

PROLIFIC AND OTHER PRIORITY OFFENDERS STRATEGY

CRITERIA FOR REMOVING A PROLIFIC AND OTHER PRIORITY OFFENDER FROM A SCHEME

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CRITERIA FOR REMOVING PEOPLE FROM PROLIFIC AND OTHER PRIORITY OFFENDERS SCHEMES

Introduction

The Prolific and other Priority Offenders (PPO) strategy enables local areas to define the types of offender they wish to target. In line with this approach, areas have been able to define their own criteria for removing offenders from their scheme. Inevitably, this local discretion has resulted in different criteria being used across the country and we have been asked to provide clarification and guidance.

In order to prioritise offenders effectively and maintain the quality of interventions provided, it is important to ensure that the numbers of PPOs who have been identified are manageable within the capacity of local agencies.

The key principles underpinning the removal criteria are that

- the decision to remove an offender from the PPO list should be based on a consensus of all relevant agencies;
- the probation offender manager should be responsible for ensuring that all relevant agencies are informed of the removal of an offender from the scheme;
- prior to the removal of a PPO from a scheme, the scheme should ensure that there is a clear exit strategy in place. This should include ongoing support from agencies to prevent the offender reverting to former patterns of their offending behaviour.

It is assumed deceased offenders are removed automatically from schemes.

This guidance has been developed with the assistance of a range of national and local stakeholders and is intended to help schemes to manage in a consistent manner the way in which they remove offenders from their schemes. It covers both catch and convict / rehabilitate and resettle and prevent and deter schemes.

If you have any questions please contact Gregg Mead at gregg.mead@homeoffice.gsi.gov.uk .

Catch and Convict / Rehabilitate and Resettle Schemes – for existing prolific and other priority offenders

1. **An offender has stopped offending** - they have not been arrested or been the subject of an intelligence report for 12 months.
2. **An offender has moved to another area** – in which case the PPO scheme in the receiving area should be informed. The presumption will be that the new area will add this offender onto their PPO scheme and review their status in accordance with their normal procedures.
3. **An offender is given a significant custodial sentence (including to a secure hospital)** – all PPOs sentenced to custodial sentences of less than 10 years should remain on the PPO scheme. However, their status as a PPO should be reviewed on a regular basis in accordance with normal procedures. Their progress through the prison estate should also be monitored on a regular basis. They should remain flagged as a PPO on JTrack. This will ensure that the offenders can benefit from the most suitable interventions and treatment whilst in custody. The PPO scheme should develop a strategy for their release which ensures that they are given multi-agency support.

As some of these offenders will be out of the community for a considerable length of time, then local PPO schemes may choose to select additional PPOs to intervene with in the community. However, when selecting additional PPOs, schemes must pay regard to local capacity to maintain the quality of interventions for all their PPOs. Schemes should also ensure that this does not result in an increase in the number of PPOs in custody which could dilute the prison service's capacity to maintain the quality of interventions they can provide. Schemes should therefore ensure that, since there will be a cycle of offenders entering and leaving custody, the overall numbers of PPOs that are identified matches the capacity of high quality interventions both in the community and in custody.

There are already local areas where PPO schemes and the prison service have developed good working arrangements. This guidance is intended to support this and existing arrangements do not need to be detrimentally altered if they are currently seen to be successful.

4. **A more prolific offender comes into an area** – this should only happen as a last resort when local agencies have a problem with capacity. Removing a person from the list of PPOs in this way does mean that they will no longer benefit from the monitoring and support that goes with their PPO status, which may lead to an increase in their offending behaviour. It will also send a mixed message to that individual about the way in which local agencies regard them and their

offending. However, if a local scheme really does not have the capacity to deal with an additional PPO then they should prioritise the newcomer who has the more prolific offending pattern. The participating agencies will need to assess collectively and jointly agree their actions when faced with this choice. A structured sign-off for the de-prioritised PPO must take place in order to ensure that the individual is clear that local agencies will still respond quickly to any offending behaviour. The sign-off must also ensure that appropriate offender management and interventions are retained where necessary. This is particularly important in the case of drug treatment .e.g. a PPO receiving treatment and accessing other wraparound services (housing, debt counselling, P2W etc) whilst on a Criminal Justice Integrated Team's (CJIT) caseload will **not** have these services withdrawn just because he/she has been removed from the PPO scheme. PPO schemes and CJITs need to jointly agree and sign-off an offender's exit plan so that the transition from PPO to ex-PPO status does not hinder their drug treatment plan. The overall objective should be to ensure that any gains made in reduced offending as a result of effective drug treatment/interventions is not lost when an individual is removed from a PPO scheme.

5. **Other offenders in the area covered by a scheme become more prolific and therefore a greater priority** – an offender's offending may increase dramatically, qualifying the individual for targeting under the PPO scheme. In circumstances where their offending levels are higher than many existing PPOs on the scheme, capacity limitations might require schemes to remove an existing PPO from the list in order to accommodate the new individual on the scheme. This should be a rare incident and should only happen as a last resort. As outlined for point 4, any drug treatment/intervention being received by a PPO **should not** be disrupted by their removal from the scheme.
6. **PPOs that represent a high risk of harm** - if an identified PPO commits a further offence that represents a high risk of harm and they therefore become subject to local Multi-Agency Public Protection Arrangements (MAPPA) then they should become MAPPA offenders. However, this does not preclude an individual from also remaining as a PPO and each case should be considered on its merits and after discussion between the MAPPA Panel and the PPO scheme. The presumption is that where an offender sits should reflect where a person could be best managed. It is anticipated that Level 1, Category 2 MAPPA offenders (lower level single agency risk managed violent offenders) will be suitable for management within the PPO scheme. This will ensure that the offender is more closely monitored. If the risk of harm level escalates then the case should be referred into the local MAPPA structure for further assessment and a decision may be taken that the offender is no longer suitable for inclusion in the PPO scheme. It may be that, in rare cases, with local agreement, Level 2 MAPPA

offenders can remain within the PPO scheme. In such circumstances, decision-making must be clearly documented. In general, the inclusion of an offender in two sets of local Panel arrangements (MAPPA and PPO) should be avoided.

Prevent and Deter Schemes – for those at risk of becoming future prolific offenders

These are the suggested criteria for considering whether to remove a young person from a prevent and deter scheme.

1. **A young person has stopped offending** – for example, where the young person has not been arrested for a period of 12 months. If at this point they are still subject to supervision by the Youth Offending Team, it may be sensible to continue monitoring up until the end of their order. If they are removed from the scheme at that point, formal monitoring of the exit strategy will not be required.
2. **A young person's offending has escalated to the extent that they meet the local criteria for targeting under catch and convict / rehabilitate and resettle** – it will be for local areas to decide whether to move a young person on to the catch and convict scheme where prevent and deter interventions have failed to tackle escalating offending on the part of the young person concerned.

We are not necessarily recommending that this should happen or that it should be an automatic process. Rather, the Youth Offending Team (YOT) and the Crime and Disorder Reduction Partnership (CDRP) / Community Safety Partnership (CSP) should jointly consider how best to re-enforce and increase the efforts that have been made to reduce the young person's offending. Consideration should be given to whether there are additional measures or interventions that might be introduced - whether as part of continuing prevent and deter activity or under catch and convict, if more appropriate. Clearly the presumption must be that the young person should continue to be the subject of intensive intervention focused on the aim of reducing his or her offending.

3. **A young person turns 18** – turning 18 should not lead to automatic removal from the local prevent and deter scheme. Many of those targeted under prevent and deter may well be approaching 18, and the prevent and deter performance management arrangements envisage that there should be continued monitoring past the age of 18. It will be for the YOT and the CDRP/CSP, working together, to decide how best to manage the circumstances of a young offender who is being targeted under prevent and deter when he or she turns 18. For example, the services being accessed by the young person concerned

as part of a prevent and deter action plan may well remain relevant beyond the age of 18.

The options include:

- i. moving the young offender into the local catch and convict/rehabilitate and resettle if his or her offending justifies this (but see bullet point above);
 - ii. continued prevent and deter action, even where the young person no longer falls within the ambit of the youth justice system. Over time, a significant proportion of those targeted under prevent and deter will be benefiting from managed exit strategies. These will continue to be valid, even once the young person turns 18;
 - iii. continued prevent and deter monitoring, where targeting has led to a reduction in offending, to ensure that the gains made are sustained;
 - iv. removal from the scheme, where offending levels have reduced to the point that it is no longer justified targeting or monitoring the person concerned as part of the PPO strategy.
4. **A young person moves to another area** – again, the receiving area's YOT should be informed so that a programme of support can be put in place.
5. **A young person, with greater potential to become a prolific offender of the future, moves into the area, potentially displacing other members of the local prevent and deter target group** – as for catch and convict / rehabilitate and resettle schemes, this should only be an option when there are real capacity issues. The presumption in these circumstances should always be against removing an individual from the scheme for such reasons.