findings for the England and Wales' Multi-Agency Public Protection Arrangements (MAPPA). These reports provided key findings on the numbers of prisoners in Categories 1-3 and yearly trends.  The reports also provided information on the numbers of registered sex offenders returned to custody for breach of licence conditions and the number of persons who were charged with further serious offences.  These measurements were important indicators of performance.

4.3    MAPPA's 2017[46] update also showed a steady increase in numbers of eligible offenders, with an average increase of 7% per year since 2007-08.  As in Northern Ireland, only small numbers of higher risk cases were dealt with for breach of notification requirements: 4% for Level 2; and 2% for Level 3 in 2016-17.

4.4    One potential measure of the arrangements was the levels of reoffending by PPANI offenders. Information provided in DoJ Official Statistics bulletins[47] indicated that the one-year proven reoffending rate of all sex offenders in Northern Ireland had decreased every year since 2012. Good management may be one reason for this, though the reoffending data could not assess the discrete impact of PPANI interventions.

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43    PPANI Annual Report, 2016-17.  Available at: https://www.publicprotectionni.com/
44    PPANI had adopted the MAPPA reporting template since 2016-17.
45    Multi-Agency Public Protection Arrangements Annual Report, Ministry of Justice.  The most recent reports can be found at: https://www.gov.uk/government/collections/multi-agency-public-protection-arrangements-mappa-annual-reports.
46    Available at: https://mappa.justice.gov.uk/connect.ti/MAPPA/view?objectId=11231024.
47    Available at: https://www.justice-ni.gov.uk/publications/27-2018-adult-and-youth-reoffending-northern-ireland-2015-16-cohort.

# Improving the analysis

4.5    The PPANI SMB commissioned research[48] on a cohort of offenders in September 2016. This analysed a group of 1,293 PPANI offenders and showed the one year reoffending rate for this cohort of PPANI offenders was 9.7% overall.  This compared favourably with the overall reoffending rate which was 17.9%.  The research looked at the Assessment, Case Management and Evaluation system (ACE) to identify problem areas influencing offending behaviour.  This identified five areas of commonality where more than 50% of this cohort had issues with: family and personal relationships; reasoning; impulsiveness; control; and lifestyle factors.  Although these were common factors to offenders in general, it was the first time that PPANI offenders had been reviewed specifically by the SMB.

4.6    The data also revealed that the majority of sex offenders were categorised by the PBNI as having a 'Low' or 'Medium' likelihood of generic reoffending.  In contrast, 80% of the violent offenders were deemed to pose a 'High' likelihood of reoffending.  A total of 3.1% of the Online Sex Offender group had reoffended, compared to 8.7% of the Sex Offender Group.  Both these rates were much lower than the 49.1% reoffending rate by the violent offenders.  Only three sex offenders had been convicted of breaching their SOPO within a year.

4.7    Additionally a six-year analysis was undertaken for 655 offenders in the sample.  It showed that 39.7% had re-offended within six years of entry into PPANI.  Violent offenders were much more likely than sex offenders to have been reconvicted however, the numbers of violent offenders in this sample were too small to be statistically significant.

4.8    There is clear scope to enhance the measurement of PPANI outcomes along the lines of the MAPPA Annual Reports.  In particular, numbers of notifiable offenders returned to custody for breach of licence conditions and numbers charged with further serious offences, should be reported.  At the time of writing, the DoJ Recall Unit responsible for recalling to custody registered sex offenders/PPANI Violent Offenders did not collate this information in an accessible way.  However, Inspectors were told that at the time of writing the DoJ were reviewing processes for collating information on recalls.

4.9    The CJI Resettlement[49] report found that long-term prisoners were still being allowed to linger in prison for too long without addressing their offending risks.  Behaviour challenge was required much earlier in their sentences; and there was specific concern regarding Category 3 PPANI offenders.  Progress in addressing these longstanding issues should be reported.

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48    Available at: https://www.justice-ni.gov.uk/news/profile-offenders-subject-public-protection-arrangements-northern-ireland-during-september-2016.

49    *An Inspection of Resettlement in the Northern Ireland Prison Service*, CJI, May 2018.  Available at: http://cjini.org/TheInspections/Inspection-Reports/2018.

4.10 Overall, improvements are required in the analysis of a broader range of information around PPANI offenders including for example, data trends and analysis of offender numbers and other information to provide a clearer picture of reoffending for example offender profiles, detail of referrals to, and participation levels in Offending Behaviour Programmes (in prison and in the community), breaches of licences and reasons for breaches. As it stood, there was not a clear picture available on what part of each of the PPANI processes were most effective and what where the most significant factors in reducing reoffending. As discussed in Chapter 2, the PPANI agencies needed to better understand the causes of trends in offender numbers, which will help in the long term planning and resourcing for the public protection arrangements.

## Strategic recommendation 4

**Within six months from publication of this report, the SMB should conduct an outcomes review to:**

- **better understand the causes of increasing/decreasing numbers of offenders in each risk category;**
- **develop performance indicators which feature in the business plans of the SMB agencies;**
- **introduce performance indicators for PPANI's public engagement outcomes; and**
- **commence reporting on all performance indicators on an annual basis.**

4.11 SCRs provided evidence of how the SMB were evaluating practice when PPANI offenders were convicted of serious further offences. When a PPANI offender re-offended, the SMB appoint an independent chair to undertake a SCR of the circumstances. This chair would establish a Panel which comprised representatives of the relevant agencies who were involved with the offender. Each agency prepared a report and these were incorporated in the chair's report. The Chair's report would make recommendations to the SMB for improvement, if necessary.

4.12 Two SCR reports were being prepared for release and four had been published on the PPANI website at the time of this inspection.[50] They included recommendations which focused on improvement of processes including the content of the Manual of Practice. Actions were tasked to each organisation and progress was reported back through the SMB. The Lay Advisors also provided an independent scrutiny to the process and were actively involved in SCRs. The four SCRs indicated a rigorous approach with a clear sense of learning lessons to reduce future risks. There was a lack of detail around the numbers of internal agency reviews with the PPANI Coordination Unit aware of only one Category 1 and one Category 2 review in 2018.

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50 Available at: http://www.publicprotectionni.com/index.php/publications/category/C17.

4.13    There were delays in publishing some SCR reports. This was explained by external factors for example, other agency involvement (for example the NICTS or the Office of the Police Ombudsman for Northern Ireland) or as a response to the wishes of victim's families.  Action plans from the SCRs were being promptly implemented despite the pace of the overall SCR process.

## Reassurance

4.14    Communication with victims and the media was planned in advance of SCR publications.  The PPANI Coordinator met with media outlets, politicians and local representative community groups whenever they could, however the SMB needed to develop a *proactive* public assurance strategic plan which would lead to the better engagement and understanding of PPANI among the public.  While numerous training and information events were undertaken to promote the work of PPANI and of individual projects, all the agencies acknowledged the PPANI could promote its work more positively.  As part of strategic recommendation 4 (see paragraph 4.10), the SMB should provide performance indicators for PPANIs public engagement.

# Appendices

# Appendix 1 Methodology

## Desktop research and development of inspection Terms of Reference and question areas

Research literature and guidance documentation was reviewed in relation to public protection. Other relevant documents included PPANI and DoJ statistical reports and reports from other jurisdictions.

## Document review

A review was undertaken of the documentation collated to cross-reference information against the topic areas and later obtained during the fieldwork. A self-assessment was completed by the PPANI agencies. These were used also to inform interview questions during the fieldwork phase.

## Fieldwork

This inspection was conducted in tandem with the criminal justice system's approach to dealing with sexual violence and domestic violence and abuse. There was some cross-over in interviews and interviewees were asked about each of these areas. The full list of fieldwork interviews is outlined below, but the majority of interviewees will have focused more on PPANI.

One-to-one and focus groups interviews were conducted with a range of personnel within the relevant agencies. Representatives from the following areas were interviewed during the fieldwork:

## PPANI

- PPANI SMB Chairman and members; and
- PPANI Coordinator.

## DoJ

- Community Safety Unit; and
- Reducing Offending.

## PBNI

- Director of Rehabilitation;
- Director of Operations;
- Assistant Director Rural;
- Assistant Director Risk;
- Assistant Director Prisons; and
- Senior and Principal Probation Officers Rural, Prisons, Urban, Rural, Risk.

## PSNI

- ACC Crime;
- Detective Chief Superintendent, Public Protection Branch;
- Detective Superintendent, Child Abuse and Rape Crime Lead, Public Protection Branch;
- Detective Chief Inspector, Child Abuse and Child Sexual Exploitation (CSE) lead, Public Protection Branch;
- Detective Chief Inspector, Domestic Abuse and Vulnerable Adult Lead, Public Protection Branch;
- Detective Chief Inspector, Rape Crime, Public Protection Branch;
- District Commander in three police districts (Belfast, Fermanagh and Omagh, Foyle);
- Detective Inspectors (Urban and Rural), Rape Crime Unit;
- Detective Inspectors focus group, PPT;
- Detective Constables and Sergeants, PPT; and
- Local Policing Team Constables and Sergeants in three police districts (Belfast, Fermanagh and Omagh, Foyle).

## LAPPPs

- Probation officers, Prison and PDU Staff, Trust Senior and Principal Officers, PSNI sergeants, Community Mental Health Teams, PPANI link team, PPT Police Officers; and
- Lay Advisors x 2.

## Stakeholders

- Children in Northern Ireland;
- Crown Court Judges x2;
- District Judge x1;
- Law Society NI;
- Men's Aid;
- Men's Action Network;
- Men's Advisory Project;
- Nexus;
- NSPCC;
- Rainbow Project;
- Victim Support Northern Ireland; and
- Women's Aid.

In addition CJI Inspectors held focus groups and one-on-one interviews with victims of domestic and sexual violence and abuse who had engaged with the criminal justice system arranged via victim support organisations.

# Appendix 2 Terms of reference

## Introduction

Criminal Justice Inspection (CJI) proposes to undertake an inspection of Public Protection Arrangements Northern Ireland (PPANI). This inspection will complement three other CJI inspections that are being undertaken this year of how the criminal justice system contributes to public protection: domestic violence and abuse, sexual violence and abuse and approved premises (offender hostels).

The inspection will focus on the three main elements of the CJI inspection framework as they apply to the Public Protection Arrangements: these are strategy and governance, delivery and outcomes.

The main organisations to be inspected will be the Police Service of Northern Ireland (PSNI), the Probation Board for Northern Ireland (PBNI) and the Northern Ireland Prison Service. This will include the overall CJS response to public protection arrangements including co-operation and partnership working with others such as Social Services and the Northern Ireland Housing Executive.

## Context

The public protection arrangements were introduced by The Criminal Justice (NI) Order in October 2008. The PPANI provide a structure that enables agencies to fulfil their statutory duties and coordinate their functions in order to enhance public protection. These arrangements aim to make more effective the work the police, probation, prisons and others do to manage the risks posed by certain sexual and violent offenders.

This inspection will be the latest in a series of CJI reports on Northern Ireland's public protection arrangements. The most recent was published in June 2011. It was preceded by two reports into the former MASRAM arrangements, and management of sex offenders following the murder of Mrs Attracta Harron. These issued in March 2005 and December 2006.

## Aims of the Inspection

The broad aims of the Inspection are to assess:

- the implementation and progress of previous CJI recommendations;
- governance of the PPANI process and accountability arrangements;
- interfaces with MARAC and child protection processes in Northern Ireland;
- the quality of inter-agency communication and collaborative working;
- allocation of staffing and other resources to risk assessment and risk management;
- the quality of risk assessment and risk management decisions;
- how the participation in offending behaviour programmes has contributed to public protection; and
- how the PPANI compare with other jurisdictions.

Constant themes in each of the three framework elements and throughout each inspection are equality and fairness, together with standards and best practice.  CJI's complete inspection methodology can be found at www.cjini.org.

## Design and Planning

Collection of benchmarking information and data via previous inspection and research reports, PPANI annual reports and review of self-assessments by the PPANI member agencies.  Review of PPANI management information, minutes of meetings and related documentation.

## Delivery

The Terms of Reference will be shared with the DOJ, the PSNI, the PBNI and the NIPS prior to commencement of the inspection.  Liaison officers should be nominated by each inspected agency for the purposes of this inspection.

Relevant documentation and management information including case files will be requested and reviewed.

Interviews and focus groups will be conducted with relevant stakeholders (e.g. statutory justice agencies, victims' organisations, advocacy services, NGOs etc.) to provide an insight into the issues that affect public protection arrangements.  The views of victims and offenders will also be sought directly.

Interviews and focus groups will be conducted with the PSNI, the PBNI and the NIPS and representatives of other relevant organisations to obtain evidence and views about progress of the PPANI and any measureable outcomes.

## Publication and Closure

Following completion of the fieldwork and data analysis, a draft report will be shared with inspected organisations for factual accuracy check.  The Chief Inspector will invite the relevant CJAs to complete an action plan within six weeks to address any recommendations. If the plan has been agreed and is available it will be published as part of the final inspection report.

Permission to publish the report will be sought from the Minister of Justice.  Once this is received the inspection report will be shared, under embargo, in advance of the publication date with the DoJ and relevant Criminal Justice Agencies (CJAs) along with a press release.

# Appendix 3 Offenders that are risk assessed for PPANI

Only certain sexual and violent offenders are assessed for risk under the arrangements. They are:

- persons who are subject to the notification requirements of Part 2 of the Sexual Offences Act 2003;
- persons who have been convicted of a sexual offence or sexually motivated offence and are not subject to the notification requirements of Part 2 of the Sexual Offences Act 2003, but about whom there are current significant concerns;
- persons who have been convicted on or after 6th October 2008 of a violent offence (including homicide) against a child or vulnerable adult; or who have a previous conviction for a violent offence against a child or vulnerable adult and about whom there are current significant concerns;
- persons who from have been convicted on or after 1 April 2010 of a violent offence (including homicide) in domestic or family circumstances; or who have a previous conviction for a violent offence in domestic or family circumstances and about whom there are current significant concerns;
- persons subject to a Risk of Sexual Harm Order; and
- individuals referred under 'significant concerns' criteria.

# Appendix 4 PPANI Subgroup responsibilities

## (responsibilities listed as at time of inspection fieldwork)

| Subgroup | Responsibilities and functions |
|---|---|
| **Policy and Practice** | • Ensure unified adoption of operational policies and reflects best practice (including research);<br>• Ensuring victim issues are integral in the strategies, policies, guidelines and training of PPANI;<br>• Oversight of auditing; and<br>• Identifying learning from Serious Case Reviews to inform practice guidelines. |
| **Education and Training** | This Subgroup aims to ensure that practitioners undertaking the assessment and management of offenders who are subject to PPANI receive up to date training to ensure best practice.  The functions of the Subgroup are:<br><br>• to review, plan for and deliver the training requirements for the multi-agency working in relation to PPANI; and<br>• to evaluate and report on the effectiveness of the training delivered |
| **Communication** | This Subgroup has a key role in co-coordinating communications between the agencies and the public and media on the multi-agency dimension of public protection.  The group aims to increase public reassurance by clear and timely communications. The functions of this Subgroup are:<br><br>• to develop and review the public protection arrangement's Communications Strategy; and<br>• to maintain regular, up to date communications with the public and media personnel through avenues such as the PPANI website and other publications. |
| **Accommodation** | This Subgroup recognises that access to sustainable and suitable accommodation is a significant factor in preventing reoffending. This Subgroup is chaired by Northern Ireland Housing Executive (NIHE) and its functions are:<br><br>• to implement an accommodation strategy; and<br>• to address the issues relating to the housing of sexual and violent offenders |
| **Victim Advisory** | This Subgroup provides a forum to inform, educate and ensure policy and practice across the strategic and operational working of PPANI has victim issues integral to its functions. |