

RISK MANAGEMENT AUTHORITY
**STANDARDS AND GUIDELINES
FOR RISK ASSESSMENT**

Risk Assessment Report structure
and risk definitions updated
01/03/2013

RISK MANAGEMENT AUTHORITY
**STANDARDS AND GUIDELINES
FOR RISK ASSESSMENT**

ISSUED APRIL 2006

© Copyright RMA Scotland 2006

Risk Management Authority
St James House
25 James Street
Paisley
PA3 2HQ

Produced for the Risk Management Authority by Astron B46061 04-06

Published by the Risk Management Authority, April 2006

The text pages of this document are printed on recycled paper and are 100% recyclable

INTRODUCTION	1
FIGURE 1: THE ORDER FOR LIFELONG RESTRICTION	3
STANDARDS FOR RISK ASSESSMENT	5
GUIDELINES FOR RISK ASSESSMENT	9
1. THE APPOINTMENT OF RMA ACCREDITED RISK ASSESSORS	11
2. THE ASSESSMENT PROCESS	12
FIGURE 2: THE ASSESSMENT PROCESS	15
3. GATHERING INFORMATION TO BE USED AS EVIDENCE	16
4. CONFIDENTIALITY	18
5. UNDERTAKING INTERVIEWS WITH OFFENDERS AND OTHERS	19
6. PROCURING EXPERT ADVICE	22
7. MULTI-DISCIPLINARY MEETING	23
8. REPORT WRITING AND PRESENTATION	25
9. USING THE REPORT STRUCTURE	27
APPENDIX A RISK ASSESSMENT REPORT STRUCTURE	35
APPENDIX B GLOSSARY OF TERMS	47



INTRODUCTION

This document presents **standards** and **guidelines** to which persons having functions in relation to risk assessment must have regard. The Risk Management Authority (RMA), in accordance with section 5 of the Criminal Justice (Scotland) Act 2003, promulgates these standards and guidelines.

The standards and guidelines have been the product of widespread consultation with practitioners, policy makers and the judiciary. The RMA aims to achieve a consistent product for the courts and high quality risk assessments to underpin effective risk management.

The RMA is a learning organisation and encourages feedback from relevant persons on the content of these standards and guidelines and related processes. In doing so, the RMA strives to improve continuously its own practices and those of the wider risk management field.

The Risk Management Authority

The RMA exists to provide a centre of excellence in risk assessment and risk management, enabling and promoting best practice and regulating the delivery of services to help manage and minimise the risk of serious harm caused by sexual and violent offending.

The initial focus for the RMA is to facilitate Scottish Ministers in bringing into force the Order for Lifelong Restriction (OLR), as provided for by the Criminal Procedure (Scotland) Act 1995 (amended by Criminal Justice (Scotland) Act 2003) ("the Act").

This entails two main roles: accrediting risk assessors to provide Risk Assessment Reports (RAR) under the auspices of Risk Assessment Orders (RAO) or an Interim Compulsion Order (ICO) instructed under section 210D (2) of the Act.

The Order for Lifelong Restriction (OLR)

An OLR (figure 1) is a new sentence that will be available to the High Court in 2006. It provides for the lifelong management of high-risk violent and sexual offenders. Such offenders will be subject to an RMA approved Risk Management Plan (RMP) both in custody and in the community for the rest of their life. The period spent in the community will be an integral part of the sentence given by the Court. Before release, offenders will have served an adequate period in prison and have satisfied the Parole Board that the risk they would pose in the community is acceptable.

Risk Assessment Order (RAO)

After conviction, if a Judge considers at his own instance, or on the motion of the prosecutor, that an offender may meet the **risk criteria** (Section 210E of the Act), the Judge may make a **Risk Assessment Order**.

The High Court will then appoint an RMA Accredited Risk Assessor to carry out a risk assessment and report back to the Court with a Risk Assessment Report (RAR). The RAR will assist the judge in making the decision to impose an OLR or otherwise. The legislation does not allow for the offender to object to the making of an RAO. However, the offender may challenge the resultant risk assessment report and may also commission a separate risk assessment.

In relation to mentally disordered offenders, the Criminal Justice (Scotland) Act 2003 provides for an alternative to the Risk Assessment Order. If the Court considers that a mentally disordered offender may meet the risk criteria, it makes an Interim Compulsion Order (ICO), and commissions a RMA Accredited Assessor to compile a risk assessment report. These Standards and Guidelines refer to Risk Assessment Orders, but such references should also be taken to encompass reports with regard to risk assessments prepared in the context of an Interim Compulsion Order.

Risk Assessments

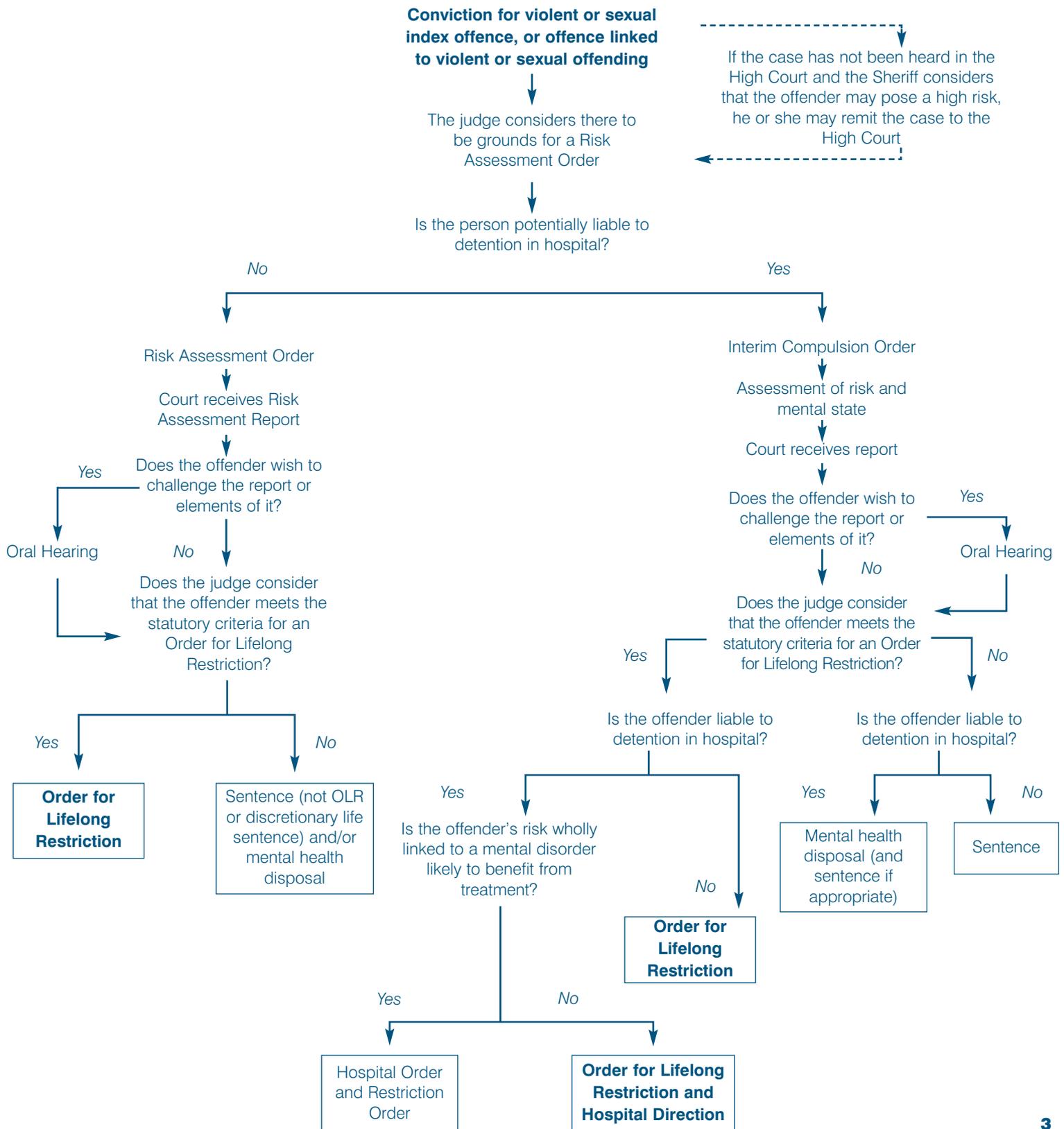
The following standards and guidelines are for use by assessors when performing risk assessments regarding those offenders for whom a Risk Assessment Order (RAO) has been made. Any other person having functions in relation to the assessment of risk is to have regard to these guidelines and standards in the exercise of those functions. This includes assessors commissioned on behalf of the offender.

The standards are set out as a backbone of mandatory steps and the guidelines incorporate advisory notes to assist the assessor in conducting a robust assessment. There is also a standardised RMA approved structure for the risk assessment report itself and detailed guidelines regarding its use. The structure emphasises the need for the report to have clarity and fitness for purpose.

The RMA recognises the need for assessors to have the flexibility to conduct risk assessments according to the varying circumstances of each offender's case. However, there is also a requirement for a degree of consistency in approach and output both in terms of quality and adherence to legislative and ethical requirements. Further details are provided in the RMA Accredited Risk Assessor Code of Conduct.

The legislation requires assessors to indicate a risk rating of 'high', 'medium' or 'low' in any assessment undertaken to inform the High Court's consideration of an Order for Lifelong Restriction. In order to allow assessors to apply these ratings in a useful and consistent manner, the RMA has sought to define each rating as a description of the offender's overall risk on the basis of comprehensive consideration of the evidence as laid out in the report.

Figure 1: Order for Lifelong Restriction



STANDARDS FOR RISK ASSESSMENT

STANDARDS FOR RISK ASSESSMENT

1. DOCUMENT REVIEW

The assessor must **review a range of relevant documents** concerning the offender's social, criminal and medical context in order to inform their assessment. (See *SECTION 3 of the Guidelines*)

2. PROFESSIONAL JUDGEMENT

The assessor must use a **structured professional judgement approach** in forming their assessment. The assessor must **use at least one** risk assessment tool. Where only one tool is used, this should be a **structured professional judgement tool** approved by the RMA. Where actuarial tools are used in addition to a standard professional judgement tool, assessors must use or reference RMA-approved actuarial tools. (See *RMA Risk Assessment Tools Evaluation Directory – RATED*)

3. OFFENDER CONTACT

The assessor should aim to have a **minimum of 6 hours, face-to-face** contact with the offender (see Guidelines for exceptions). The 6 hours does not include the offender feedback session. The contact should take place on **at least 3 occasions and span several weeks**. The assessor must conduct a feedback session with the offender and have regard to the guidelines contained in this document. (See *SECTION 5 of the Guidelines*)

4. MULTI-DISCIPLINARY WORKING

The assessor must use a **multi-disciplinary approach** in the collection of information and the formulation of considerations when undertaking the risk assessment. This will usually involve facilitating a meeting of a range of **professionals from varying disciplines** as part of the assessment process. The assessor should also verify with attendees at a later stage to ensure that the report accurately represents the information they provided to the assessor. (See *SECTION 7 of the Guidelines*)

5. REPORT STRUCTURE

The assessor must submit the Risk Assessment Report, in relation to a Risk Assessment Order to the High Court, in the **RMA Risk Assessment Report Structure**. (See *SECTIONS 8 & 9 of the Guidelines*)

GUIDELINES FOR RISK ASSESSMENT

GUIDELINES FOR RISK ASSESSMENT

1. THE APPOINTMENT OF RMA ACCREDITED ASSESSORS

Once the High Court has made the Risk Assessment Order (RAO), officers of the Court will access an up-to-date list of active RMA Accredited Assessors through the RMA website – www.RMAscotland.gov.uk. The Court will contact the assessor directly to make the appointment. The Court is responsible for commissioning the report and for paying the RMA Accredited Assessor.

The RMA register of accredited assessors will contain details such as assessor availability, location, scope of accreditation (Sections 210B and 210D of the Act) and any areas of speciality (women, youth, etc.). Where an assessor considers that characteristics of the offender or offending fall outside of their competence, or where they perceive a possible conflict of interest, they must immediately advise the Court of this.

The Court will adjourn for up to 90 days in the case of an RAO. The Court will advise the assessor of the date upon which the risk assessment report must be submitted. An ICO is made for 12 weeks (84 days) initially, with the capability of extension to a total period not exceeding 12 months.

Section 210B (5) of the Act, allows for an assessor to apply to the court for an extension of time in exceptional circumstances. Where the assessor believes that an extension will be necessary, he/she must make an application for extension by letter to the Deputy Principal Clerk of Justiciary as soon as possible. This should be done well before the date set for the report to be submitted. The application should outline the reasons why further time is required and provide a date by which the completed report will be lodged with the Deputy Principal Clerk of Justiciary. This will enable the Court to reschedule the adjourned diet.

2. THE ASSESSMENT PROCESS

Each of the following sections describes part of the assessment process. Figure 2 provides an overview of how a typical assessment may progress.

Documents for Case Review

A number of documents (listed in Section 3) will be provided automatically to the assessor from the Crown Office, Procurator Fiscal Service and the Court. The assessor should seek any additional documents they believe to be relevant directly from the appropriate bodies. The assessor will have an RMA Accredited Assessor identification card and the interlocutor (minute of appointment) from the Court that will serve as the authority to request information. Requests for such information will be considered on a case by case basis and be subject to the particular organisation's legal obligations and information sharing protocols. However, it should be noted that many of the relevant agencies have signed up to the Information Sharing Steering Group (ISSG) Concordat. They have therefore agreed in principle to share relevant information in the interests of public safety; albeit that the concordat formally covers sex offenders only.

Contact Holding Organisation

The assessor should make contact with the holding organisation (a prison designated for the purpose, or the State Hospital) to make the appropriate arrangements for interviews, multi-disciplinary meetings and structured behavioural observations, etc. A Link Person will be in place at each designated site to assist the assessor in making these arrangements, if required.

Structured Behavioural Observations

The RMA will provide a proforma and related guidance to prison and State Hospital staff to use when undertaking structured behavioural observations. Assessors will also be provided with a copy in their induction packs.

Schedule and Conduct Offender Interviews

Assessors should make the appropriate arrangements with the holding organisation to schedule a number of interviews with the offender (free from interruption by the daily routine of the facility). The assessor should meet with the offender at least once before conducting the multi-disciplinary meeting. In scheduling the various processes of the assessment, the assessor should keep in mind the date the report is due for submission to the court, the feedback sessions and the requirements for contact with the offender over several weeks and on at least 3 separate occasions (as outlined in the Standards). **Refer to Section 5.**

Organise and Facilitate Multi-disciplinary Meeting

The assessor should organise a multi-disciplinary meeting with relevant professionals, from across the various disciplines, who play a part in the management of the offender. These professionals may include persons with significant or relevant contact with the offender from the community, as well as those involved in day-to-day management within the facility.

Procure Additional Support – Expert Advice (where applicable)

In most cases where the assessor has identified the need for specialist assessment, they will highlight this in their report. However, in some exceptional cases they may feel unable to proceed with the risk assessment without this specialist input. In those exceptional circumstances, the assessor may decide that an offender requires a form of specialist assessment that lies outside the assessor's competence. On such occasions, the assessor must immediately contact the Deputy Principal Clerk of Justiciary to suggest that the Court considers commissioning a report from a suitably qualified person in the specialist field identified by the assessor. **Refer to Section 6.**

Arrange and Conduct interviews with Witnesses or Offender's Family & Friends (discretionary)

Where appropriate, the assessor may arrange interviews with the family, friends or significant others in the offender's life. The assessor may also consider it appropriate to arrange interviews with witnesses or victims. While information regarding victims is important to the risk assessment, the assessor will normally rely on information provided by the Crown rather than seeking to obtain it directly from the victim. Where an assessor feels it necessary to interview a witness or victim, they must liaise with the Crown to obtain the witness/victim's consent. Assessors, in this case, must carefully consider the benefit of conducting such an interview in light of the potential distress it might afford vulnerable persons. **Refer to Section 5.**

Verification of Multi-disciplinary Meeting Information

The assessor should ensure that a minute of the meeting is taken and distributed to all attendees within 5 working days of the meeting. Prior to the finalisation of the report, the assessor should give multi-disciplinary meeting attendees an opportunity to see an advanced draft of the report to correct any factual inaccuracies.

Schedule and Conduct Offender Feedback (fact checking)

The assessor should arrange a final meeting to provide the offender with the opportunity to view an advanced draft of the report and check for any factual inaccuracies.

If the offender disagrees with any aspect of the report, the assessor must decide whether the changes required are simply a matter of factual accuracy or if they would significantly alter the professional judgement and conclusions in the report.

If the assessor is unable to agree to the requested change they should advise the offender to discuss the matter with their legal representative (who may be present during the feedback session).

As the report is still incomplete at this stage, it is not necessary to provide the offender or others with a physical copy for retention.

Where the offender has limited capacity, the assessor should take all reasonable steps to ensure that the offender understands the report.

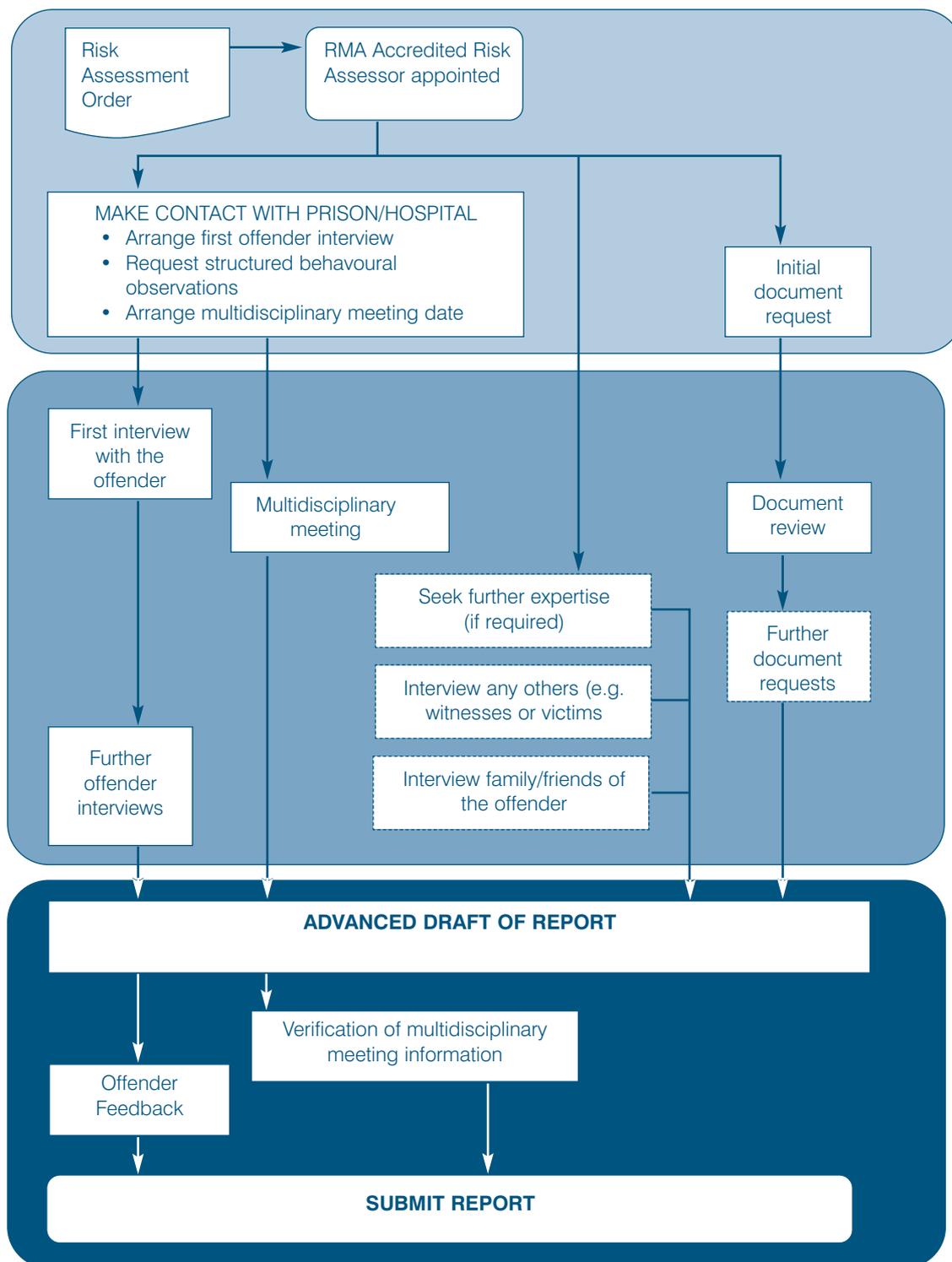
Submit Report

The Draft Act of Adjournal, rule 19C.3 (3) stipulates that all documents for the sentencing diet must be with the Court no less than 14 days beforehand. In the case of a 90-day adjournal for the preparation of a Risk Assessment Report, the last submission date would therefore be on or before day 76. The Court will advise the assessor, upon appointment, of the final date for submission of the Risk Assessment Report to the Principal Clerk of Justiciary in order to meet the above requirements.

While the final date for submission will be set, in practice, assessors should aim to complete and submit the report as soon as is reasonably practicable, given the quality and process requirements as set out in the standards and guidelines.

When the report is complete, it should be signed and sent to the Principal Clerk of Justiciary accompanied by a copy of the certified copy of the appointment interlocutor (as provided to the assessor upon original instruction by the Justiciary Office). This will enable Justiciary Office staff to identify expediently the type, purpose and authority of the report that will then immediately be copied to both the Crown and Defence solicitors. The Judge will receive the original. The assessor should also submit his or her invoice for the preparation of the report at this time.

Figure 2: The Assessment Process



3. GATHERING INFORMATION TO BE USED AS EVIDENCE

STANDARD 1: DOCUMENT REVIEW

The assessor must **review a range of relevant documents** concerning the offender's social, criminal and medical context in order to inform their assessment.

STANDARD 2: PROFESSIONAL JUDGEMENT

The assessor must use a **structured professional judgement approach** in forming their assessment. The assessor must **use at least one** risk assessment tool. Where only one tool is used, this should be a **structured professional judgement tool** approved by the RMA. Where actuarial tools are used in addition to a standard professional judgement tool, assessors must use or reference RMA-approved actuarial tools. (See *RMA Risk Assessment Tools Evaluation Directory – RATED*)

Information provided to the assessor

The Clerk of Justiciary will provide the assessor with:

- A copy of the indictment;
- A certified copy of the interlocutor (minute appointing the assessor);
- A copy of the full minutes of the proceedings;
- A copy of the tape log;
- CD ROM of the proceedings (including evidence where such led); and
- All reports available (i.e. psychiatric, psychological, Social Enquiry Reports, etc.).

Following this, the report by the presiding Judge, as referred to in Section 210H of the Act, will usually be forwarded by judiciary staff to the assessor within 14 days of his or her appointment.

Should the assessor require further documentation as identified from the lists of productions then a request should be made to the Deputy Principal Clerk of Justiciary.

The Crown Office and Procurator Fiscal Service (COPFS) will provide the assessor with the following material:

- Relevant precognition statements; and
- A report of the evidence by the Crown.

The decision regarding what other information is relevant and appropriate to be passed on to the assessor will be made via negotiation between COPFS and police.

The assessor will be responsible for making contact with other relevant bodies as appropriate.

The following types of information will form the evidence base for the report. Not all of these will apply for every offender.

Document Review

The assessor should make every effort to consult all the relevant case documentation in order to prepare a risk assessment report, this may include:

- Information made available from Crown Office Procurator Fiscal Service and the Court regarding past and current allegations and convictions;
- Prison Records/Reports;
- Psychological/Social Enquiry Reports;
- Relevant Medical/Hospital Records; and
- Education Reports.

Risk Assessment Tools and Techniques

- Findings from Risk Assessment Tools/Techniques

Interviews/Consultation

- Notes and record of assessor interviews with the offender
- Notes from Structured Behavioural Observations
- Notes from assessor interviews with witnesses
- Notes from assessor interviews with victims
- Documented professional opinions
- Notes from multi-disciplinary contacts, information and opinions

Report Evidence Base

All documents cited in the risk assessment report should be fully referenced in the Report Evidence Base section at the end of the report structure. Each section of the Report Evidence Base asks the assessor to provide any comments they wish to record regarding the evidence. This is an opportunity for the assessor to highlight any issues regarding the quality, validity and weighting which should be assigned to particular items of evidence.

The assessor should set out the reliability of the various types or items of evidence in the risk assessment, including making reference to any significant conflicting evidence. It is important to set out evidential strengths, as well as possible limitations.

Where the report refers to allegations, assessors must list each allegation, set out any additional evidence supporting it, and explain the extent to which the allegation and evidence influenced their opinion [of the level of risk the offender presents] (Section 210C (2) of the Act).

4. CONFIDENTIALITY

There are a number of legislative and ethical requirements regarding confidentiality which impact on assessors undertaking risk assessments.

The Data Protection Act 1998 and Article 8 (1) of the Human Rights Act 1998 safeguard the rights of private individuals to have data held about them used in an appropriate and lawful manner. Assessors must have due regard to this legislation and are responsible for ensuring their own compliance with relevant legal and professional expectations.

However, a number of provisions within the law are in place to protect persons who must carry out legal functions where the sharing of information is in the interests of public safety.

Principle 1 of the Data Protection Act 1998 states that data will not be processed (shared) unless one of the items of Schedule 2 is met. An assessor, acting on the appointment of the High Court, who collects, uses and shares offender data in order to carry out a risk assessment properly, may meet one or more of the following items.

The data subject has given his consent to the processing, or the processing is necessary:

- for the administration of justice;
- for compliance with any legal obligation to which the data controller is subject;
- for the exercise of any functions conferred on any person by or under any enactment;
- for the exercise of any functions of the Crown, a Minister of the Crown or a government department; or
- for the exercise of any other functions of a public nature exercised in the public interest by any person.

Further, when the subject of the RAO is a sex offender, the principles outlined in the Information Sharing Steering Group (ISSG) Concordat 2005 will apply. Many of the agencies the assessor will be involved with throughout the assessment will be signatories to the concordat. The ISSG concordat 2005 is based upon a presumption that information necessary to manage risk will be shared between relevant agencies and individuals. The assessor should note that each agency or individual remains responsible to ensure compliance with all legislation.

5. UNDERTAKING INTERVIEWS WITH OFFENDERS AND OTHERS

STANDARD 3: OFFENDER CONTACT

The assessor should aim to have a **minimum of 6 hours, face-to-face** contact with the offender (see Guidelines for exceptions). The 6 hours does not include the offender feedback session. The contact should take place on **at least 3 occasions and span several weeks**. The assessor must conduct a feedback session with the offender and have regard to the guidelines contained in this document.

The Offender Interviews: Contact Hours

The assessor should have a minimum of **6 hours face-to-face** contact with the offender. The feedback session is *in addition* to this. Visits should be spread over at least **3 occasions**, spanning **several weeks**. These sessions may or may not be in the company of other professionals. While the amenability and capacity of the offender to be interviewed for extended periods needs to be considered on an individual basis, it is advisable that no single interview lasts more than 3 hours.

Where the offender will not (refuses) or cannot (due to incapacity, illness etc) engage in interviews, the assessor should attempt to make contact with the offender on 2 separate occasions. In cases where fewer than the minimum contact hours with the offender occurred, the assessor should outline in his or her report the reasons for this and the impact this had on the assessment. Assessors should obtain the offender's signature (proforma are available from the RMA) to record that the interviews have taken place.

The Offender Interviews: Persons Present

An assessor may receive a request for other persons to be present at an interview. The offender has the right to the presence of a legal representative, an appropriate adult (for juveniles or mentally disordered persons) and/or an interpreter (for those from a non-English speaking background, with communication/learning disabilities, or persons with a hearing impairment).

The assessor has a right to refuse the presence of any person where they feel that such a person may pose a threat to their safety or the safety of the offender. If the assessor has refused the presence of any person, they must indicate this in his or her report. If the presence of another person at an offender interview interferes with the assessment process, the assessor should note this in the report, setting out the implications of such interference.

Interviews with witnesses or victims

If the assessor wishes to interview victims, (past or present) or witnesses, they must make contact with COPFS to seek the victim's/witness' assent beforehand.

Breaks

The assessor should plan and allow for reasonable breaks, when appropriate, and at any time as requested by the interviewee.

Information for Interviewees

To allow interviewees to differentiate between the RAO process and other legal processes that may be taking place concurrently, the assessor should outline the purpose of the risk assessment in the context of the Order for Lifelong Restriction.

The interviewee should be made aware that:

- the risk assessment is being conducted because of a court order;
- the assessment is part of the sentencing process and not part of a therapeutic/treatment process; and
- the information they provide may be used in the risk assessment report.

Additionally, (as outlined in Section 5) the assessor should inform the offender that they will be given an opportunity to have sight of the draft report and to have the chance to highlight any factual inaccuracy.

Assessment Environment

Assessors should conduct interviews in facilities that are adequately heated, lit and ventilated. Seating should be of reasonable comfort in consideration of interviews that may last up to 3 hours.

The assessor safety guidelines below should also be noted.

Record Keeping

The assessor should maintain an accurate record of:

- date;
- time at commencement and completion of interview;
- time at commencement and completion of breaks;
- duration of breaks;
- location of interview;
- others present; and
- content of interview.

These records should be included in the Report Evidence Base and appended to the report.

Assessor Safety: Secure Environment

The assessor should abide by the rules of the facility at all times and be directed by prison or hospital staff in adherence to security measures.

The assessor should meet an appropriate member of the prison or hospital staff in order to obtain up-to-date information about the mental and physical state of the offender.

Assessors should, in liaison with the prison or hospital staff, make the necessary arrangements to ensure their personal safety whilst working within the facility.

Assessors should take precautions to ensure that their personal information, such as home address, telephone number, marital status, names of family members, etc. is not divulged to any interviewees.

Assessor Safety: Community Setting

When making visits outside of secure environments (e.g. community visits to the offender's family or victims and witnesses), assessors should take appropriate security measures.

The assessor should liaise with the relevant Criminal Justice Social Work Services and/or local police before a community visit to make themselves aware of any security issues.

Whilst visiting interviewees in the community, assessors are advised to have access to a mobile phone and to have a contact person equipped with details of:

- When the interview will be conducted;
- Where the interview is taking place (address);
- Mobile phone contact for the assessor;
- Phone contact for the interviewee (if possible);
- Who the interviewee is, in reference to the offender/offence; and
- Expected duration of the interview.

The assessor should then call the contact person after the interview is over and they have left the premises.

6. PROCURING EXPERT ADVICE

The Court has appointed the RMA Accredited Risk Assessor to prepare a Risk Assessment Report (RAR) about the offender. It has done so on the strength of the assessor's accreditation by the RMA, where the assessor will have demonstrated the necessary general and specialist competencies. The Court is therefore entitled to expect that, in most cases, the assessor will complete the task without the need for additional professional reports or further input. Ultimately, the assessor is personally responsible for submitting the RAR and justifying its contents.

Assessors should not undertake to conduct an assessment that they know to be outside their competence or professional experience. However, there will be exceptional cases when issues emerge in the course of an assessment that require specialist input.

In these exceptional circumstances, where the assessor has formed the view that an offender requires a form of specialist assessment that is outside their competence, he or she must immediately contact the Deputy Principal Clerk of Justiciary. They should suggest, in writing, that the Court commissions a report from a suitably qualified person in the specialist field identified by the assessor.

The Court may convene a Hearing in order to appoint such a person. The assessor must also consider whether to ask the Court for an extension of the period of time for the RAR to be submitted.

The assessor should make reference to the information held within the expert report wherever it is relevant. In cases where the factors/circumstances surrounding the specialist advice were found to be irrelevant to the offending behaviour or risk management, the assessor should state this clearly in the appropriate section of the report.

7. MULTI-DISCIPLINARY MEETING

STANDARD 4: MULTI-DISCIPLINARY WORKING

The assessor must use a **multi-disciplinary approach** in the collection of information and the formulation of considerations when undertaking the risk assessment. This will usually involve facilitating a meeting of a range of **professionals from varying disciplines** as part of the assessment process. The assessor should also verify with attendees at a later stage to ensure that the report accurately represents the information they provided to the assessor.

Purpose

The multi-disciplinary meeting is primarily a forum for information sharing between professionals from multi-disciplinary backgrounds. It is not a case conference. The multi-disciplinary meeting is not about achieving a consensus of views, nor is it directed towards deciding upon risk levels or reaching conclusions.

Assessors should ensure that attendees are given the opportunity to view the meeting minute. This should be done within 5 working days of the meeting having taken place. At a later stage, the assessor should provide attendees with an advanced draft of the report so they may correct any factual inaccuracies in the information attributed to them.

Multi-disciplinary meeting attendees are not required to endorse the findings and recommendations of the report as this remains the responsibility of the assessor.

Who should attend?

Relevant persons from a range of professional backgrounds, who have either knowledge of the offender over time or a stake in their current or future management, should be invited to attend by the assessor. This will normally include professionals from both community and secure environments.

Attendees might include:

- Defence assessor (if one has been instructed) or the defence agent;
- Psychologists;
- Psychiatrists;
- Police Officers;
- General Practitioners (GPs);
- Social Workers (including previous report authors, or social workers involved with the offender's family members e.g. where there have been child protection concerns);
- Nursing or Hall Staff; and
- Other relevant professionals.

Where the defence has instructed an assessor to carry out an independent risk assessment at the same time as the court-appointed assessment, the defence assessor should make contact with the court-appointed assessor to arrange to attend the multi-disciplinary meeting. The court-appointed assessor should have regard to the availability of the defence assessor when finalising the date for the meeting.

It is not intended for the offender to attend this meeting. The assessment process provides separately for the involvement of the offender.

Organisation

The assessor should make the arrangements to ensure that a multi-disciplinary meeting is held at the most appropriate stage of the assessment process. The assessor should ensure that a minute of the meeting is taken and distributed to all attendees within 5 working days of the meeting.

The RMA will, upon request:

- Provide a member of staff to take a note of the meeting; and
- Assist the assessor in making arrangements for the meeting, including identifying a suitable venue.

8. REPORT WRITING AND PRESENTATION

STANDARD 5: REPORT STRUCTURE

The assessor must submit the Risk Assessment Report, in relation to a Risk Assessment Order to the High Court, in the **RMA Risk Assessment Report Structure**.

Structure

Assessors must use the provided RMA report structure to communicate their assessment and findings to the Court. Specific guidelines in terms of each field of the report structure are provided in Section 9.

The RMA report structure has five sections – each with a different purpose. These are:

The **Executive Summary** provides a brief overview of the content, main findings and conclusions detailed in the report.

The **Opinion on Risk Level** sets out the assessor's professional judgement of the level of risk the offender presents, whether that is high, medium or low.

The **Report Body** holds referenced offender and offending context, analyses, conclusions and reasoning for conclusions.

The **Report Evidence Base** presents all of the evidence underpinning the report.

Appendices contain the documents referred to in the other sections.

Style

The primary purpose of the report is to help the Court to decide whether or not the offender meets the Risk Criteria as set out by the Act. The report must be focused and informative enough to help the Court to make that decision. The Report Body is the most important component and its purpose is to provide the Court with the evidence and considerations which led the assessor to the findings, conclusions and recommendations. To be fit for purpose, reports should have the following characteristics:

- a) Written in a concise narrative style.
- b) Written in 'Plain English'. The assessor should avoid the use of jargon wherever possible and explain any technical terms, or terms that have a different meaning in the report context from a strict dictionary definition.
- c) Focus on analysing the evidence and not just provide a description.
- d) Evidence should generally be appended to the report and referenced in the text rather than incorporated in the main body of the report. All evidence presented must be robust and defensible.

- e) Include clear conclusions and supported recommendations. Conclusions, findings and risk ratings must be based on the evidence. The reader should be able to follow logically the assessor's reasoning from the evidence presented to the assessor's opinion of risk and recommendations for risk management. The evidence should not be presented merely as factual statements for the reader's consideration. It is the role of the assessor to give the information context and meaning, in terms of how it impacts upon their ultimate conclusions.
- f) Include a discussion of the weight, bearing, strength and reliability of evidence as it is presented.
- g) Assessors should present the available information available without bias. That is, the assessor should not ignore information which does not support their final opinion or rating. Conflicting information should be disclosed and discussed. Assessors should clearly outline the reasons why such evidence had less impact on the assessment.
- h) Pages should be numbered and paragraphs set out as in the RMA format, for ease of reference by the Court.

9. USING THE REPORT STRUCTURE

The information provided in the sections below corresponds to the headings of the RMA report structure (Appendix A)

Title Page (Form 19C.2)

Assessors should complete each item of the case details as directed.

In order to ensure the page numbers in the **Table of Contents** are correct when Assessors have completed a report, they should right mouse click on the table and select 'update field' and then 'update entire table'.

Executive Summary

This is an overview of the full-length report. It should be brief (approximately 300 words) and must highlight the main findings and conclusions that the assessor reaches in their report.

Opinion on Risk Level

Attributing 'high', 'medium' or 'low' risk status to an offender who is under consideration for an Order for Lifelong Restriction is a requirement of the Section 210C (3) of the Act.

The meaning of offender risk in this instance is set out in Section 210B (3) of the Act as the risk his being at liberty presents to the public at large. Section 210E of the Act provides detailed 'risk criteria' that the Court must consider when determining whether to make an OLR.

In the report structure, the Risk Management Authority (RMA) has defined 'high', 'medium' and 'low' risk in a context that is consistent with the legislation underpinning the Risk Assessment Order. The RMA definitions are essentially a combination of the following parameters:

- Capacity to commit an offence causing serious harm¹;
- The pervasiveness of risk factors in the future;
- The presence or absence of protective factors in the future; and
- The need for ongoing risk management including treatment to mitigate risk.

When assessors decide upon a risk level for an offender, it is important that the evidence and analysis in the report supports this conclusion. The determination of high, medium and low risk must be a professional judgement taking into account the whole range of evidence analysed and presented in the report, of which risk assessment tools are only one strand.

The assigned risk category does not automatically determine whether the Court makes an OLR. This decision is based on whether, on a balance of probabilities, the 'risk criteria' are met. However, it is reasonable to expect that an RAR indicating a high risk is much more likely to result in the Court making an OLR than a report indicating a low risk.

¹ There is a risk of harmful behaviour which is life threatening and/or traumatic and from which the victim's recovery, whether physical or psychological, can be expected to be difficult or impossible. That is, sexual and violent behaviours, for example murder, serious assault, rape, all sexual offences against children, all violent robbery, kidnapping, holding hostage, terrorism and fire raising (where there was a clear intent to harm persons). The likelihood of this occurring is just as important as the fact that the person has caused such serious harm in the past. They must be regarded as having the potential to inflict such harm again. (Adapted from OASys Manual, Home Office 2002)

Statement of Risk Rating

Assessors must begin the statement of opinion on the risk level with the following:

"It is my opinion that, if at liberty, <<name of offender>> poses a <<level of risk>> to the safety of the public at large."

They will then state each sentence of the particular risk level definition and follow it with a short statement directing the Court to the analysis and supporting evidence. For example, in the case of **high** risk:

This offender presents an ongoing risk of committing an offence causing serious harm.

➤ Include statement directing the Court to, for instance, the offence analysis and level of harm sections of the report

The identified scenarios involve pervasive risk and there are few if any protective factors to mitigate that risk.

➤ Include a statement directing the Court to, for instance, the offender background and risk scenario sections of the report

The offender requires long-term risk management, including supervision, and where the offender has the capacity to respond, ongoing treatment.

➤ Include a statement directing the Court to, for example, evidence of previous supervision failure and the conclusion section of the report

RISK ASSESSMENT REPORT BODY

Offender Background Information

This section should present an analysis of the main areas listed below. Each of the topics within this section should include data or information (correctly referenced to sources) and an element of comment or analysis from the assessor that indicates its relevance to current and future offending behaviour. This part of the report should be as concise as possible, with more detailed supporting evidence presented in the appendices. It should cover the following topics:

- The offender's presentation (appearance, attitude, affect, etc.) at interview;
- Relevant information on current and past familial and social functioning;
- His or her relevant mental and physical health history and current status;
- Past or current issues with the misuse of substances; and
- Previous response to supervision.

Information in this section will inevitably vary between cases, and the assessor should decide on appropriate sub-headings to structure the information he or she presents.

Social History and Current Functioning

Information should be presented chronologically, with dates and sources given within the text. This section should cover relevant details of the **offender's childhood and family situation** and their **functioning within educational and employment contexts** and his/her interpersonal relationships. If appropriate, assessors should analyse and discuss relevant factors about the offender's **sexual and/or violent interests and behaviours**. An important component of this section may be the offender's self-reported plans for his or her future when at liberty.

The Offender's Health

Assessors should analyse and discuss the impact of any **physical health problems or disabilities**, setting out the relevance of these to offending behaviour or risk management.

Mental health and wellbeing considerations should include any diagnoses of mental illness, personality disorder or learning disability, with consideration of the relationship this has to offending behaviour or future risk management. This section should include any testing or diagnosis made as part of this assessment (or in relation to an Interim Compulsion Order). The inclusion of this information is also necessary where there is already a court finding. If the offender has been assessed as having a personality disorder, this should be described and analysed in the context of offending behaviour. Should the assessor believe that an offender might have an undiagnosed mental illness, this must be reflected in the report. Additionally, if the assessor believes that this makes the offender or others in the establishment vulnerable, the assessor should inform the prison or State Hospital Link Person.

Assessors should describe and analyse any history or current problem with **substance misuse**, recording the nature and range of the substances misused. They should analyse the criminogenic potential associated with substance misuse for this offender, including whether substances have figured as a disinhibitor in past offences.

Previous custody and supervision should be discussed in this section. **Previous risk management measures** should be explored and presented, along with an opinion as to their relative success in preventing/reducing offending or mitigation of risk.

Assessors should include any relevant information from **structured behavioural observations** conducted by prison hall staff or hospital nursing staff during the assessment period.

Analysis of Past and Current Offending

This section of the report should be a detailed analysis of offending behaviour. Assessors should cover both current and past offending and set out the criminogenic factors specific to the offender. Assessors will consider relevant evidence from a range of sources, all of which should be referenced in the text. This section must include an analysis of why the offender has committed his or her offences, and will obviously draw from the offender background information presented in the previous section. The style of this section will be analytical rather than descriptive and all evidence must be referenced to the correct appendix.

Assessors should analyse all relevant details available about past offending. This may include providing details of previous convictions, warnings, charges and other intelligence about offending or risky behaviour. Assessors must distinguish between convictions or findings of guilt and allegations and set out the provenance and reliability of any information they present to support their analysis, citing evidence contained in the appendices where necessary.

This part of the report should address the following areas:

- Analysis of the extent to which the offender has already caused **serious harm** and the frequency and escalation of harm over time;
- Analysis of **diversity** of offending;
- Analysis of **patterns of behaviour** particular to this offender;
- Analysis of **motivation**, benefit or **cause** of offending;
- Analysis of **trigger factors or antecedents** to offending;
- Analysis of **idiosyncratic or aggravating factors** such as bizarre or ritualistic elements or use of weapons; and
- Analysis of his or her **past response** to monitoring, supervision, treatment and personal change programmes.

Assessors should analyse relevant details about the **victims** of the offender. This may include demographic information such as age, gender and race. There should be an indication of what the offender's relationship to the victim has been (family member, person in authority, member of care team, stranger). There should also be discussion of diversity of victims and what this is driven by, for example, opportunity, indiscriminate, choice.

This section will also include relevant material on the offender's perspective. Assessors may wish to include:

- Analysis of his or her insight **into his offending** and his understanding of the harm he has already caused or may cause.
- Analysis of his or her **attitude to his victims** or victim groups.
- Analysis of his or her **attitude to monitoring, supervision, treatment** and **personal change** programmes.

Risk and Protective Factors

Assessors will summarise relevant risk and protective factors for this offender. These are not only the predictive factors found in risk assessment tools but those particular to the offender and their background, drawn from the offence analysis section. Assessors should set these out together with the basis for their inclusion, cross-referenced and with sources reiterated. Assessors should have explored all of the risk factors identified here in previous sections of the report.

Assessors must always bear in mind that the risk being assessed is one of serious harm. When using risk assessment or diagnostic tools, assessors must clearly indicate whether they apply to general or specific recidivism and explain the implications of the findings in the context of serious harm.

Assessors **must** avoid reiterating whole sections of risk tools. All completed risk assessment tools used must be appended in full to the report and referenced as appropriate. Information on future risk scenarios, and the specific risk and protective factors that are associated with them, must be presented clearly and plainly.

Opinion on Future Risk

This section is where the assessor collates all of the evidence provided so far in the report and presents it in a structured way to identify:

- a) to whom the offender poses risk;
- b) the likely impact and severity of any harm;
- c) future risk scenarios for this offender when at liberty; and
- d) factors that may increase or decrease the level of risk.

If the assessor feels that they do not have sufficient evidence on which to base a determination, they must state their reasoning.

To whom does this offender present the greatest risk?

This section is about identifying to whom this offender presents a risk of serious harm. To identify those at risk, this section should draw together information about previous victim(s) to make an assessment of likely targets of future victimisation, whether these are specific named persons or victim 'types'. When completing this part of the assessment, the assessor may wish to support their assessment by presenting relevant analysis on the following components:

- The offender's **motivation** to commit serious sexual or violent offences;
- The offender's perceived or expressed **negative attitudes** towards certain groups;
- **Diversity** in choice of victim(s);
- Whether past victim(s) were **selected specifically** (groomed, primed, targeted) or whether they were chosen randomly;
- Whether past victim(s) were **familiar or unknown** to the offender;
- Whether past victim(s) were physically or mentally **vulnerable**; and
- Current or past **threats** made by the offender against specific persons.

The assessor may be able to form a judgement about the likely characteristics of future victims but should not feel compelled to do so if the evidence is insufficient to support this. The information presented here will be of use for the future risk management of the offender.

What is the likely impact and severity of harm associated with this offender?

This section should describe the impact that this offender's behaviour may have on future victim(s). The assessor may wish to draw upon available evidence about the harm the offender has already caused, and should advise the Court about the offender's motivation to cause serious harm in the future, or to commit an offence that has an attendant high level of harm. The assessment should be formulated around the assessor's analysis, not only of the harm the offender may cause, but also on the probability that he may cause it, rather than a judgement simply based on the best or worst possible outcomes.

When considering what constitutes serious harm, assessors must have regard to the 'risk criteria' contained in Section 210E of the Act.

Where there are past offences that did not involve serious harm but which may be indicative of, for example, escalation of offending behaviour, assessors may make reference to this.

For the purpose of extrapolating future harm, the assessor should take into account the offender's intention to harm (where the actual harm was less) and the actual harm (if the offender's intention was less).

Describe the future risk scenarios for this offender

This section should identify and analyse the risk and protective factors that may amplify or mitigate the future risk of serious harm. Assessors should identify chronic, acute and dynamic risk factors that are specific to this offender.

To identify future risk scenarios, the assessor should consider the interaction of the offender's environment (external risk factors) with any personal characteristics (internal risk factors). Where possible, assessors will highlight 'triggers' or 'early warning signs, that is, any events or circumstances that might that may indicate a period of critical risk or the imminence of reoffending.

Assessors should identify any protective factors, that is, events or circumstances which might prevent or minimise reoffending or reduce the impact of such offences. The significance of these factors should be analysed in the context of the most probable future scenarios identified.

CONCLUSIONS

Overall conclusions

In this section, the assessor should draw together the most pertinent information from the body of the report and make clear statements of his or her findings. Each conclusion should be presented as a separate, numbered sentence or paragraph.

The assessor may also wish to include the offender's response and any feedback regarding the key facts of the report in this section.

What should be the main objectives of Risk Management?

The purpose of this section is not to set out the detailed Risk Management Plan for the offender that will be required if the Court makes an Order for Lifelong Restriction. Instead, this section should highlight the key areas upon which risk management for this offender ought to focus.

Assessors should discuss the amenability of the offender to risk management methods. The assessor may wish to suggest the kinds of risk management activities and treatment types that he or she believes would be most effective in mitigating risk and promoting the presence and influence of protective factors. Assessors should identify specialist needs but should not refer to specific resources available in any one locality or institution.

The assessor should provide the personal and administrative details required in the section beginning – ‘IN WITNESS WHEREOF’.

This includes providing his or her:

➤ Signature

➤ Name

➤ Qualifications

i.e. Professional Title and post-nominal e.g. Clinical Psychologist (B.A., M.Phil, C.Psychol.)

➤ RMA Accreditation Number

➤ Postal and Email Address

➤ Telephone Contact Number

➤ Place & Date

e.g. Paisley, Scotland. 24th August 2006

REPORT EVIDENCE BASE

Statement of Validity/Limitations of Assessment

The information included in the risk assessment report will be diverse in origin and evidential reliability. For instance, some information will be purely factual, some may be about allegations, and some will be from structured professional judgement and/or actuarial risk assessment tools. It is vital that assessors are able to use information from diverse sources, but it is also important that the assessor sets out any limitations to the information used. This includes acknowledging in the report body where evidence is incomplete and making clear to the Court the limitations to any risk assessment approach used. This will include outlining the applicability to the offender of the risk assessment methods employed. **(Refer to Section 3)**

Appendices

The assessor should mark all appendices with 1, 2 or 3, etc. and make a note of this in the column provided as part of the Evidence Base Section.

APPENDIX A: RISK ASSESSMENT REPORT STRUCTURE

Risk Assessment Report structure
and risk definitions updated 01/03/2013

FORM 19C.2

Rule 19C.2

Form of report under section 210C or 210D of the Criminal Procedure (Scotland) Act
1995

RISK ASSESSMENT REPORT

under section 210C [or 210D] of the Criminal Procedure (Scotland) Act 1995

Prosecution reference.....

Court reference.....

CONVICTED PERSON: *(name)*

DATE OF BIRTH: *(date)*

REMANDED AT: *(place)*

CASE ADJOURNED TO: *(date)*

HIGH COURT OF JUSTICIARY SITTING AT: *(place)*

I, *(name)* report to the High Court of Justiciary as follows:—

TABLE OF CONTENTS

1. STATEMENT OF COMPETENCE

I am accredited by the RMA to undertake risk assessment reports under section 210C and/or 210D (*delete as appropriate*) of the Criminal Procedure (Scotland) Act 1995.

(Assessors should provide a short summary - no more than 10 lines- of their knowledge, expertise and experience relevant to the case, including for example their experience and competence in the assessment and delivery of treatment/interventions to particular groups such as young people, women, or those with learning difficulties. Assessors should also highlight limitations of their knowledge, expertise and experience, and how they have addressed those).

I am currently employed by (*Assessor's employer*) as (*Assessor's role*)/ self employed .
(Assessors should identify if they have had previous contact with the individual being assessed).

2. EXECUTIVE SUMMARY

2.1.1.

2.1.2.

2.1.3. Summary of Formulation

2.1.4. Summary of implications for risk management

2.1.5. Opinion on risk

Section 210C (3) of the Criminal Procedure (Scotland) Act, 1995 requires me to include in the risk assessment report my opinion as to whether the risk mentioned in section 210B(3)(a) of this Act, that is, the risk his being at liberty presents to the safety of the public at large, is high, medium or low¹.

Having had regard to such standards and guidelines as are issued by the Risk Management Authority, and undertaken this risk assessment report in a manner accredited by the Risk Management Authority I am of the opinion that xx XXX presents a xxxxx risk.

I have arrived at this conclusion for the following reasons (*provide a brief summary of the key elements of the relevant risk definition*)

¹ Appendix 7

3. RISK ASSESSMENT REPORT BODY

The risk assessment report writer should have regard to the following guidelines on content:

- *Limitations of information*
- *Offender background information*
- *Analysis of past and current offending*
- *Identified risk and protective factors*
- *Case Formulation:*
 - *An explanation of why, how and when offending began and continues to occur*
 - *The nature of the risk, the type of offending and the likely victims*
 - *Nature of characteristics underpinning that risk*
 - *Likely impact and severity of harm*
 - *Degree of amenability of these characteristics to change (with intervention/time)*
 - *Manageability of risk:*
 - *currently*
 - *following exposure to interventions in custody and while subject to statutory supervision in the community*
 - *in the longer term*
 - *The degree to which the risk of seriously endangering the public at large is enduring*
- *The most probable future risk scenarios for this individual*
- *The implications for risk management in custody and the community*

4. OPINION ON RISK

Section 210C (3) of the Criminal Procedure (Scotland) Act, 1995 requires me to include in the risk assessment report my opinion as to whether the risk mentioned in section 210B(3)(a) of this Act, that is, the risk his being at liberty presents to the safety of the public at large, having regard to such standards and guidelines as are issued by the Risk Management Authority in that regard, is high, medium or low².

Having undertaken this risk assessment report in a manner accredited by the Risk Management Authority and having had regard to such standards and guidelines, I am of the opinion that xx XXX presents a xxxxx risk. I have arrived at this conclusion for the following reasons (*provide a brief summary of the key elements of the relevant risk definition*)

² Appendix 7

IN WITNESS WHEREOF

(Signed)

Assessor

*(Name, qualifications, address, e-mail address
and telephone number)*

(Place and date)

5. REPORT EVIDENCE BASE

- 1) List all documentation you relied on regarding previous convictions and findings of guilt against the offender (note: do not list individual convictions).

	Source of evidence	Brief description	Appendix No.
1			
2			
3			
4			
5			
6			

Please provide any comment on this evidence

5.1.1.

- 2) List all allegation information used, any supporting evidence and the extent to which they influenced the assessed opinion on risk level.

	Allegation	Source	Extent of influence	Appendix No. (if applicable)
1				
2				
3				
4				
5				
6				

Please provide any comment on this evidence

5.2.1.

- 3) List chronologically all face-to-face interviews with the offender.

	Date and Duration	Other professionals or persons party to interview (name and role)
1		
2		
3		
4		
5		
6		

Please provide any comment on this evidence
5.3.1.

- 4) List all professional reports obtained from third parties and the appendix where they may be reviewed.

	Date and Duration	Name & designation of professional	Brief description of report	Appendix No.
1				
2				
3				
4				
5				
6				

Please provide any comment on this evidence
5.4.1.

5) List chronologically all other face-to-face or telephone interviews.

	Name of interviewee	Brief description (including date)	Appendix No.
1			
2			
3			
4			
5			
6			

Please provide any comment on this evidence

5.5.1.

6) List all other evidence for the report (including risk assessment tools applied).

	Source of evidence	Brief description	Appendix No.
1			
2			
3			
4			
5			
6			

Please provide any comments on this evidence, including the limitations of tools used.

5.6.1.

6. APPENDICES

Please list all appended documents.

Appendix No.	Title

7. RISK DEFINITIONS³

Having regard to the Standards and Guidelines as are issued by the Risk Management Authority, the assessor is required by legislation⁴ to include his/her opinion as to whether the risk the individual being at liberty presents to the safety of the public at large, is high, medium or low.

High

The nature, seriousness and pattern of this individual's behaviour indicates an *enduring propensity* to seriously endanger the lives, or physical or psychological well being of the public at large. The individual has problematic, persistent, pervasive characteristics that are relevant to risk and

- not likely to be amenable to change; or
- the potential for change with time and/or treatment is significantly limited.

Without changes in these characteristics the individual will continue to pose a risk of serious harm.

Furthermore,

- there are few if any protective factors to counterbalance these characteristics;
- concerted long-term measures are indicated to manage the risk, including restriction, monitoring, supervision, and where the offender has the capacity to respond, treatment;
- the nature of the difficulties with which the individual presents are such that treatment is unlikely to mitigate the need for long term monitoring and supervision; and
- in the absence of such measures, this individual is likely to continue to seriously endanger the lives, or physical or psychological well being of the public at large.

Medium

The nature, seriousness and pattern of this individual's behaviour indicates a *propensity* to seriously endanger the lives, physical or psychological well being of the public at large. The individual may have characteristics that are problematic and/or persistent and/or pervasive but

- there is reason to believe that they may be amenable to change or are manageable with appropriate measures;
- there is some evidence of protective factors;
- the individual has the capacity and willingness to engage in appropriate treatment;
- may be sufficiently amenable to supervision; or
- has other characteristics that indicate that measures short of lifelong restriction may be sufficient to minimise the risk of serious harm to others.

Low

The nature, seriousness and pattern of this individual's behaviour *suggests a capacity* to seriously endanger the lives, physical or psychological well being of the public at large, but there is no apparent long term or persistent motivation or propensity to do so.

³ Risk Management Authority (2012)

⁴ Section 210C (3) of the Criminal Procedure (Scotland) Act, 1995

The individual may have caused serious harm to others in the past, but

- it is unlikely that they will cause further serious harm;
- there is clear evidence of protective factors which will mitigate such risk;
- they are likely to respond to treatment;
- they are amenable to supervision;
- they do not require long-term restrictions in order to minimise the risk of serious harm to others.

While the individual may have or have had characteristics that are problematic and/or persistent and/or pervasive, they can be adequately addressed by existing or available routine services or measures.

APPENDIX B: GLOSSARY OF TERMS

APPENDIX B: GLOSSARY OF TERMS

TERM	DEFINITION
Acute Risk Factor	Risk factors which arise rapidly and have impact (severe or otherwise) for a relatively short period of time
Assessment	The process of gathering information via personal interviews, psychological/medical testing, review of case records and contact with collateral informants for use in making decisions (adapted from the American Educational Research Association [AERA]/American Psychological Association [APA]/National Council on Measurement in Education [NCME], 1999)
Chronic Risk Factor	Risk factors that have a constant or continuing impact over a long period of time.
Dynamic Risk Factor	Risk factors that can change (both chronic and acute).
Future Risk Scenarios	Scenarios are circumstances, situations and environmental conditions which make up the offender's life context. Future Risk Scenarios are those scenarios assessed as posing the most risk in the future (identified by the assessor through a detailed analysis of the interaction between the offender's risk and protective factors).
OLR	Order for Lifelong Restriction Reference: Section 210F of Criminal Procedure (Scotland) Act 1995 (as it is amended by the Criminal Justice (Scotland) Act 2003)
Risk Rating	An assignation of 'high', 'medium' or 'low' to represent the offender's risk (required of the assessor by the Criminal Justice (Scotland) Act 1995 as it amended by the Criminal Justice (Scotland) Act, 2003. The RMA has designed a description of each risk level.
Risk Rating – High Risk	This offender presents an ongoing risk of committing an offence causing serious harm. The identified scenarios involve pervasive risk and there are few if any protective factors to mitigate that risk. The offender requires long-term risk management, including supervision, and where the offender has the capacity to respond, ongoing treatment.
Risk Rating - Medium Risk	This offender is capable of causing serious harm, but in the most probable future scenarios there are sufficient protective factors to moderate that risk. The offender evidences the capacity to engage with risk management strategies and may respond to treatment. This offender may become a high risk in the absence of the protective factors identified in this report.

Risk Rating – Low Risk	This offender may have caused serious harm in the past, but a repeat of such behaviour is not probable. They are likely to co-operate well with risk management strategies and they may respond to treatment. All probable future scenarios for this offender have sufficient protective factors to support ongoing desistance from offending.
Pervasive Risk	Risk that is ongoing and present in many or all aspects of the offender’s life at liberty.
Protective Factors	Any circumstance, event, factor or consideration with the capacity to prevent or reduce future offending or minimise the harm caused.
RAO	Risk Assessment Order Reference: Section 210B of the Criminal Procedure (Scotland) Act 1995 (as it is amended by the Criminal Justice (Scotland) Act 2003)
RAR	Risk Assessment Report Reference: Section 210B and 210C of the Criminal Procedure (Scotland) Act 1995 (as it is amended by the Criminal Justice (Scotland) Act 2003)
Risk	Nature, likelihood, frequency, duration, seriousness and imminence of an offence. This should be referenced in relation to: i. risk of serious harm; or ii. risk of reoffending generally; or iii. risk of reoffending in a specific way (adapted from – Hart, 1998, 2001b; Janus & Meehl, 1997; Mulvey & Lidz, 1995; Otto, 2000)
Risk Factors	Circumstances, events or considerations with the capacity to cause offending, reoffending or increased harm. Risk factors may be intrinsic to the offender or situational in nature.
RMA	Risk Management Authority
Risk of Serious Harm	There is a risk of harmful behaviour which is life threatening and/or traumatic and from which the victim’s recovery, whether physical or psychological, can be expected to be difficult or impossible. That is, sexual or violent behaviour, for example murder, serious assault, rape, all sexual offences against children, all violent robbery, kidnapping, holding hostage, terrorism and fire-raising (where there was a clear intent to harm persons). The likelihood of this occurring is just as important as the fact that the person has caused serious harm in the past. They must be regarded as having the potential to inflict such harm again. Reference: (adapted from the OASys Manual 2000)

Risk Criteria The nature of, or the circumstances of the commission of, the offence of which the convicted person has been found guilty either in themselves or as part of a pattern of behaviour are such as to demonstrate that there is a likelihood that he, if at liberty, will seriously endanger the lives, or physical or psychological well-being, of members of the public at large.

Reference: Section 210E of the Criminal Procedure (Scotland) Act 1995
(as it is amended by the Criminal Justice (Scotland) Act 2003)

© Copyright RMA Scotland 2006

This document is also available on the Risk Management Authority website:
www.RMAScotland.gov.uk

Astron B46061 04/06

Risk Management Authority
St James House
25 St James Street
Paisley
PA3 2HQ

tel: 0141 567 3112

fax: 0141 567 3111

web: www.RMAScotland.gov.uk