



Strategic Policing and Crime Board

Date of meeting: 21st January 2020

Police and Crime Plan Priority:

Title: Sex Offender Management – Lessons Learned

Presented by: ACC Vanessa Jardine

Purpose of paper

1. To provide members of the Strategic Policing and Crime Board with an overview of the Leroy Campbell (LC) case and the subsequent reviews of West Midlands Police (WMP) and Probation. This includes the findings and recommendations from Her Majesty's Inspectorate of Probation's (HMIP) review which reviewed the Serious Case Review (SCR) Commissioned by West Midlands Multi-Agency Public Protection Arrangements (MAPPA) and the Serious Further Offence (SFO) Review undertaken by the National Probation Service. This report also discusses WMP's Post Incident Management Review (PIMR) and the OPCC's internal audit.
2. The HMIP examination was commissioned to review the SCR and the SFO including the action plans in terms of thoroughness and implementation. They concluded the reviews were robust and honest. This report will show how WMP has continued to embed the lessons learned, and the findings and recommendations of the SCR, and also the OPCC Sex Offender Management (SOM) Internal Audit.

Leroy Campbell Case Summary

3. LC had a history of serious sexual offending for attacking lone women. Whilst under Probation supervision in late 2016, he told his National Probation Service (NPS) probation officer that he felt vulnerable and isolated (feelings that he said were linked with his previous offending) and that he might reoffend again. A few weeks later he raped and killed Lisa Skidmore in her own home. He also attempted to murder her elderly mother in Lisa's home, and then set fire to the property, leaving her for dead. Mrs Skidmore survived. These circumstances led to the SCR.

Multi-Agency Public Protection Arrangements

4. MAPPA are a set of arrangements to manage the risk posed by the most serious sexual and violent offenders under the provisions of sections 325 to 327B of the Criminal Justice Act 2003. There are 3 categories of MAPPA eligible offender:
 - **Category 1** - registered sexual offenders;
 - **Category 2** – mainly violent offenders sentenced to 12 months or more imprisonment or a hospital order;
 - **Category 3** – offenders who do not qualify under categories 1 or 2 but who currently pose a risk of serious harm.
5. There are three levels of management to ensure that resources are focused where they are most needed; generally those involving the higher risks of serious harm.
 - **Level 1** - involves ordinary agency management (i.e. managed by the lead agency with no formal MAPPA meetings);
 - **Level 2** - where the active involvement of more than one agency is required to manage the offender;
 - **Level 3** - where risk management plans require the attendance and commitment of resources at a senior level.

MAPPA Serious Case Review (SCR):

6. Mandatory serious case reviews are required on all MAPPA offenders, managed at Level 2 or Level 3, who commit, or attempt to commit, offences of murder, manslaughter or rape. Discretionary serious case reviews are conducted at the discretion of the MAPPA Strategic Management Board (SMB).
7. LC was not managed at Level 2 or 3 at any point but was managed as a Category 1 Level 1 offender by Probation under the terms of his licence and by the Police as a registered sex offender. The West Midlands MAPPA SMB decided to commission a discretionary review because of the nature and seriousness of the offences LC committed and because it was seen to be in the public interest to do so.

MAPPA Serious Case Review Findings:

8. There were 22 key findings from the SCR and the main findings for the Police, which are taken directly from the SCR, are detailed below:

Policy and Procedural Requirements

- West Midlands Police did not complete an Active Risk Management System (ARMS) assessment as required

- There was a good use of Violent and Sex Offender Register (ViSOR) by Police with some very full entries at the critical moments but there are some issues for Police about how entries are acknowledged and serious issues for Probation about access and use of ViSOR

Contribution by Agencies to MAPPA

- West Midlands Police did not make a referral or request an emergency MAPPA level 2 management meeting in October 2016 to widen consideration of how best to manage the escalating risk

Identification, Assessment and Analysis of Risk of Serious Harm

- There were key events and disclosures in October 2016 that suggested increased risk of serious harm. The potential risk was identified but no emergency MAPPA level 2 management meeting was called.
- Some early warning signs were missed and LC's attitude towards women should have been probed more carefully. When LC asked whether he would be permitted to see a prostitute and when he was describing his interest in designing women's stilettos these early warning signs should have been acknowledged and further explored.

Risk Management Plans and their Implementation

- The risk management plan was explicit about calling an emergency MAPPA meeting if there was an escalation of risk and this did not happen

Offender Management

- There was a failure to escalate to a senior manager and seek senior managerial direction, when critical events occurred and managers and agencies' opinions differed

MAPPA Serious Case Review Action Plan:

9. There were 17 actions in total from the SCR including five for the Police and one jointly for the Police and Probation:

Action (a): Timely ARMS assessments and when to do them.

Action update: SOMs were instructed to cooperate with Probation in the completion of their requirement to undertake an ARMS assessment on an offender within 6 weeks of release from custody. A protocol has been agreed with Probation to achieve this which sets out the responsibilities of each agency.

The work is managed locally via line management and any issues are escalated through local senior Probation leads or centrally through the Police Management of Sex Offenders and Violent Offenders (MOSOVO) lead.

Leicestershire Police are currently trialling an ARMS quality assurance tool which is being evaluated in January 2020. Following the completion of the evaluation, this tool will be available to both police and probation to ensure a high quality of assessment is maintained.

Within WMP ViSOR has been restructured to enable accurate data to be reported for each geographical area rather than as a force.

SOMS prioritise the very high and high risk cohorts, prison releases and those new on the register in the completion of ARMS assessments.

Action (b): Re-evaluation of risk and management oversight in response to new concerns or significant events.

Action update: Instructions were issued to SOMs when serious concerns are raised about a Registered Sex Offender's (RSO) behaviour, there will be a re-evaluation of risk (involving a re-evaluation of the whole of the RSO offending history, pattern of offending and intelligence available and a review by an officer of the rank of inspector or above).

This is managed locally by the SOM line manager and the level of risk is escalated further to the MAPPA coordinator where Level 2 or 3 is considered necessary.

Action (c): Acknowledgement of new entries on ViSOR so that it is transparent that new information has been received, particularly in relation to case transfer and new ownership of the case.

Action update: Instructions were issued to SOMs that they must acknowledge new entries on ViSOR with their name, collar number and the date. This has been implemented and compliance is monitored by dip sampling entries.

Action (d): For SOMs to increase their knowledge and understanding of the behaviour of predatory sex offenders

Action update: MOSOVO training already covers the behaviour of sex offenders and all SOMs have received this training course to complete their role. Continuous Professional Development (CPD) days have been introduced for SOMs to provide additional learning in areas relevant to sex offender management e.g. digital forensics, and these take place every 6 months. Zoe Lodrick, a nationally recognised expert in the predatory behaviour of sex offenders, has also been booked to provide a full day input to every SOM to raise their awareness in this area.

Action (e): Improve management oversight and recognition as to when MAPPA level 2 management is required

Action update: Instructions were issued to SOMs on when consultation with a manager is required, this related to concerns about: escalating risk of serious harm; there is consideration given to the circumstances in which referral to MAPPA Level 2

management is required; management decisions are recorded as “line management” oversight on ViSOR and if there is a disagreement on whether there is escalating risk or what action to take they will consult and refer decision making to a senior manager and MAPPA Coordinator. This is regularly reviewed at the monthly SOM Sergeants and Inspectors meeting.

Action (f): Complete MAPPA screening to ensure cases are managed at the appropriate level

Action update: Requirements were reinstated under MAPPA guidance which state that practitioners must complete MAPPA screenings post sentence and 6 or 12 months in complex cases prior to the first parole review and reviewed 6 months prior to release into the community.

Screenings are now routinely completed by the In-custody team six months prior to release from prison.

10. All the Police actions from the SCR have been implemented and are now closed.

Police Reviews

11. WMP undertook its own review of the handling of the case which informed the SCR processes. Whenever an RSO offends whilst under police management an initial Post Incident Management Review (PIMR) must be completed, this is reviewed and a decision made by the executive lead whether a full PIMR is required. Due to the severity of the offence a full PIMR was commissioned which was undertaken by the force review team.

12. In addition, WMP made a voluntary referral to the Independent Police Complaints Commission, who decided that the case was suitable for internal investigation. The subsequent Professional Standards report highlighted that there were no disciplinary matters for the officers involved.

HMIP Report

13. The HMIP Independent Review of the LC case was commissioned by the Ministry of Justice and published in September 2018.

14. The scope of the review looked at LC’s period in closed prison, open prison and release, management on life licence, quality of the Probation Serious Further Offence (SFO) review, Probation management actions and learning for the organisation and the MAPPA SCR.

HMIP Key Findings from the Period LC was on Life Licence:

15. The HMIP found there was no evidence to identify the point at which LC decided for certain to reoffend, but the circumstances of the offence and the evidence available showed that the offence was pre-meditated. There were some key failings in the way he was supervised and the HMIP felt that LC was not managed properly making the following points in their report:

- The Police were actively involved with LC as he is a registered sex offender. There should have been better liaison between agencies during his licence
- When LC reported that he felt vulnerable and isolated, and even pointed out that these had been triggers to his previous offending, this should have led to a full assessment
- Once LC confirmed he had thoughts of rape, then it is beyond our comprehension that he was left to remain at full liberty. At that stage he could have been recalled to prison or returned to the hostel to allow for close monitoring of his mood and behaviour. These options should have been pursued, but they were not and we find that a very significant failing

HMIP view of the MAPPA SCR:

16. HMIP made the following observations:

- The Strategic Management Board (SMB) was well sighted on the MAPPA SCR and the Action Plan as evidenced by the minutes of Board meetings. The Action Plan flows logically from the MAPPA SCR and is comprehensive, but parts of it lack an outcome focus, which may lead to difficulties in measuring progress
- The action plan was not sufficiently outcome focused, but despite this there was a commendable effort to learn and improve practice through training, briefing and the issuing of instructions. There is evidence of improvement in practice but it remains important to monitor properly and consistently this critical aspect of practice

17. All Police actions from the SCR were acknowledged as complete by the Strategic MAPPA board in March 2018. They were also implemented and endorsed as complete by HMIP inspection in June 2018.

Inquest into the death of Lisa Skidmore

18. The inquest into the death of Lisa Skidmore was held in June 2019 at the Black Country Coroners Court. The outcome was by a narrative verdict with the key findings being:

- Failures to respond to the risk were more than a minimal contribution to Lisa Skidmore's murder
- Communication is vital in the management of offenders, however in this instance the agencies involved failed to share key information of the perpetrators disclosures
- There was a failure to communicate and share information internally and externally by police and probation.

- There was a failure to document vital information internally and externally by police and probation
 - There was a clear lack of professional curiosity into how and where the perpetrator was spending his days. There was a heavy reliance on what the perpetrator was relaying to the police and probation without basic checks carried out
 - Once the risk was identified there remained a failure to take adequate measures to manage the risk
 - There was no sufficient consideration given to the option of making a reference to recall at any point from 17th October 2016 onwards
 - No professionals meeting was called to discuss the increase of MAPPA levels to manage the presenting risk to the public
19. The Coroner made no formal recommendations at the conclusion of the inquest but asked the police for further information regarding ViSOR, and suggested that the College of Policing conduct a review. West Midlands Police has completed a PIMR and there has been an OPCC internal audit which has provided additional review however, this has not included a College of Policing review. Thus, a further meeting has been made with the Coroner for 28th January 2020 to discuss the additional reviews and establish if a College of Policing review is still required.

WMP Organisational Learning

20. Following the SCR and the HMIP report, WMP has implemented the learning from the reviews. Regular meetings are in place with SOM sergeants and inspectors to ensure compliance and to address concerns. Actions are monitored corporately via the Local Policing Governance Board (LPGB) and Integrated Offender Management (IOM) Quarterly Performance Review (QPR). Continuous Professional Development days are diarised every six months and national guidance and learning is circulated to all staff.
21. The MAPPA/Sex Offender Management policies have been reviewed and updated to include all the learning and to ensure it is incorporated into offender management strategies. The SOM standard operating principles (SOP) make reference to the joint working framework which has detailed guidance on all aspects of shared activity involving Probation and Police, to promote understanding of each agency's responsibilities.
22. The joint Police and Probation MAPPA Support Unit based at Digbeth overseen by a police inspector and the MAPPA Coordinator, now quality assure all completed screenings.

23. West Midlands Police agreed an Active Risk Management action plan in June 2019 which comprised of 6 actions. The aim of this was to increase ARMs assessments and manage the existing outstanding ARMs assessments and workloads. The implementation of these actions was tracked through Local Policing Governance Board (LPGB) and Integrated Offender Management (IOM) QPR. The updates for these actions are as follows:

- a) To increase the number of SOMS by 10 (1 per area)
Update: the number of SOMS has been increased by 10
- b) Complex digital investigations to be passed to the PPU
Update: a business case is being completed to create a bespoke RSO digital investigation team within PPU
- c) NPS should undertake all ARMS assessments when they are the lead agency
Update: the joint ARMS protocol has been agreed with NPS which sets out the requirements of each agency
- d) Increase the eligibility criteria for the transfer of low risk offenders onto reactive management
Update: the new reactive management policy was signed off and introduced in August 2019
- e) Implementation of the new NPCC guidelines in relation to visiting schedules
Update: the new NPCC guidelines in relation to greater use of professional judgement by SOMS, when devising visiting schedules, has been implemented
- f) Make greater use of robotics in the formation of risk management plans
Update: this work stream has been agreed by WMP IT and the robotics are currently being designed in consultation with the SOMS

24. The MAPPA Strategic Management Board keeps the SCR actions under review. Chief Superintendent Shaer of the Criminal Justice department represents WMP at this meeting as Vice-Chair and will, with partner agencies, ensure that all actions have been completed. Both Police and Probation are in regular dialogue regarding ARMS completions which for Probation has been impacted by staff vacancies and access to ViSOR.

Internal Audit

25. The overall objective of internal audit is to provide an opinion on the overall adequacy and effectiveness of the organisation's control systems. The primary role of audit is to

provide assurance to the organisation (PCC, Chief Constable, Senior Managers, Managers and the Joint Audit Committee) that the Organisation maintains an effective control environment that enables it to manage its significant business risks. The service helps the PCC and Force achieve its objectives and provide assurance that effective and efficient operations are maintained.

26. To provide further scrutiny an audit was commissioned to review sex offender management. There were 11 management actions arising from the audit and 7 of those actions have been agreed as implemented and closed. The following four actions remain open:

- To ensure SOM officers and supervisors are appropriately trained.

PIP accreditations for investigative roles are being reviewed nationally by the College of Policing. Once the review has been finalised there will be a decision as to whether the SOM role requires PIP 1 or PIP 2 accreditation. A decision is expected regarding this in early 2020.

- The Standard Operating Procedure (SOP) should be updated to provide one comprehensive document as to how RSOs should be managed and to ensure there is a consistent approach adopted between the teams

The re-writing of the SOP was postponed for two reasons: to allow for any recommendations made by the Coroner following the inquest into the death of Lisa Skidmore to be incorporated into the policy, and for the sign off by senior officers of new sex offender management strategies. The SOP is currently being finalised.

- The revised timescales for the review of risk re-evaluation and management oversight to be completed by local Inspectors should be determined, with consideration being given to what training / support Inspectors will receive to ensure they are effective in their dip sample review

All managers have received CPD inputs in the actions from the serious case review, identifying risk and the requirements of them in reviewing the risk an individual poses. Peer reviews are currently being introduced whereby SOM sergeants will peer review their colleagues and dip sample an agreed number of ViSOR records to specifically look at the identified areas from the serious case review. The findings will be reported into Integrated Offender Management Quarterly Performance Review (IOM QPR).

- A formal process should be devised and agreed with the Probation Service whereby any outstanding ARMS assessments can be escalated and reported. Once agreed, the formal escalation process should be reflected in the Memorandum of Understanding recently agreed with Probation

An ARMS protocol has been jointly written by WMP and probation, which clearly sets out the responsibilities of each agency including escalation processes. This has now been signed off and implemented in both organisations.

An overall grading of minimal was given (Minimal means there was minimal evidence to show, and some improvement would be required) to the area of business and eleven management actions identified. The minimal assurance opinion was principally due to the risks relating to the backlog of ARMS assessments for current RSO's and the future workload of SOM Teams when considered against the predicted increases in RSO's.

27. WMP were required to attend a Joint Audit Committee (JAC) in March 2019 to detail progress against the management actions, and again in September 2019 where it was agreed that seven of the eleven actions were complete and the remaining four were in the process of being finalised. It was acknowledged by the panel that the sex offender management area of business had made such significant progress from the minimal grading, that no further attendance at JAC was required. A further internal audit will take place in March 2020 to ensure this progress has been maintained.

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