

# Probation Circular



## PC02/2008 – DYNAMIC RISK ASSESSMENT OF SEX OFFENDERS

**IMPLEMENTATION DATE:** 24 January 2008

**EXPIRY DATE:** January 2013

**TO:** Chairs of Probation Boards, Chief Officers of Probation, Secretaries of Probation Boards

**CC:** Board Treasurers, Improvement and Development Managers

**AUTHORISED BY:** Gordon Davison Acting Head of Public Protection Unit

**ATTACHED:** Annex A – Nomination form for participation in pilot

Annex B – Equality Impact Assessment Form

**RELEVANT PREVIOUS PROBATION CIRCULARS**

PC17/2007

**CONTACT FOR ENQUIRIES**

[mark.farmer5@justice.gsi.gov.uk](mailto:mark.farmer5@justice.gsi.gov.uk)

### PURPOSE

- To advise Probation Areas of arrangements for probation and police to pilot Stable and Acute Dynamic risk assessment of sex offenders.
- To advise of training arrangements.

### ACTION

Chief Officers should note the content of the Circular and distribute it accordingly. Areas are required to:

- 1) Decide whether they wish to be a pilot Area for the assessment tools
- 2) If so, identify and nominate appropriate individuals to undertake training to use Stable and Acute assessment tools, by 8<sup>th</sup> February 2008.

### SUMMARY

Dynamic risk factors have been shown to be an important addition to static risk assessments such as Risk Matrix 2000. This PC introduces two dynamic risk assessment tools, Stable and Acute. Stable helps offender managers by giving a structured template for assessment interviews, and providing an assessment of issues that need attention during supervision. Acute gives a brief assessment that can be completed at each supervision session and will help the supervising officer to determine the level and content of supervision required. Police have indicated that they will use the same Stable and Acute tools in their assessment and monitoring of sexual offenders. The Stable tool will be completed annually and the Acute tool at every supervision session. The Acute tool takes about 10 minutes to complete.

## Background

The HMIC/HMIP Sex Offender Thematic Inspection (2005) and Public Protection Thematic (2006) called for “a joint training programme for police and probation staff involved in working with sex offenders ...to include assessment and management of risk of harm”.

Static risk factors such as age and previous offence history are best at predicting long term likelihood of recidivism amongst sex offenders. Consequently for some years Risk Matrix 2000 (RM2000) has been the risk assessment tool approved by NOMS and ACPO for the assessment of sex offenders. RM2000 gives a prediction of the likelihood of long term (up to 20 years) reconviction for a sexual or non sexual violent offence, by grouping the individual into one of four risk bands (low, medium, high or very high). Recidivism rates for each band are known, for offenders who were in the construction groups for RM2000. RM2000 is helpful therefore in identifying which offenders are more likely to be reconvicted in the long term relative to others, and who consequently need greater attention.

It is recognised that RM2000 is limited in that it cannot provide any information about whether or not individual offenders in each risk category will re-offend, it only gives information as to which offenders are relatively more likely to do so. Moreover, it gives a long term assessment of the likelihood of reconviction and so is not sensitive to day to day changes in an individual's circumstances that might indicate heightened risk. RM2000 cannot therefore be used to monitor fluctuations in risk that might indicate that action is necessary to protect the public. It cannot measure changes in risk levels and so does not identify when and how to intervene.

Recent research in North America on identifying stable and acute dynamic risk factors<sup>1</sup> has indicated that such factors can be helpful in informing plans for supervision and monitoring of sex offenders, and for identifying changes in risk that might lead to intervention plans being altered. This is of importance to probation and police officers who are monitoring sex offenders on a regular basis.

Stable dynamic risk factors are personal skill deficits, predilections, and learned behaviours that correlate with sexual recidivism but that may be susceptible to change through a process of “effortful intervention”<sup>2</sup>. Should “effortful intervention” (which can be a part of offender supervision) take place in such a way as to reduce these risk-relevant factors there would be a concomitant reduction in the likelihood of sexual recidivism.

Acute dynamic risk factors are highly transient conditions that last hours or days. These factors are rapidly changing environmental and intrapersonal stresses, conditions, or events that have been shown by previous research to be related to imminent sexual re-offence (e.g. sexual pre-occupations, substance abuse and a collapse of social networks/support).

A risk monitoring tool based on the above stable and dynamic factors has been devised by the Canadian Dynamic Supervision Project. This Circular is part of a project to examine the

---

<sup>1</sup> [www.publicsafety.gc.ca/res/cor/rep/\\_fl/crp2007-05-en.pdf](http://www.publicsafety.gc.ca/res/cor/rep/_fl/crp2007-05-en.pdf)

<sup>2</sup> Ibid.

feasibility of the use of this tool within probation in England and Wales. A similar project will take place for sex offender managers within the police service.

### **Stable and Acute Dynamic Assessment**

Stable and Acute assessment tools are not intended to replace RM2000 as the risk assessment tools to be used with sex offenders, or OASys as the overall offender assessment for sex offenders. Rather they should be completed in addition to, and will complement, these assessments.

Both Stable and Acute require further assessment of the offender. OASys should be used as an initial assessment, to determine the 'base' level of risk for the offender and the initial level of supervision required; to assist in PSR and parole report assessments; assessment for MAPPA and to assist in determining the tiering of the offender for offender management. This should be supplemented by completion of the RM2000.

It should then be further supplemented by the Stable assessment. This should be completed approximately annually (stable factors will probably not change more frequently than that). The Stable assessment will assist in the formulation of the Acute assessments, but will also indicate factors that the offender manager needs to pay attention to in supervision in order to reduce the risk of re-offending. It therefore provides a sex offender specific contribution to the OASys assessment and the supervision plan.

The Acute assessment should be completed each time the assessor has contact with the offender. It will inform the day to day level of supervision, monitoring and intervention required.

In all cases, an OASys assessment should be completed first. A manual supplied with the Stable tool will then provide a framework for an in-depth assessment with a sex offender to elicit the information required. This framework provides a guide for a thorough sex offender interview that will be useful for staff, particularly those new to working with sexual offenders, in focusing on risk factors. Use of the Stable assessment will provide a purposeful, evidence based assessment process for sex offenders, which will identify areas that need to be concentrated on in supervision. It will help provide defensible decisions for offenders not in treatment as to the level and content of intervention required.

The Acute tool is designed to be brief and quickly completed. It should be completed after each face to face meeting with the offender, and the developers advise it should take no longer than 10 minutes to complete (if additional risk concerns are noted, of course, then these will need to be dealt with).

### **Who should be assessed using Stable and Acute?**

At present, the evidence supports the use of stable and acute tools for adult (over 18) male sex offenders. It can be used for individuals where the sexual offence is the index offence, and also where required for those with a previous conviction for a sexual offence. Assessments should be completed by offender managers. Offenders who complete treatment programmes will also be assessed using the Structured Assessment of Risk and Need (SARN). This also gives an in-

depth analysis of dynamic risk factors and so can be used by the offender manager to inform the Stable assessment. One of the aims of the pilot will be to examine further the integration between Stable and Acute, and other assessment tools such as SARN and OASys. It should be noted that Stable and Acute will be piloted within the police service simultaneously. It is not necessary for Stable to be carried out by both agencies; therefore, it is acceptable for local arrangements to be made to ensure both agencies work together on assessment. Any such arrangements should be ratified by the local MAPPA Strategic management Board.

### **Use of OASys**

The Stable and Acute tools are not intended to replace OASys. Rather the Stable should be used in addition to OASys for the first assessment, and to inform and refine the ongoing OASys assessment, in particular in identifying targets for intervention. Further investigation of the integration between Stable and Acute, and OASys, will take part as part of the pilot.

### **Pilot arrangements**

NOMS Public Protection Unit (PPU) wishes to pilot the use of Stable and Acute assessment tools for the following reasons:

- To work towards meeting imperatives to improve the quality of sex offender assessments
- To assess the feasibility of the use of these tools within probation and police in England and Wales (a similar project is underway in Northern Ireland, and Scotland have opted for full implementation without a pilot).
- To undertake some initial evaluation as to whether the tools work as well here as in the North American and Canadian trials
- To examine further the use of such tools alongside OASys and SARN
- To better assess resource implications
- To engage in consultation with Areas regarding the use of the tools
- To identify the feasibility and best way forward for wide scale implementation of the tools, should the results of the pilot justify it.

PPU have therefore arranged for up to 120 staff to be trained to use the tools, for both police and probation. Following training, those staff will use the tools, and after a period of 6 months an initial evaluation will be held to determine their usefulness, and decide upon the issues raised above. Should a decision be made, in consultation with Areas and ROMs, to widen the use of the tools, then PPU will provide further training to the individuals already trained, to enable them in turn to be trainers for the use of Areas and Regions. Areas that take part in the pilots will therefore be advantaged should a decision be taken to roll out the tools on a wider scale in England and Wales.

In any event should the decision be made to extend the pilot PPU will make appropriate arrangements to consult with Areas and train staff accordingly, via a train the trainers process.

The training to use the tools is a 2 day event, and initial training for pilot Areas will be provided via four events, all in March 2008, on 18<sup>th</sup> and 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup>, 24<sup>th</sup> and 25<sup>th</sup>, and 26<sup>th</sup> and 27<sup>th</sup>.

## UNCLASSIFIED

Areas should decide if they wish to take part in the pilot, and if so identify staff to be trained bearing in mind the following:

Potential trainees should be identified by Areas and notified to PPU using the nomination form at Annex A by Friday 8<sup>th</sup> February 2008. It is anticipated that the majority of probation trainees will be offender managers who supervise sex offenders either in generic or specialist teams. As the tool is intended predominantly to be completed by offender managers it is anticipated that the trainees will be offender managers rather than treatment providers. Trainees should meet the following criteria:

1. They should be in a position where they are able to complete assessments using Stable and Acute during the 6 month pilot period from April – September 2008, that is, they should be supervising sexual offenders.
2. They should be free for attending the training dates in March described above.
3. Areas should liaise with local police forces (via MAPPAs SMBs) to discuss joint bids to be pilot areas. This would ensure coherence across police and probation.
4. Pilot Areas should be prepared to provide data to RDS with regard to the evaluation of the pilots. The exact details of information to be gathered are yet to be established but it is not anticipated that this will be an onerous task.

It should be noted that in the first wave of train the trainers only 120 places will be available nationally for both police and probation. It is essential therefore that places are **only** used for staff where there is every possibility that they will be able to contribute to the pilots.

### Resource Implications

Dynamic risk assessment is intended to be an adjunct to supervision. The dynamic risk assessment tool provides a structured framework for assessing and monitoring areas that should already be explored as part of the routine supervision of sex offenders. It will therefore provide a research based focus for work with sex offenders. As there is some form filling involved it is inevitable however that there is a resource implication, although it is anticipated that as staff become experienced in the use of the tool this will be absorbed within normal supervision time. The tools will enable supervision sessions with sex offenders to be more focussed, on criminogenic factors in the case of the Stable assessment, and on risk monitoring in the case of Acute.

### Integration with VISOR

Work is taking place to look at how Stable and Acute risk monitoring can be integrated within VISOR. Further advice will be given when this is completed.

### Further information

When pilot Areas have been selected seminars will be held to further inform local managers about the pilots. In the meantime queries can be directed to Mark Farmer, contact details above.

**Stable and Acute risk assessment and monitoring for sex offenders  
Nomination form**

Probation Area.....

We do/do not wish to take part in the pilot of Stable and Acute (delete as appropriate)

If you do not wish your Area to take part please indicate why:

.....  
.....  
.....  
.....  
.....  
.....

If you do wish your Area to take part please nominate individuals to be trained:

Name	Location	Tel	Email

Please ensure that you:

1. Liaise with local police as indicated in the PC and where possible agree on joint local implementation (police will nominate candidates also – this form is for probation only)
2. Nominate up to four candidates in priority order. Actual number of places available will depend on the number of Areas wishing to run pilots
3. Refer to eligibility criteria in the PC

Name of Area contact person.....

Tel..... Email.....

Please return to [mark.farmer@justice.gsi.gov.uk](mailto:mark.farmer@justice.gsi.gov.uk) by 8<sup>th</sup> February 2008



## **Equality Impact Assessment**

Preliminary Screening

Statistics & Research

Gathering Evidence through Community Engagement

Assessment & Analysis

Action Plan

The EIA Report

<b>EQUALITY IMPACT ASSESSMENT</b>
Group
Directorate
Unit

**PRELIMINARY SCREENING**

<b>Date of Screening</b>	3/1/2008
<b>Name of Policy Writer</b>	Mark Farmer
<b>Director General</b>	

PC02/2008 – Dynamic Risk Assessment of Sex Offenders	<input checked="" type="checkbox"/>	This is a <b>new</b> policy
	<input type="checkbox"/>	This is a <b>change</b> to an existing policy
	<input type="checkbox"/>	This is an <b>existing</b> policy

<b>Policy Aims, Objectives &amp; Projected Outcomes</b>
<p>Aim: to pilot an evidence-based dynamic risk assessment for sex offenders          Objectives: to train 120 probation and police staff to use Acute and Stable dynamic risk assessment tools and pilot them in their Areas          Projected outcomes: to improve the management of sex offenders by better identification of needs, and to provide evidence based monitoring of acute factors leading to better identification of level of supervision required.</p>

Will the policy have an impact on national or local people/staff?	YES
Are particular communities or groups likely to have different needs, experiences and/or attitudes in relation to the policy	NO
Are there any aspects of the policy that could contribute to equality or inequality?	NO
Could the aims of the policy be in conflict with equal opportunity, elimination of discrimination, promotion of good relations?	NO
If this is an amendment of an existing policy, was the original policy impact assessed?	N/A

If your answer to any of these questions is **YES**, go on to the full EIA.

If you have answered **NO to any particular questions**, please provide explanatory evidence.

The Acute and Stable dynamic risk assessment tools have been developed using a sample group of a wide range of offenders in Northern America and Canada. Correct use of the tools will result in more accurate and reliable risk assessments for sex offenders, which are sensitive to changes in the offender’s life. This will therefore contribute to equality as it will mean probation staff will be better able to target interventions, and this may result in more restrictive options being better targeted.

Correct use of the tools might also result in a reduction in re-offending amongst sexual offenders, thus contributing to safer societies, and promotion of better relationships with regard to sex offenders.

## FULL IMPACT ASSESSMENT

### STATISTICS & RESEARCH

#### What relevant quantitative & qualitative data do you have in relation to this policy?

Please site any quantitative (e.g. statistical research) and qualitative evidence (monitoring data, complaints, satisfaction surveys, focus groups, questionnaires, meetings, research interviews etc) of communities or groups having different needs, experiences or attitudes in relation to this policy area.

<b>Equality Target Areas</b>	<b>How does the data identify potential or known positive impacts?</b>  <b>How does the data identify any potential or known adverse impacts?</b>
<b>Race</b> (consider e.g. nationalities, Gypsies, Travellers, languages)	No anticipated negative effects
<b>Disability</b> (consider social access and physical access)	No anticipated negative effects
<b>Gender</b>	The assessment tools have been standardised on male offenders – further research needs to be undertaken before they can be reliably used on female offenders
<b>Gender Identity</b>	No anticipated negative effects
<b>Religion and Belief</b>	No anticipated negative effects
<b>Sexual Orientation</b>	No anticipated negative effects
<b>Age</b>	No anticipated negative effects

<p><b>What research have you considered commissioning to fill any data gaps?</b></p> <p>For example, you may need to ensure quantitative &amp; qualitative data groups include stakeholders with respect to this policy.  N.B Include any recommendations in your action plan</p>
<p>The PC outlines a pilot project to investigate the feasibility of using a north American tool in this country. Research will be undertaken after initial piloting to examine feasibility and desirability of wider roll out nationally.</p>

<p><b>Who are the stakeholders, community groups, staff or customers for this policy area?</b></p>
<p>Probation staff  Police staff  Local communities  Probation Areas  MAPPA organisations  Offenders</p>

<p><b>What are the overall trends and patterns in this qualitative &amp; quantitative data?</b></p> <p>Disproportionality; regional variations; different levels of access, experiences or needs; combined impacts.</p>
<p>N/A</p>

<p><b>Please list the specific equality issues that may need to be addressed through consultation (and further research)?</b></p>
<ul style="list-style-type: none"> <li>To discover more about the viability of using these assessments with female sex offenders</li> </ul>

## GATHERING EVIDENCE THROUGH COMMUNITY ENGAGEMENT

**INTERNAL STAKEHOLDER ENGAGEMENT:** Consulting & involving Other Government Departments, Staff, Agencies & NDPBs

<b>Does this policy affect the experiences of staff? How? What are their concerns?</b>	
<b>Staff</b>	The assessment tools may require a small amount of additional work but countering this is the fact that they will provide an evidence based framework for sex offender assessment that will give reassurance with regard to the quality of work undertaken.
<b>Staff Networks &amp; Associations</b>	N/A
<b>Trade Unions</b>	N/A

**How have you consulted, engaged and involved internal stakeholders in considering the impact of this proposal on other public policies and services?**

For example your policy may affect access to housing, education, health, employment services.

Key stakeholders have been engaged in a Project Board to oversee implementation of these assessment tools

**What positive and adverse impacts were identified by your internal consultees? Did they provide any examples?**

None identified with regard to equality

**Feedback the results of this internal consultation and use it as a basis for work on external consultation**

## **EXTERNAL CONSULTATION & INVOLVEMENT**

<b>How did your engagement exercise highlight positive and negative impacts on different communities?</b>	
<b>Voluntary Organisations</b>	No positive or negative impacts
<b>Race</b>	No positive or negative impacts
<b>Faith</b>	No positive or negative impacts
<b>Disability Rights</b>	No positive or negative impacts
<b>Gender</b>	Further work needs to be done in clarifying the use of the tools with female sex offenders
<b>Gender Identity</b>	No positive or negative impacts
<b>Sexual Orientation</b>	No positive or negative impacts
<b>Age</b>	No positive or negative impacts

**Feedback the results of your community engagement (i.e. involvement and consultation) to all participants including internal and external stakeholders**

## ASSESSMENT & ANALYSIS

**Does the EIA show a potential for differential impact on any group(s) if this proposal is introduced? If Yes, state briefly whether impact is adverse or positive and in what equality areas.**

Overall this proposal should promote safer societies and equality by provision of better assessment for sexual offenders. The vast majority of sex offenders are male, but attention needs to be given to discover whether this assessment process is suitable for female sex offenders

**What were the main findings of the engagement exercise and what weight should they carry?**

General positive findings with concerns related to implementation of the assessment tools (addressed by piloting first prior to full implementation) rather than those related to equality issues

**Does this policy have the potential to cause unlawful direct or indirect discrimination? Does this policy have the potential to exclude certain group of people from obtaining services, or limit their participation in any aspect of public life?**

No

**How does the policy promote equality of opportunity?**

By provision of better assessment of sex offenders, and consequently better interventions and more appropriate use of resources. Also by better targeting of restrictive interventions.

**How does your policy promote good relations? How does this policy make it possible for different groups to work together, build bridges between parallel communities, or remove barriers that isolate groups and individuals from engaging in civic society more generally?**

Not within the scope of this project

**How can the policy be revised, or additional measures taken, in order for the policy to achieve its aims without risking any adverse impact?**

The policy is a pilot to investigate feasibility of wider roll out of the tools. Consequent research will indicate future directions for the policy

**Are there any concerns from data gathering, consultation and analysis that have not been taken on board?**

Please justify and explain the reason for your decision.

None

## ENSURING ACCESS TO INFORMATION

**How can you ensure that information used for this EIA is readily available in the future?**

(N.B. You will need to include this in your action plan)

- 

**How will you ensure your stakeholders continue to be involved/ engaged in shaping the development/ delivery of this policy?**

(N.B. You will need to include this in your action plan)

- The Project Board will monitor and consider future directions for the project after piloting has taken place

**How will you monitor this policy to ensure that the policy delivers the equality commitments required?**

(N.B. You will need to include this in your action plan)

- After 6 months an evaluation will take place with regard to the feasibility of wider roll out of this assessment process

**Now submit your EIA and related evidence to the Equality & Diversity Unit for quality assurance and clearance.**

## ACTION PLAN

<b>Recommendations</b>	<b>Responsibility</b>	<b>Actions required</b>	<b>Success Indicators</b>	<b>Target Date</b>	<b>What progress has been made?</b>
Data Collection	Head of Sex Offender Team PPU/NOMS RDS	Data collection and research with regard to widescale	Production of final recommendation	End 2008	
Publication Arrangements					
Monitoring & Review Arrangements	As above				
List other recommendations that are required	Head of Sex Offender Team	Further investigation into use with female sex	Decision with regard to use of tools with female	End 2008	

**Please ensure that the action plan is agreed by your Director/ Minister**

## **THE EQUALITY IMPACT ASSESSMENT REPORT**

The EIA report is a concise summary of the results of your EIA work. You should ensure that you cover the topics described below.

### **Background:**

This PC cover the piloting of two new assessment tools for sex offenders, Stable and Acute dynamic risk assessments, which will complement existing static assessment tools such as RM2000 and contribute to OASys assessments. The tools will help determine areas for intervention in the case of stable, and level of supervision required in the case of Acute

### **Methodology:**

- The assessment tools were devised in Canada by review of large scale samples.

### **Consultation & Involvement:**

- A Project Board of representative stakeholders has been established to consider the pilots. In addition the tools are already being piloted in Northern Ireland, and implemented in Scotland

### **Assessment & analysis**

No issues regarding equality have been noted apart from the fact that the tools need to be investigated with regard to their applicability for female sex offenders (the vast majority of sex offenders supervised by NOMS are male). Any impact is likely to be positive given the potential for more precise assessments and better targeting of resources.

### **Recommendations**

- 1) Further investigation as to the applicability for female sex offenders
- 2) Review of implementation after 6 months with decisions to be made as to widespread implementation

### **Date of EIA Report**

**3/1/08**

### **Date of Publication of Results**

**Ensure that the EIA Report is published on the NOMS/ MoJ website before your policy/programme is implemented.**