

REVIEW OF THE PROTECTION OF CHILDREN FROM SEX OFFENDERS

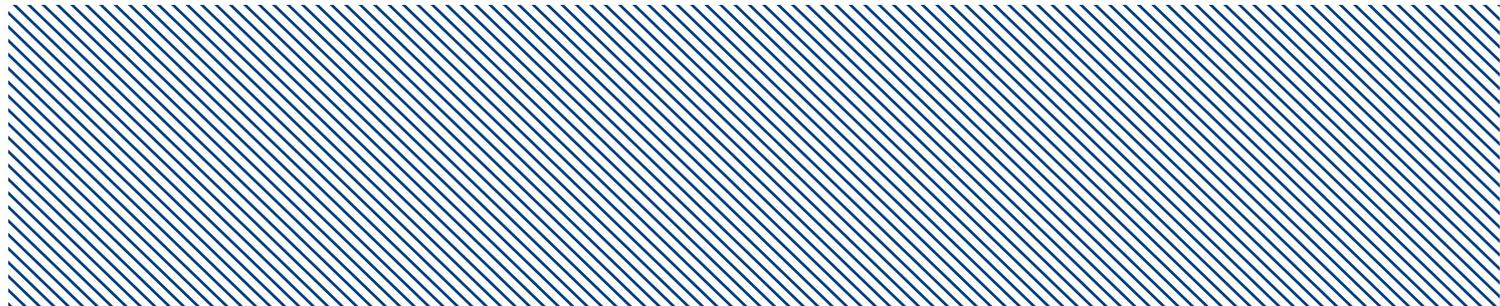


Home Office



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Ministerial foreword

The protection of our children is of the greatest importance to all of us. There are few crimes more damaging, more emotive and more sensitive than sexual offences against children. The impact of these offences on the victims and their families is devastating. The public deserves to be protected from these offenders, by keeping them in prison while they pose too great a risk to be released, and by effectively managing and monitoring those who are released into the community. We should be ready to use the most up-to-date methods and technology to help us achieve this.

We have done a lot in recent years to improve public protection. Sex offenders must register with the police, they are visited in their homes, and if they break the rules they are sent back to prison. We have developed treatment shown to be effective in preventing re-offending. There are over 100 approved premises where high-risk offenders are closely supervised.

But while these measures have greatly increased public protection from sex offenders, I believe we can still do much more, and so in June last year I called for a review of the management of child sex offenders. This review has been a careful examination of where improvements in public protection can be made, to give greater reassurance to the public by creating a safer environment.

As Home Secretary, public protection is my priority. As part of the review, we have looked at how other countries operate. Although we have found that we are one of the leading countries in the management of sex offenders, I still want to see a process of continual improvement.

The proposals set out in this review will lead to short, medium and long-term improvements in how we protect children from sex offenders. They range from strengthening guidance and bringing in new laws, to providing more information about convicted child sex offenders to the public. We have consulted closely with police, childcare agencies and victims' organisations, and listening to stakeholders has been vital to the review. I want to see that continue through the national stakeholder advisory group for sexual violence and abuse. It is important that these views are heard as we begin to implement the actions in this report.

The Government and authorities have a vital role in managing offenders, but as parents, grandparents and carers, we all have a stake in protecting children and an important role to play.



Dr John Reid
Home Secretary



Executive summary

In June 2006, the Home Secretary commissioned a comprehensive review of child sex offenders and protecting the public.

The review has carefully explored how we can improve child protection and provide greater reassurance to the public on the management of these offenders. The test of any proposal in this area should be whether its introduction would enhance the protection of children.

To inform the process there have been extensive discussions with organisations with a stake in child protection, such as the National Society for the Prevention of Cruelty to Children (NSPCC) and Barnardo's. The views of police and probation professionals working on the front line have also been sought, and international comparisons have been carried out on approaches to sex offender management. This process of consultation will continue through the national stakeholder advisory group for sexual violence and abuse.

This document sets out our plans to improve the way we protect our children. The main actions are listed below:

GREATER RIGHTS AND MORE INFORMATION FOR THE PUBLIC

- We will strengthen the multi-agency system (Multi-Agency Public Protection Arrangements – MAPPAs) that manages offenders and apply good practice more consistently, and we will seek to improve public awareness of how we manage known sex offenders.
- There will be a duty on MAPPAs authorities (including the police and probation services) to consider the disclosure of information on offenders in every case.
- We will pilot a new process whereby certain people can register with the police their child protection interest in a named individual. Where this individual is a known child sex offender, there will be a duty on the police to consider disclosure. In all instances, general guidance on child protection will be provided in response to enquiries about offenders.

NEXT STEPS

- We will change the law so that we will be able to require registered sex offenders to notify the police of any foreign travel, whether anyone under 18 is living at their registered address, e-mail addresses and their passport and bank account details.
- We will optimise use of the latest technology in the management of offenders, including trialling the use of mandatory polygraph tests (lie detectors), and we will review the use of satellite tagging and tracking.
- We will maximise the number of offenders treated and the effectiveness of that treatment.
- Restrictions on placing child sex offenders in approved premises immediately adjacent to schools and nurseries will continue.
- We will develop national standards for MAPPAs and ensure each area has strong central co-ordination and administration. There will also be greater MAPPAs engagement with the community, and a central point of contact for the public.
- We will establish a defined and consistent role for MAPPAs lay advisers, which will include increasing public awareness.
- There will be compulsory programmes of activity for offenders residing at approved premises, and there will be a standard set of core rules of residence.

Introduction

In June 2006, the Home Secretary commissioned a comprehensive review of the arrangements for protecting children from sex offenders. The review considered the way in which the risks presented by child sex offenders in the community are managed, including the amount of information about child sex offenders that is disclosed to the public.

There have always been child sex offenders, and we know that they are present in every community around the world. These offences cause enormous anxiety and trauma because the victims, the children, are vulnerable and unable to protect themselves. As parents and carers, we want to protect a child's innocence, which is immensely precious to us.

To prevent these offences from occurring, we need to manage offenders effectively and be alert to the risks. Child sex offenders do not all fall into the same category. There is a wide range of offending activity, some of which involves physical contact and some of which does not (for example internet offences). But all of these are serious crimes. Of the offenders themselves, we know that about 30 per cent are aged under 18,¹ approximately 99 per cent are male,² and at least 75 per cent are known to their victims as either a relative or a family friend.³

In recent years we have learnt more about child sex offending and have begun to talk more openly about it, although it is still a greatly under-reported crime. We need to do more to encourage victims to break the taboo and speak out. Research shows that 72 per cent of sexually abused children do not tell anyone about what has happened at the time, and that 31 per cent still have not told anyone by early adulthood.⁴

In addition, we have developed increasingly sophisticated systems for managing offenders and protecting children. The UK is now considered to have a better management

system than most other countries. Although we will never be able to build an entirely risk-free environment, it is our aim to do everything we can to minimise the risk to children.

In carrying out this review, the Home Office has looked at every aspect of how child sex offenders are managed, and has explored how the systems and arrangements in place might be improved. As well as working closely with other government departments and police and probation service professionals, we have sought the opinions and expertise of a wide range of non-governmental organisations and lobby groups representing children and victims of sexual abuse, and offenders. These include organisations such as the NSPCC, Barnardo's and Stop it Now!

We have looked at practice in other countries to see whether any elements might enhance child protection in the UK, including detailed research and a conference with colleagues from a number of EU states. We have also visited the United States to investigate how 'Megan's Law' is working and what impact it has had on child protection. 'Megan's Law' allows communities direct, uncontrolled access to information on offenders, mainly through websites.

We have been in discussion with colleagues in the Department of Health and the Department for Education and Skills, as well as in Scotland and Northern Ireland. Close discussion will continue across government when it comes to implementing the proposals in this report.

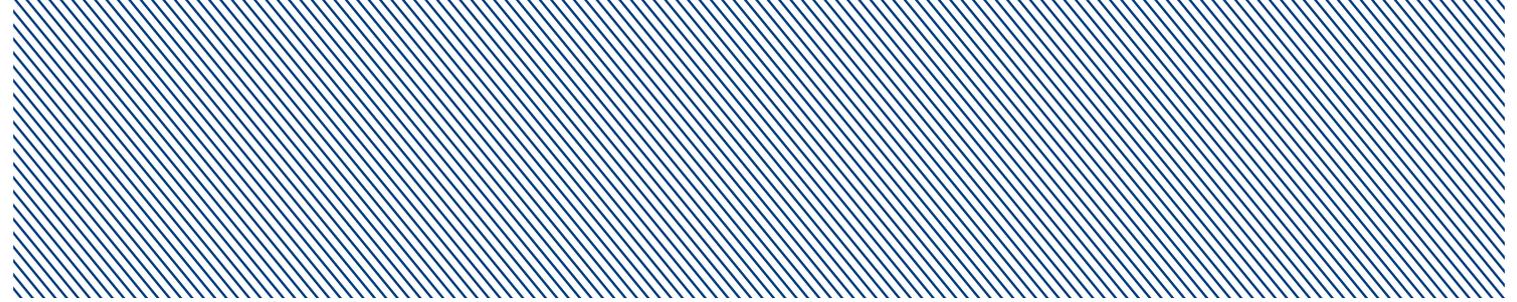
The principal aim of all the actions in this report is to provide greater child protection. This may be achieved through reducing re-offending by known offenders, preventing initial offending, and identifying where offences are taking place by increasing people's confidence to report them.

¹ Fisher, D and Beech, A, Adult Male Sex Offenders in Kemshall, H and McIvor, G (eds), *Managing Sex Offender Risk* (pp 25–47), Research Highlights in Social Work 46, Jessica Kingsley Publishers, London, 2004.

² *Offender management caseload statistics 2005*, Home Office Statistical Bulletin 18/06, Research, Development and Statistics, National Offender Management Service, 2006.

³ Grubin, D, *Sex offending against children: Understanding the risk*, Police Research Series Paper 99, Home Office, 1998.

⁴ *Key child protection statistics: sexual abuse*, NSPCC, March 2006.



This report identifies three parties that need to be addressed in order to achieve greater child protection:

- **the public** – who protect the children in their care and are in a position to prevent harm and to work with the authorities to expose offending where it is taking place. It is important that parents and carers are equipped with the information and understanding needed to protect children;
- **offenders** and those concerned about their sexual behaviour – who in addition to punishment need to understand the gravity of their actions, accept responsibility for what they have done, and undergo treatment as well as legal controls over their future behaviour where necessary; and
- **the authorities** – who can further improve the management of known offenders through ensuring the provision of effective monitoring and housing. **Technology** can play an important role in enabling the authorities to improve the monitoring of sex offenders.

The focus of this review is on how child sex offenders are managed and how sexual offending against children can be prevented. For this reason, it does not directly address victim support. However, support for victims is, of course, a vitally important part of the response to child sex offending, and the Home Office is taking forward a range of work to improve services for victims. Over the last three years, the Home Office has supported services by, for example:

- extending the network of Sexual Assault Referral Centres – this work will continue into 2007/08;
- supporting voluntary sector counselling services for victims of sexual violence through the Victims Fund; and
- funding, training and evaluating independent sexual violence advisers, who provide advocacy and support to victims delivered by a number of different agencies.

The report refers on many occasions to child sex offenders. For the avoidance of any confusion, that wording refers to people who commit sex offences against children, not to young sex offenders. However, sex offences committed by young people are also a significant problem addressed in this report.

Background – what has been done so far?

Serious child sex offenders should be in custody for as long as they present a severe risk to the public. Those offenders who present a sufficiently lowered risk to be released safely should be effectively monitored and managed in the community. If their risk levels increase, tough enforcement should be in place to return them to prison to prevent them committing a further offence.

Over the last decade, the Government has made a number of significant improvements to the systems that protect the public from child sex offenders (see page 8 for a summary). These new measures have moved us from a system where there were no formalised arrangements for managing child sex offenders when they were released from prison, to one that is regarded as among the most effective in the world.

Offenders are managed under multi-agency arrangements, known as Multi-Agency Public Protection Arrangements, primarily involving the police, probation and prison services. Sentences can be served both in prison and on licence in the community, and any prison sentence of 12 months or more will involve a period of both. Release from the custodial part of the sentence is either at a point specified by law or decided by the independent Parole Board. Offenders serving life sentences, or one of the new indeterminate sentences we have introduced for dangerous offenders, will not be released until the Parole Board considers it safe to do so.

When an offender is serving part of a sentence on licence in the community, they are supervised by the probation service and must comply with a range of conditions designed to support rehabilitation and reduce the risk of re-offending. These may, for example, include requirements to attend treatment courses, to reside at a hostel, not to have contact with children or not to enter a particular area. If an offender breaches any of the conditions of their licence, or takes any action that increases their risk of re-offending, they may be recalled to prison for the remainder of their sentence.

Notification requirements provide the authorities with an additional means to continue protecting the public from sex offenders after they have completed their sentence. The Sex Offenders' Register requires offenders to provide details of their whereabouts to the police on a regular basis once they are out of prison. This helps the authorities keep track of sex offenders and effectively monitor their risk.

Some offenders may also be subject to a Sexual Offences Prevention Order, which prohibits certain activities, for example going near schools or playgrounds. There are also robust systems in place for vetting people seeking to work with children and barring all those who have convictions for sex offences from doing so.

Figures show that re-conviction among sex offenders is low (less than 0.5 per cent of medium to high-risk managed offenders committed serious further offences last year). But we recognise there is no room for complacency as reporting is low – any child sex offence has a terrible impact on the victim, their family and the wider community. The public is understandably concerned about every child sex offender and the risk they may pose when released from prison. Although a comprehensive set of arrangements exists, we recognise that this is not a perfect system and can be improved.

Strengthening public protection: recent changes

- The **Sex Offenders' Register** was established under the Sex Offenders Act 1997 and is an invaluable way for the police to keep track of the whereabouts of known offenders. The Association of Chief Police Officers has assessed compliance with the requirements by sex offenders as 97 per cent.
- Established by the Criminal Justice and Court Services Act 2000, **Multi-Agency Public Protection Arrangements (MAPPA)** place a legal duty on the relevant authorities to work in partnership and share information to manage high-risk offenders in the community. The level of public protection from such offenders has increased considerably, and the number of serious further offences committed by MAPPA-managed offenders is very low.
- The Criminal Justice Act 2003 introduced sentences to protect the public from dangerous violent or sex offenders:
 - **Extended sentences** – offenders will serve the usual term in prison but will have an extended licence period of up to eight years.
 - **Indeterminate public protection sentences** – offenders will not be released until their level of risk is manageable in the community. They will then be on licence for a minimum of 10 years and must apply again to the Parole Board for their licence to be removed.
- The Sexual Offences Act 2003 introduced the **Sexual Offences Prevention Order (SOPO)**, which can impose prohibitions on sex offenders who pose a risk of serious sexual harm. For example, a SOPO could be used to prohibit an offender from being alone with children under 16. It is a criminal offence to breach these prohibitions, punishable by up to five years' imprisonment. The Act also introduced Risk of Sexual Harm Orders, restricting those who have not committed sex offences but are at risk of doing so, and Foreign Travel Orders banning travel abroad.
- **Local Safeguarding Children Boards (LSCBs)** were established by the Children Act 2004. A range of organisations in each local area, including the police, local authority, social and health services, have a legal duty to work together to safeguard and promote the welfare of children in that area. LSCBs play a key role in ensuring local agencies work together to prevent abuse and neglect, proactively targeting particular groups that are vulnerable, for example to sexual violence or exploitation, identify abuse and neglect where they occur and take action to protect children who are suffering or at risk of suffering.
- The **Child Exploitation and Online Protection (CEOP) Centre** was set up in April 2006. Affiliated to the Serious Organised Crime Agency and with powers under the Serious Organised Crime and Police Act 2005, CEOP employs police officers with specialist experience of tracking and prosecuting sex offenders, professionals from child protection charities and secondments from key IT providers. CEOP works closely with the police and has a national remit to gather and co-ordinate intelligence on high-risk child sex offenders, to reduce the harm caused to children and to support operations against child sex offenders.
- The **Violent Crime Reduction Act 2006** included law changes that give the police powers of entry and search when visiting the homes of registered sex offenders, for the purpose of assessing risk. (The police already had powers of entry if they believe a crime may have taken place.)
- The **Safeguarding Vulnerable Groups Act 2006** provides for the creation of a **new vetting and barring scheme** for all those working with children and vulnerable adults. An independent statutory body will be created to use its expertise to take all discretionary decisions as to those individuals who should be barred from working with children and/or vulnerable adults. All those working closely with these groups will be required to be centrally vetted, and employers will need to check their status in the scheme. The new scheme is expected to be rolled out from Autumn 2008. It will integrate List 99, the Protection of Children Act list and the Disqualification Order regime into a single list of people barred from working with children. There will be a separate, but aligned, list of people barred from working with vulnerable adults.

Equipping the public with the information and understanding needed to protect children

During the review, those involved in protecting children stressed the importance of public involvement in enhancing child protection. We need to give the public the means to fulfil this role, and we need to achieve a culture change whereby the relationship between the police and the public is more open, with information being shared in both directions.

Part of this process will be to provide general information to the public about how offenders are managed and how we can protect our children. Part of it will also involve sharing, or disclosing, information about specific sex offenders who may pose a threat to particular children. But the police will maintain discretion over who will be given this information.

COMMUNICATING GENERAL INFORMATION

There is already a lot of information available from the Government and child protection organisations on protecting children from sexual abuse, but we need to do more to make the public aware of how child sex offenders are managed. Some people believe that sex

offenders are unsupervised once released from prison, with no restrictions on their behaviour and nothing to prevent them committing further offences. This false perception of unmanaged sex offenders adds to the anxiety that parents and carers feel about the safety of their children.

We need to ensure information about child protection and risk awareness is reaching the people who need it. Although public concern has focused on predatory stranger sex offences, at least 75 per cent of child sex offenders are in fact related or known to their victim.⁵ Enabling the public to accept and react appropriately to difficult messages like this requires excellent communication between public protection experts and communities. Helping parents have an open and honest relationship with their children, and be more alert to any warning signs of abuse, will enable them to protect their children better from all sex offenders – both the convicted, managed sex offenders and those who have not yet been detected.

ACTION 1

Pilot a community awareness programme, in partnership with non-governmental organisations, to provide better child protection advice and develop messages to help parents and carers safeguard children effectively

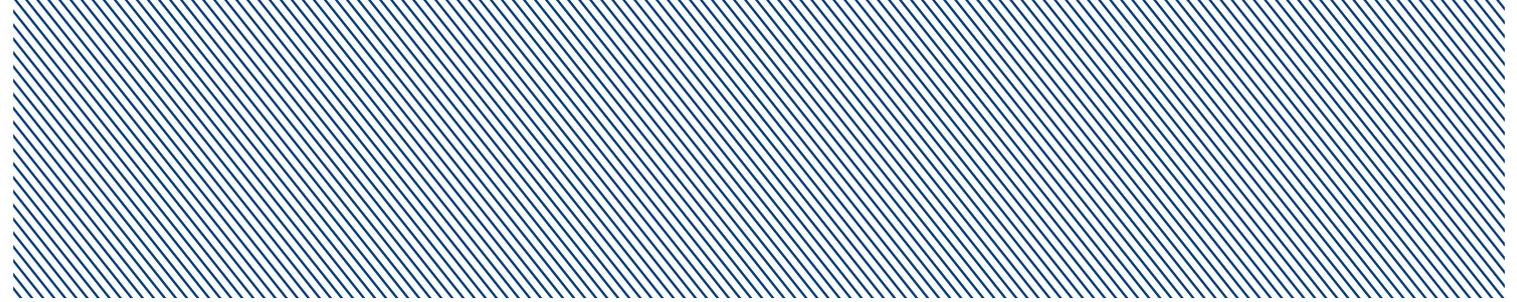
- to equip parents with the knowledge required to safeguard their children.

ACTION 2

Increase public awareness of how sex offenders are managed in the community, by ensuring easy-to-use information is widely available, and by ensuring strong local communication of MAPPA's work

- to reassure the public that protection arrangements are in place, and to ensure a transparent system operates in which the public is fully aware of the true level of risk.

⁵ Grubin, D, *Sex offending against children: Understanding the risk*, Police Research Series Paper 99, Home Office, 1998.



SHARING SPECIFIC INFORMATION

More information can and should be placed in the public domain as long as it can be shown, in every case, that sharing the information enhances public protection.

There have been calls from some groups for the public to have direct, uncontrolled access to information about specific sex offenders living in their area. This would be similar to the US system under ‘Megan’s Law’. Others have expressed concern that such a law could be counter-productive and hinder child protection, as uncontrolled access to information could lead to offenders going ‘underground’. We have examined the options and the experiences of child protection professionals in the US, and have considered what increases child protection in the US model and what has a negative impact.

‘Megan’s Law’ was introduced in the US in 1996 and requires individual states to keep a register of offenders convicted of sex crimes against children, and to make private and personal information about registered sex offenders available to the public. Information may include their name, address and photograph. Individual states can decide how they implement ‘Megan’s Law’, but all states proactively advise members of local communities about the presence of some sex offenders, and all states operate websites on which members of the public can search for known sex offenders living in their area.

When considering this kind of information disclosure, it is important to remember that it only applies to offenders who have committed an offence and have been convicted of it. Disclosure about known, convicted offenders does not remove the need for public engagement to protect children from new and unknown offenders.

Under existing MAPPA guidance, the police in England and Wales already disclose information about registered sex offenders in a controlled way. The police disclose information to a variety of people, including head teachers, leisure centre managers, employers and

landlords, as well as parents. However, the extent to which information is disclosed and the way decisions are recorded varies from area to area.

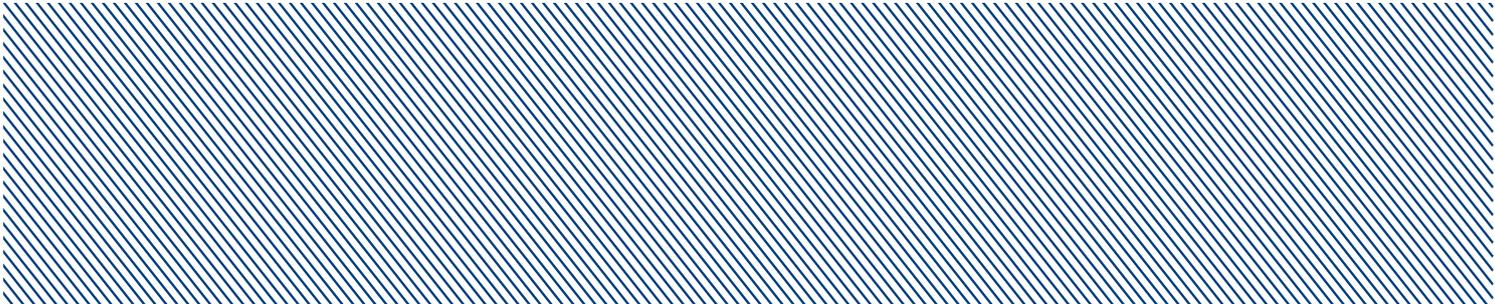
In addition to disclosure under MAPPA guidance, the website operated by the Child Exploitation and Online Protection (CEOP) Centre (www.ceop.gov.uk) publishes details of high-risk offenders who have gone missing.

There is a risk, which is supported by evidence from the US, that if offenders’ details were automatically made available to all members of the public, a proportion would no longer comply with the notification requirements and could disappear, leaving the authorities unsure of their whereabouts and unable to monitor them. Also, some US states have a high proportion of offenders registering as ‘homeless’, suggesting that they either are not being truthful with the authorities or are choosing to live rough to avoid having their whereabouts published. In either case, the risk they pose increases considerably.

The aim of sharing information about offenders must always be to provide greater protection to children. High levels of non-compliance with the notification requirements would make it harder for authorities to manage offenders, and would therefore increase the risk to children. Public disclosure of non-compliant offenders’ details, as on the CEOP website, is helpful, however, as it reinforces the offender’s need to comply with notification requirements, and helps the police find them and take further action if they do not.

There also needs to be a responsibility on the person receiving the information to use it solely for the purpose of child protection. It should not be used to facilitate vigilante activity, or to attack or harass offenders.

Greater use should be made of controlled disclosure of information about child sex offenders to those who need to know, for example a single mother who might be sharing a home with a registered offender. We will introduce a new legal duty on the responsible authorities to consider disclosure in every case. This process should



be formalised and auditable, with clear guidance to ensure it is a consistent and accountable part of the MAPPA process.

Disclosure should be a two-way process. The police will continue to proactively disclose information where appropriate and members of the public will share information with them. The public will be able to register an interest in someone with whom they have a personal relationship and who has regular unsupervised access to their children in a private context. The police will then establish whether that individual has any convictions for child sex offences, and, if so, whether they present a risk

of serious harm to the children of the member of the public who registered the interest. If they are considered to pose a risk, the presumption will be that the police will disclose that information to the member of the public.

This model would offer the advantage of bringing to light intelligence about risk that would not otherwise have been available to the authorities. Anyone providing false information in registering their interest, or misusing any information disclosed, for example by engaging in vigilantism or the harassment of sex offenders, would be subject to police action.

ACTION 3



Introduce a legal duty for MAPPA authorities to consider the disclosure of information about convicted child sex offenders to members of the public in all cases. The presumption will be that the authorities will disclose information if they consider that an offender presents a risk of serious harm to a member of the public's children.



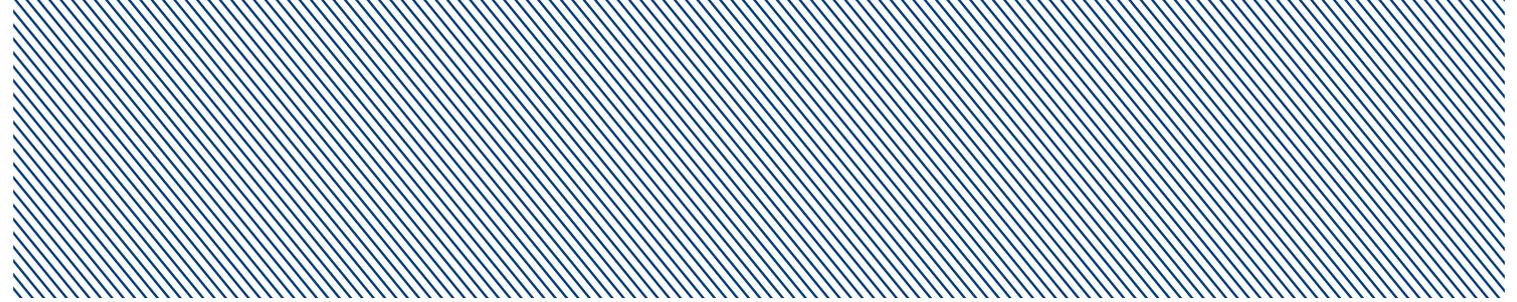
ACTION 4



Pilot a process where members of the public can register their child protection interest in a named individual. Where this individual has convictions for child sex offences and is considered a risk, there will be a presumption that this information will be disclosed to the relevant member of the public.

We want to pilot the new policy in order to work through the details of implementation and to ensure we have a system of two-way disclosure that is as effective as possible without increasing the risk to children. It will be important for people who register an interest to receive a timely response. In all cases they should be given generic information on how best to protect their children. Following the pilot, we will consider whether this principle of two-way disclosure should be extended.





How this might work

Mr A, a 42-year-old man, was convicted in the early 1990s of a number of offences of indecent assault, relating to the abuse of a friend's young daughter who he was babysitting. He served his prison sentence and his time on licence without incident, and has had no further convictions. He is now living in the community and has not come to the attention of the police for any reason. Because he was convicted before the Sex Offenders Register was introduced, he is not subject to the notification requirements.

Miss B is a 30-year-old woman who lives on her own with her 5-year-old daughter. She recently met Mr A in a bar, and the couple have now formed a relationship. Mr A will regularly look after Miss B's daughter alone while she is out. Mr A has asked if he can move into Miss B's home.

Miss B is told by a friend that her new boyfriend is a convicted child sex offender. Miss B is understandably very concerned to hear this, although Mr A has given her no reason to believe his behaviour towards her daughter is inappropriate, and she doubts it is true. Miss B is also afraid to question Mr A about the rumours as, due to her previous abusive relationships, she is afraid of confrontation and fears she will be at risk of domestic violence. She approaches her local police force and registers her interest in Mr A, explaining her situation.

Police check whether Mr A has any previous convictions for child sex offences, and, on finding that he has, they refer the case to the local Multi-Agency Public Protection Arrangements (MAPPA).

At a multi-agency meeting, the MAPPA authorities discuss the case and consider whether Mr A's convictions should be disclosed to Miss B. They balance the fact that he has not been re-convicted, and has not come to the attention of the police for any reason since his first offences, against the similarities between his present domestic situation and the one in which he previously offended, the fact that the child is in the same age group as his previous victim, and the risk of serious harm to the child if he does re-offend.

Having considered the facts of the case, the MAPPA authorities conclude that the risk Mr A poses to Miss B's daughter is such that it is necessary to disclose his convictions to Miss B, so that Miss B is able to take the appropriate steps to protect her child. Social services will have been involved in the decision to disclose, and will then take the lead in any follow-up child protection work.

Minimising the risk to children posed by certain individuals through the provision of treatment

Child sex offenders vary greatly. Some understand that their actions and thoughts are wrong and take positive steps to change, but others are more challenging to deal with. Psychological treatment is one of the means available to us to manage the risk posed by sex offenders and to reduce re-offending, and this kind of treatment has been shown to be one of the most effective in addressing offending behaviour.⁶ Treatment of sex offenders involves helping the offender confront their criminal behaviour, take responsibility for their actions, and develop victim empathy. It also involves helping them learn to recognise and avoid risky situations where they are more likely to offend. The UK is seen as one of the world leaders in the field of sex offender treatment.

TREATING MORE OFFENDERS

The main treatment programmes in the UK are a suite of Sex Offender Treatment Programmes (SOTP), undertaken by offenders in prisons and on licence in the community. The target for sex offenders completing treatment in prison for 2006/07 is 1,240, and for offenders in the community is 1,200. We need to increase the number of offenders who receive treatment, and improve the quality of that treatment. We have reviewed the programme delivery and have considered where there are gaps, and where the system might be improved. We will also explore more methods to provide intensive treatment to certain highest risk sex offenders in the community.

ACTION 5

Provide early access to help for non-convicted individuals concerned about their sexual thoughts or behaviour, to prevent new or continued sexual abuse from occurring

- to prevent sexual abuse before it has started, and to provide interventions where risk is not already managed within the criminal justice system.

Currently, not all sex offenders in prison undergo treatment. There are various reasons for this. For example, the offender may be serving a shorter sentence and may not be in prison for long enough to complete the SOTP course; they may deny their offence and therefore be unsuitable for the course; or they may refuse to attend. Young offenders who commit sexual crimes also do not all receive treatment at present, as there are no treatment programmes specifically aimed at young people. When developing our treatment programmes, we therefore need to look at how the risk these offenders present is affected by the lack of treatment. We also need to look at the treatment needs of the individuals in question, and to consider how we can better engage with these groups.

EARLY TREATMENT

Existing treatments are mostly for convicted offenders. Some people realise they are developing worrying sexual thoughts and behaviour towards children and want help before they go on to offend. There are a small but significant number of these potential offenders, and we should not wait until a crime has been committed before taking action. The Government has funded the Stop it Now! helpline, to which about 40 per cent of the 4,000 or so callers have been individuals concerned about their own behaviour and seeking help to deal with their own deviant sexual thoughts about children. It is in everyone's interests that we are able to prevent these people from becoming offenders.

⁶ Losel, F and Schumucker, M, The effectiveness of treatment for sexual offenders: A comprehensive meta-analysis, *Journal of Experimental Criminology*, 2005, 1, 117–46.

IMPROVED TREATMENT

Current treatment takes a psychological approach, but we need to explore the use of drug treatment as well. This would involve using either hormonal medication to reduce an offender's sexual urges, or one of the newer antidepressant drugs (SSRIs), where early evidence of greater control of deviant urges is encouraging. This needs to happen in combination with psychological

treatment to help people understand their sexual thoughts and to challenge deviant thought processes. The advantage of this approach is that it would both reduce an offender's sexual urges and help them break the cycle of offending behaviour. However, there are side effects with any drug treatment, so such an approach is unlikely to be appropriate in all cases.

ACTION 6

Develop the use of drug treatment to support existing psychological treatment

- to reduce offenders' sexual urges through the use of medication, and to support them in successfully completing psychological treatment. In addition, we will explore intensive treatment options for those of greatest risk.

CIRCLES OF SUPPORT

Sex offenders are often very isolated individuals with poor social skills. Being alienated from mainstream society can increase the risk of them offending. In addition to treatment programmes, an initiative known as 'Circles of Support and Accountability' (CSA) has been running as a pilot project since 2001. CSA provide a group of four to six volunteers to act as a support network for socially isolated sex offenders in the community, particularly those with learning difficulties or personality disorders.

This approach has also been successfully used in Canada and is considered to be an innovative way of monitoring offenders. The results are encouraging. An evaluation of the programme in Canada found that only 5 per cent of offenders who had attended CSA went on to re-offend in

the next four years, compared with 17 per cent in a group that did not attend.⁷ The Home Office has provided funding for this programme in the UK.

MORE JOINED-UP TREATMENT

Some offenders do not begin treatment in prison, as they are not there long enough to finish the programme. We need to examine ways in which such offenders can begin treatment in prison and continue it in the community. The programmes run by the probation service for offenders in the community currently have a different structure, so an offender cannot continue the same course begun in prison. We will consider the feasibility of developing a joint prison and probation treatment programme. This approach may help more offenders access treatment, and would facilitate continuity between offender management in prison and in the community.

ACTION 7

Conduct a feasibility study of joint prison and probation treatments

- to ensure risk is reduced as much as possible during the time sex offenders are in prison and there is continuity between offender management in prison and in the community.

⁷ Wilson, R J, Picheca, J E and Prinzo, M, *Circles of Support and Accountability: An evaluation of the pilot project in South-Central Ontario*, R-168, Correctional Service of Canada, 2005.

Maximising the effectiveness of the management of known sex offenders by the authorities

Offenders released from prison are much less likely to re-offend if managed by professionals than if left to their own devices. Effective management means ensuring all relevant authorities work together to make collective decisions about offenders and the level of risk they pose.

Multi-Agency Public Protection Arrangements (MAPPA) were introduced in 2001 and are a set of arrangements under which the prison, probation and police services (the 'responsible authorities') in all 42 MAPPA areas across England and Wales are legally required to share information and work together to assess and manage the risk posed by dangerous violent and sex offenders. A range of other agencies are also under a duty to co-operate, for example local government, health, Youth Offending Teams (YOTs) and housing services.

Information and intelligence about offenders who are subject to MAPPA, or who have been identified as posing a high risk of harm to the public, are stored on a computer database called ViSOR (Violent and Sex Offender Register). This system is being developed to support quick and easy sharing of information between the responsible authorities.

The offender management system uses various methods to assess the level of risk an offender poses. Police or probation officers visit offenders, and the information gathered is used to evaluate and re-evaluate their risk over time. Once a particular level of risk is identified, representatives from the relevant responsible authorities and 'duty to co-operate' agencies will regularly meet to discuss the case of the offender. These discussions will consider many areas of an offender's life, including their relationships, employment, housing, health, treatment and social activities. The disclosure of information to the public is also considered.

There are different ways in which the authorities can increase the level of monitoring of an offender. Registered sex offenders are required to provide personal information, including their address, on a regular basis.

There are also various civil orders available, prohibiting offenders from certain activities such as going near schools or travelling abroad. Finally, offenders on licence can be housed in supervised accommodation where they can be monitored daily.

Overall, those involved in public protection consider the MAPPA system to be very effective. In 2005/06, 13,783 high-risk sexual and violent offenders were referred to MAPPA, and 61 (0.44 per cent) of those offenders went on to commit a serious further offence.⁸ While we will never be able to eliminate entirely the risk of serious offences being committed, we want to do everything possible to reduce that risk further and to maintain the success we have achieved so far. There are a number of ways in which we can further improve the system.

STRUCTURAL AND MANAGEMENT IMPROVEMENTS TO THE MAPPA SYSTEM

The 42 MAPPA areas in England and Wales operate according to national guidance which explains the principles and activities of MAPPA. Local MAPPA areas have built up local practices and have developed different ways of tackling similar issues. This needs to be addressed to make practice more consistent across areas, and to enable the sharing of good practice. A consistent approach is necessary in order to build up a national picture of performance.

One way of achieving consistent practice between MAPPA areas is for them to put in place dedicated administrative support, and to follow the same administrative 'model'. This support could also act as the point of contact for public enquiries, and could help communicate the work of MAPPA to local communities.

Offenders are managed at three different levels under the MAPPA system, depending on their level of risk and the level of resources required to manage it. It is important to ensure these levels are being assigned in the same way across the country. Strong central co-ordination could help with this.

⁸ MAPPA, 2006 annual reports press release.

Another area that needs addressing is the recording of information on individual cases. At each Multi-Agency Public Protection Panel (MAPPP) meeting, intelligence about offenders is discussed and decisions are made about their management. However, there is a lack of consistency across MAPPA areas in what information should be recorded and stored on ViSOR. Dedicated administrative support, with consistent standards in minute taking and inputting data on ViSOR, and a supporting template for data gathering, would have many benefits. It would enable faster, more detailed and more consistent recording of information about offenders, thereby providing a larger, more reliable and more up-to-date intelligence database for the authorities. It would also remove some of the administrative burden from the front-line probation officers who currently undertake these duties.

PERFORMANCE MANAGEMENT

We need robust performance management arrangements for MAPPA, so that we can make proper comparisons on how each area is performing; for example, how quickly each MAPPA area recovers missing offenders, or recalls to prison offenders who are non-compliant. The new information gathered under the administrative model we are proposing will allow this kind of performance measurement and management.

ACTION 8

Develop national MAPPA structural and management arrangements to be applied in each area to ensure consistent, auditable processes

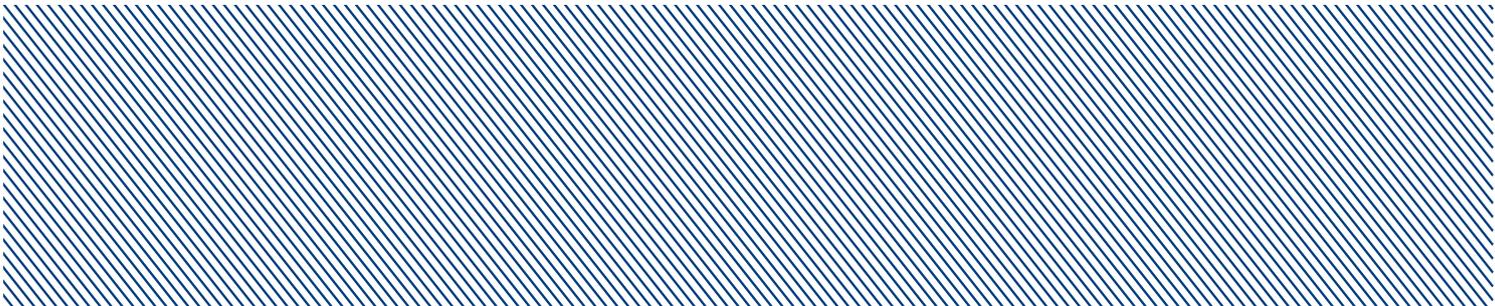
- to ensure best practice is followed consistently across the country and the public is consistently protected from sex offenders.

LAY ADVISERS

When MAPPA were first created, there were calls for the public to have a direct role in the system of managing offenders. Lay advisers were introduced into MAPPA in 2003, and each MAPPA area has two lay advisers. However, their activities vary between MAPPA areas. Lay advisers form an essential link between the authorities and the public, and should play a key role in communication. We need a clearer definition of the lay adviser role, and to ensure it is applied across all areas.

CROSS-BORDER CASES

Sometimes an individual will commit an offence in a different jurisdiction of the UK from where they usually live. Someone who lives in England but commits an offence in Scotland, for example, will usually be sentenced and imprisoned there. On release from prison, it will often be considered appropriate to let them return to where they formerly lived, to encourage a more stable home life and so manage risk better. At present, there are insufficient guidelines and standard procedures for the handover of responsibility for these offenders between jurisdictions. We intend to review the processes and the relevant legislation and make changes as necessary.



ACTION 9



Develop national standards for MAPPA and ensure each area has strong central co-ordination and administration and is able to provide a single point of contact for general public enquiries about the work of MAPPA, support the roll-out of ViSOR, facilitate the duty to consider disclosure and support the key processes of risk assessment, recording of decisions and follow-up

- to ensure best practice is followed on risk assessment and there is a single point of contact for the general public.



ACTION 10



Develop robust performance management arrangements for MAPPA

- to ensure the performance of MAPPA can be monitored and managed, and to drive up standards.



ACTION 11



Establish a defined and consistent role for MAPPA lay advisers, which includes increasing public awareness

- to make the best use of the lay adviser role to increase public awareness and respond to public concern about child sex offenders.



ACTION 12



Develop the current process for managing cross-border MAPPA cases

- to improve the management of this group of offenders, and to ensure the public is consistently and effectively protected from them throughout the transfer process.
- 

NOTIFICATION REQUIREMENTS

Sex offenders can be required by the courts to register their personal details with the police. Often referred to as the Sex Offenders' Register, this system requires offenders to provide their local police station with a record of their name, address, date of birth and National Insurance number. The register allows the police to keep track of the whereabouts of individual sex offenders. It is an invaluable tool to the authorities in managing the risk of known sex offenders and is thought to deter them from re-offending, as the police will immediately know which offenders are living in the area if an offence is committed.

Expanding the list of notification requirements could enhance public protection. We will change the law so that we can require all registered sex offenders to:

- provide a DNA sample where one has not been given previously;
- notify the police of any e-mail addresses;
- notify the police of passport numbers;
- notify the police of any bank account numbers;
- notify the police if they are living in the same household as a child under the age of 18;
- notify the police of *any* foreign travel (at present only trips of three days or longer must be notified); and
- report regularly to a police station if they register as homeless.

These changes would mean that the police would have more information to assist in the investigation of offences. Offenders could also be formally required to tell the police about risk factors that might increase the likelihood of them re-offending, for example if they form a relationship with a woman who has children. As with the current notification requirements, if an offender breached these rules, they would be subject to a maximum penalty of five years in prison.

All of these possible changes would be made easier by a legal change to the Sexual Offences Act 2003, to allow amendments to notification requirements to be made through secondary legislation rather than primary.

ACTION 13

Take a power to amend sex offender notification requirements by secondary legislation, and consider changes to the information registered to strengthen public protection.

THE MANAGEMENT OF YOUNG OFFENDERS

The issues involved in managing young sex offenders are different from those for adults. Young offenders are still growing in maturity and have a better chance of changing their behaviour.

To be sure that we are managing the risk of young sex offenders as effectively as possible, and that this is central to any new MAPPA model, we will specify that issues relevant to young sex offenders must be included in future amendments to the MAPPA guidance.

In every local authority in England and Wales, there is a YOT, which comprises representatives from the police,

probation and social services, health, education, drugs and alcohol misuse, and housing officers. We should improve multi-agency responses to youth offending generally. Specific guidance and training should be available to YOTs on the MAPPA system, and protocols for YOT engagement with MAPPA should be formally set out in a public protection policy.

Formally bringing together MAPPA and YOTs in this way will help ensure all the agencies responsible for managing young sex offenders are aligned to work together to protect the public, and equipped with the knowledge to do so in the most effective way possible.

ACTION 14

Revise MAPPA guidance to provide direction on managing young offenders

- to ensure specific issues concerning the management and risk assessment of young sex offenders are considered by MAPPA.

ACTION 15

The Youth Justice Board to ensure all Youth Offending Teams have appropriate guidance and training on MAPPA, and all Youth Offending Teams have a policy on public protection that includes reference to engagement with the local MAPPA

- to ensure all the agencies responsible for the management of young sex offenders are aligned to work together to protect the public, and are equipped with the knowledge to do so in the most effective way possible.

HOUSING CERTAIN SEX OFFENDERS

When offenders are released from prison, they are on licence for the remainder of their sentence. They must be supervised by the probation service for that period, and must adhere to the conditions of their licence, which may include a requirement to live at a specified address or at approved premises (formerly known as probation or bail hostels). There are 104 approved premises in England and Wales, providing around 2,200 bed spaces.

Approved premises are places approved by the Government for the supervision of people on bail, on community orders or on licence. They offer a range of advantages over other types of housing for high-risk offenders, due to the tight controls and strict measures available to manage the residents. These include curfews, round-the-clock staffing, CCTV, monitoring of residents' movements and behaviour, room searches, drug testing and strong links with MAPPA, including the facility for immediate recall to prison.

The purpose of approved premises for offenders on licence is to provide additional monitoring of their risk and supervision to manage that risk while they are resettling into the community. Naturally, there are strong feelings in communities about the location of approved premises. However, the alternative is for these offenders to be in private accommodation, or in some cases homeless, where supervision would be less effective and more costly.

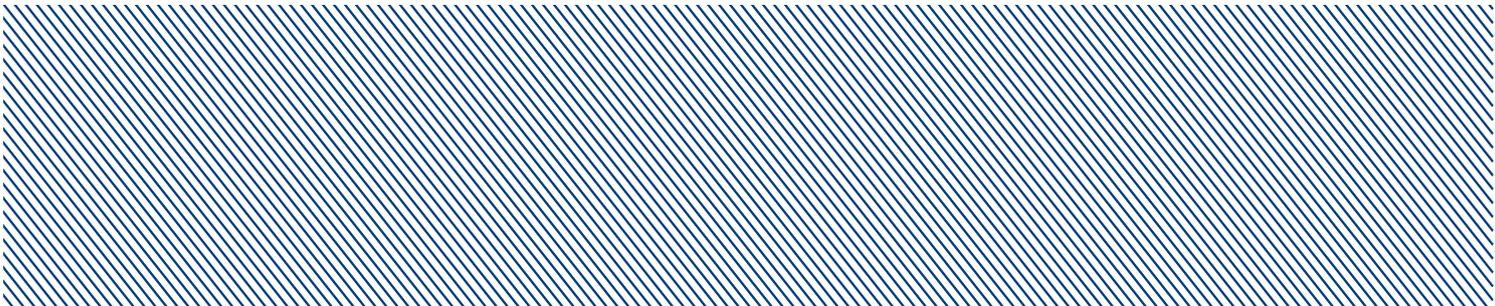
The public has been understandably concerned about some approved premises that are immediately adjacent to schools. In response to this concern and to reassure the public, the Government has excluded sex offenders from 15 approved premises in these types of location.

Having reviewed the use of approved premises, we think it is right for certain high-risk child sex offenders to be supervised on release from prison in approved premises. These are offenders who are due to be released from prison and might otherwise be released to an address close to vulnerable families, without the kind of supervision provided by approved premises. But there are some important improvements that can be made.

At present, demand for places at approved premises is greater than supply,⁹ and we should work in the future to increase capacity where possible. In seeking to create additional capacity, it is vital that we address public concerns about where approved premises are and how they are run.

Offenders in approved premises may be required to keep to a night-time curfew, or to report to the approved premises during the day, depending on their level of risk. Offenders are required to have regular meetings with their probation officer and may be required to attend treatment to address their offending behaviour. Approved premises are not always able to provide a significant amount of structure or purpose to the offender's day, especially if they are unemployed. Lack of occupation can increase the risk of them returning to offending. We are therefore recommending that compulsory programmes of purposeful activity be introduced for offenders residing in approved premises. This activity could, for example, take the form of improving the offender's educational or vocational skills. It would also mean that offenders would be subject to increased supervision during the day.

⁹ Wood, J et al., *The operation and experience of Multi-Agency Public Protection Arrangements*, Home Office Research Findings, Home Office, 2007.



ACTION 16

Develop guidance on compulsory programmes of purposeful activity for residents in approved premises

- to increase the supervision of approved premises' residents and get them engaged in useful activity during the day.
-

Each approved premises has its own set of rules that offenders must follow in order to stay there. If a resident breaks the rules they may be evicted, and in some cases they may then be recalled to prison. The obvious advantage of having rules is that clear boundaries are set for residents, which limit disruptive or risky behaviour and allow enforcement action to be taken if a resident does not comply. While the rules at individual approved premises are generally robust and effective, they are not

standardised, so there is some inconsistency between areas in the circumstances in which residents are warned, evicted or recalled to prison for breaching the rules. A standard and rigorous set of rules, to which all offenders at approved premises must conform, would also help reassure the public that clear restrictions are placed on residents of approved premises.

ACTION 17

Implement standard rules of residence for all approved premises

- to place clear and non-negotiable boundaries on the behaviour of offenders in approved premises.
-

Harnessing new technologies to provide additional management capabilities

Recent advances in technology have provided new ways to monitor child sex offenders and to assess and manage risk, including more efficient ways of gathering and sharing information.

However, with the development of the internet, technology has also opened up new ways of offending. Some offenders use chat rooms and internet forums to groom victims, and obtaining and distributing child pornography has become easier. It is vital that we act on these developments to ensure we are able to protect children online as well as offline.

The following examples highlight where new technology has already been harnessed to help manage offenders:

- A new database, ViSOR, has been developed to record information on dangerous offenders and share it nationally between the MAPPA responsible authorities. This has facilitated the enforcement of the Sex Offenders' Register.
- Various types of offender are electronically tagged, enabling the authorities to impose curfews and monitor compliance remotely.
- CEOP provides a dedicated service to protect children and conduct surveillance of child sex offenders both online and offline.
- Trials have been run of voluntary polygraph (lie detector) testing for child sex offenders on licence. This report recommends a change in the law to allow trials of their compulsory use on offenders.

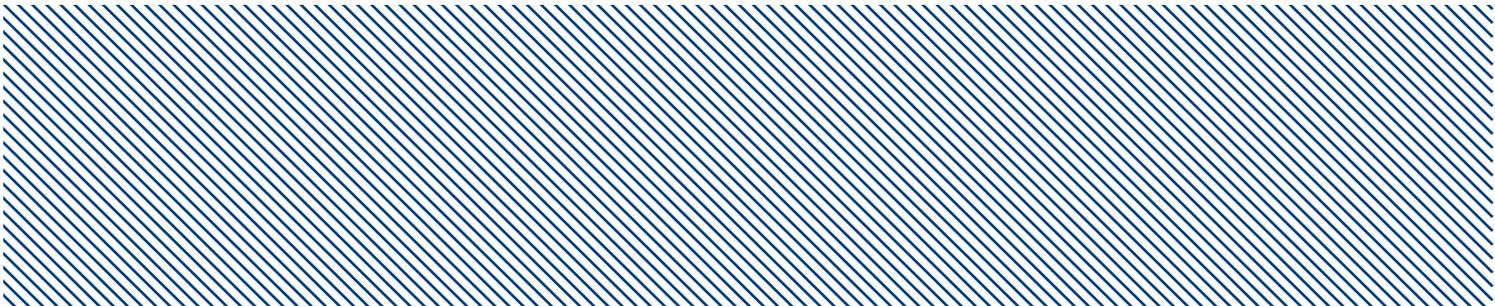
These are significant achievements, but as technology continues to move forward, so must our solutions. We need to build on the trials conducted and, where possible, implement these modern approaches on a wider scale.

USING TECHNOLOGY TO SHARE EXISTING INFORMATION

Gathering information is only the first step in successful offender management; sharing it with the right people is also vital. ViSOR is a computer database that stores a substantial amount of information (including photographs) about offenders. It holds records of offenders who are subject to MAPPA, registered sex offenders and other individuals who have been identified as posing a high risk of violent or sexual harm to the public.

ViSOR is already accessible to the police and is now being rolled out to the probation and prison services. This will ensure authorities at all stages of the criminal justice process are able to access the same information about dangerous individuals. They will also be able to record on it any new information they gather, so that it is not lost and can be shared with the other agencies.

The CEOP website (www.ceop.gov.uk) publishes a 'most wanted' list of high-risk child sex offenders who are not complying with their notification requirements and have gone missing. Offender details include photographs, names and aliases, dates of birth and other identifying information. The profile of this website should be raised, so the public is aware of the most high-risk offenders who have absconded and are therefore not being managed by the authorities. The website has already been shown to increase the likelihood of listed offenders being apprehended.



ACTION 18

Maximise the use and awareness of the Child Exploitation and Online Protection Centre website's 'most wanted' list of non-compliant and missing high-risk sex offenders

- to make the best use of this resource, maximise public awareness of high-risk non-compliant and missing sex offenders, and maximise intelligence received from the public on the whereabouts of these offenders.
-

POLYGRAPH TESTING – GATHERING NEW INFORMATION ON OFFENDERS

A polygraph (lie detector) test is designed to support traditional supervision by encouraging offenders to be more truthful in discussing their behaviour, in a way that helps both themselves and those who manage them. The test measures an offender's physical reactions when asked questions: their breathing, their heart rate and how much they are sweating. The offender is asked questions, and the results of the polygraph are used to help assess whether or not they are answering truthfully. They are used routinely by probation officers in the US.

The use of polygraphs was trialled in the UK with sex offenders who volunteered to take part. The majority of probation officers considered them very useful in managing offenders; however, testing on volunteers is limited in proving these benefits. We will therefore begin trialling mandatory polygraph testing. This requires a change in the law, expected later this year.

Polygraphs are not appropriate for all offenders and are not a stand-alone solution: they are one of a range of offender management tools. Results from polygraphs will not be relied on for gathering criminal evidence.

ACTION 19

Pilot the use of compulsory polygraph (lie detector) tests as a risk management tool

- to establish whether compulsory polygraph tests lead to increased disclosure of information that is helpful in the treatment and supervision of child sex offenders.
-

THE INTERNET

As the internet becomes a greater part of everyday life, so it becomes an increasing source of risk to children. The anonymity it offers and the opportunities it brings for contact with new people of all ages provide new avenues for child sex offenders.

Of course, most families use the internet quite safely. Parents can monitor their children's use of the family computer and can teach their children not to meet anyone they contact on the internet. However, many parents do not have the knowledge to monitor their children's use of the internet properly, and some child sex offenders are very skilled at concealing their identity online or masquerading as a child. This means that some children are at risk from predatory child sex offenders on the internet.

It is vitally important for parents to supervise and monitor their children's use of the internet. However, as a second line of child protection on the internet, CEOP conducts online surveillance of child sex offenders, and in its short history has had a major impact in stopping offenders harming children.

ACTION 20

Review the potential to expand the use of satellite tracking to monitor high-risk sex offenders

- to improve the monitoring of offenders, and help prevent child sex offences from occurring.

We should maintain and, where possible, develop this capability to monitor the online activities of child sex offenders. We will investigate the possibility of developing software to install on offenders' computers, to keep a record of websites and chat rooms visited and to record what is typed. This software could also be designed to contact the police automatically if certain trigger words or phrases that indicate grooming activity are typed.

SATELLITE TRACKING

Finally, the use of satellite tracking could be expanded to monitor the highest risk offenders. This can be used to monitor compliance with orders or licence conditions that ban the offender from a specified area. It could also potentially be used to conduct general surveillance of offenders' movements. The offender wears a tag, which, using the Global Positioning System (GPS), allows their location to be tracked as they move around.

This could help identify risky behaviour at an early stage, so that pre-emptive action could be taken to protect children before they become victims. Breaking licence conditions can lead to recall to prison, so, as the offender would be aware of the monitoring, there may also be a deterrent effect.

Contact

We are keen to hear your views and suggestions on the proposals contained in this review report. We would be grateful if you could direct your observations and enquiries to:

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Annex 1 – Contributors

Stakeholders

Association of Chief Police Officers
Barnardo's
Child Exploitation and Online Protection Centre
Churches' Child Protection Advisory Services
Circles of Support and Accountability
Derwent Initiative
GMAP
Kidscape
Langley House Trust
Leicestershire Children and Young People's Service
Local Government Association
Lucy Faithfull Foundation
Metropolitan Police Service
National Association for Probation and Bail Hostels
National Children's Home
National Organisation for the Treatment of Abusers
National Society for the Prevention of Cruelty to Children
Newcastle Hospital, Sexual Behaviour Unit
Office of the Children's Commissioner
Parole Board
Phoenix Survivors
Probation Board Association
Victim Support

International stakeholders

Anstalten ved Herstedvester State Prison, Denmark
Circuit Court of Warsaw, Poland
Circuit Court of Wroclaw, Poland
Colorado Bureau of Investigation
Department of Corrections, Washington State
Department of Justice, Equality and Law Reform, Ireland
Department of Prisons and Probation, Denmark
Interior Ministry, France
Justice Ministry, France
Justice Ministry, Poland
Latvian Probation Service
Oregon Department of Corrections
Seattle Police Department

Officials

Attorney General
Avon and Somerset Probation Service
Department for Education and Skills
Department of Health
Her Majesty's Courts Service
Her Majesty's Prison Service
Home Office
Local Government Association
London Probation Service
National Probation Directorate
Northern Ireland Office
PA Consulting
Scottish Executive
Violent and Sex Offender Register
Welsh Assembly Government
Youth Justice Board

Annex 2 – Project terms of reference

The terms of reference for the project are:

- to assess the strengths and weaknesses of the current arrangements for managing child sex offenders in England and Wales;
- to examine the case for adopting community notification requirements, including the benefits and costs, the experience in the USA of operating ‘Megan’s Law’, and the impact of MAPPA and policies on rehabilitation, treatment and sentencing;
- to review the arrangements, in particular community notification requirements, for managing child sex offenders in the EU and selected overseas jurisdictions;
- to consider community education and awareness issues;
- to identify any research gaps; and
- to make costed recommendations to ministers with a view to publishing recommendations in spring 2007.

Annex 3 – List of actions

ACTION 1

Pilot a community awareness programme, in partnership with non-governmental organisations, to provide better child protection advice and develop messages to help parents and carers safeguard children effectively.

ACTION 2

Increase public awareness of how sex offenders are managed in the community, by ensuring easy-to-use information is widely available, and by ensuring strong local communication of MAPPAs work.

ACTION 3

Introduce a legal duty for MAPPAs authorities to consider the disclosure of information about convicted child sex offenders to members of the public in all cases. The presumption will be that the authorities will disclose information if they consider that an offender presents a risk of serious harm to a member of the public's children.

ACTION 4

Pilot a process where members of the public can register their child protection interest in a named individual. Where this individual has convictions for child sex offences and is considered a risk, there will be a presumption that this information will be disclosed to the relevant member of the public.

We want to pilot the new policy in order to work through the details of implementation and to ensure we have a system of two-way disclosure that is as effective as possible without increasing the risk to children. It will be important for people who register an interest to receive a timely response. In all cases they should be given generic information on how best to protect their children. Following the pilot, we will consider whether this principle of two-way disclosure should be extended.

ACTION 5

Provide early access to help for non-convicted individuals concerned about their sexual thoughts or behaviour, to prevent new or continued sexual abuse from occurring.

ACTION 6

Develop the use of drug treatment to support existing psychological treatment.

ACTION 7

Conduct a feasibility study of joint prison and probation treatments.

ACTION 8

Develop national MAPPAs structural and management arrangements to be applied in each area to ensure consistent, auditable processes.

ACTION 9

Develop national standards for MAPPAs and ensure each area has strong central co-ordination and administration and is able to provide a single point of contact for general public enquiries about the work of MAPPAs, support the roll-out of ViSOR, facilitate the duty to consider disclosure and support the key processes of risk assessment, recording of decisions and follow-up.

ACTION 10

Develop robust performance management arrangements for MAPPAs.

ACTION 11

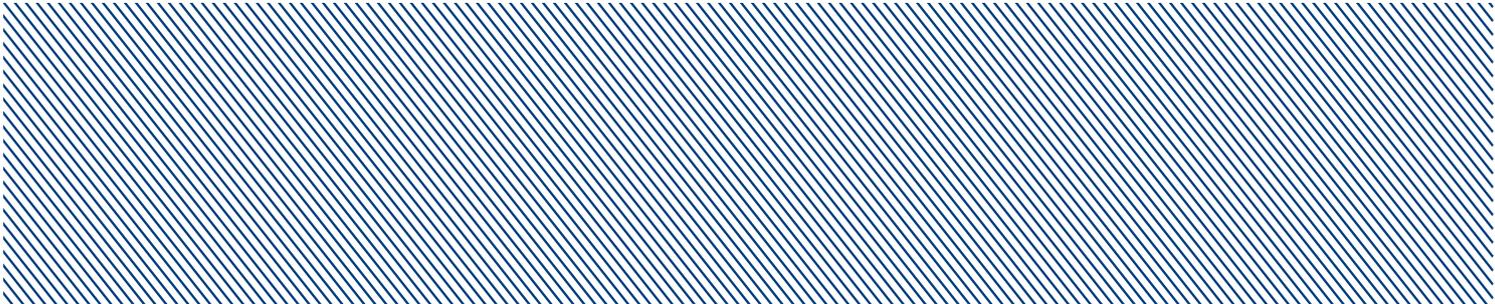
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ACTION 12

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