VAGO

Victorian Auditor-General's Office

Managing Registered Sex Offenders

August 2019

Independent assurance report to Parliament
2019–20: 1

VAGO

Victorian Auditor-General's Office

Managing Registered Sex Offenders

Independent assurance report to Parliament

Ordered to be published

VICTORIAN GOVERNMENT PRINTER
August 2019

PP No 58, Session 2018–19

This report is printed on Monza Recycled paper. Monza Recycled is certified Carbon Neutral by The Carbon Reduction Institute (CRI) in accordance with the global Greenhouse Gas Protocol and ISO 14040 framework. The Lifecycle Analysis for Monza Recycled is cradle to grave including Scopes 1, 2 and 3. It has FSC Mix Certification combined with 99% recycled content.

ISBN 978 1 925678 57 4

VAGO

Victorian Auditor-General's Office

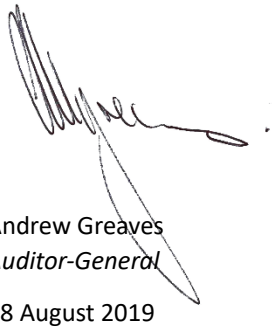
The Hon Shaun Leane MLC
President
Legislative Council
Parliament House
Melbourne

The Hon Colin Brooks MP
Speaker
Legislative Assembly
Parliament House
Melbourne

Dear Presiding Officers

Under the provisions of the *Audit Act 1994*, I transmit my report *Managing Registered Sex Offenders*.

Yours faithfully



Andrew Greaves
Auditor-General

28 August 2019

Contents

Audit overview 7

Conclusion 7
Findings 8
Recommendations 15
Responses to recommendations 16

1 Audit context 17

1.1 The sex offenders registration scheme 17
1.2 Key figures 19
1.3 Roles and responsibilities 20
1.4 Previous reviews 28
1.5 Recent legislative changes 28
1.6 Why this audit is important 29
1.7 What this audit examined and how 29
1.8 Structure of this report 30

2 Resource allocation, training and practices in RSO management 31

2.1 Conclusion 31
2.2 Policy and resourcing 32
2.3 Learning and development 37
2.4 Key elements that support success in CM units 40
2.5 Impact of various models on RSO management 40
2.6 Developing and implementing high-quality OMPs 44
2.7 Proactive investigations 46
2.8 Investigation of improvement opportunities 49

3 Organisational monitoring and reporting 53

3.1 Conclusion 53
3.2 Systems used to manage RSOs 54
3.3 Monitoring and reporting 57

Appendix A. Submissions and comments 67

Appendix B. Data quality checks 75

Acronyms

ACIC	Australian Criminal Intelligence Commission
BDM	Registry of Births, Deaths and Marriages Victoria
CIU	Crime Investigation Unit
CM	compliance manager
CV	Corrections Victoria
CVRU	Central Victorian Response Unit
DHHS	Department of Health and Human Services
DJCS	Department of Justice and Community Safety
IBAC	Independent Broad-based Anti-corruption Commission
LEAP	Law Enforcement Assistance Program
IT	information technology
MDC	Multidisciplinary Centre
NCOS	National Child Offender System
NORO	Notice of Reporting Obligations
OMP	Offender Management Plan
PDF	Portable Document Format
ROMOC	Regional Offender Management Operations Committee
RSO	registered sex offender
SOCIT	Sexual Offences and Child Abuse Investigation Team
SOMSC	Serious Offenders Management Steering Committee
SOR	Sex Offenders Registry
SOP	Standard Operating Procedures
SOSRU	Supervision Order Specialist Response Unit
VAGO	Victorian Auditor-General's Office
VPM	Victoria Police Manual

Abbreviations

Child Protection	Victorian Child Protection Service
The Act	*Sex Offenders Registration Act 2004*

Audit overview

The *Sex Offenders Registration Act 2004* (the Act) established Victoria's sex offender registration scheme, including the Sex Offenders Register, which is administered by the Chief Commissioner of Police.

The Act requires that registered sex offenders (RSO) keep police informed of their whereabouts and other personal details and precludes them from engaging in child-related employment during their reporting period. The aim is to reduce the likelihood that they will reoffend and to facilitate the investigation and prosecution of offences.

The Chief Commissioner of Police has delegated responsibility for the Sex Offenders Register to the Sex Offenders Registry (SOR) unit in Melbourne and to compliance managers (CM) in Victoria's four police regions. The SOR unit has administrative responsibility for managing RSOs, and a CM is a police member responsible for the day-to-day management of one or more RSOs. The CM role can be a dedicated position or performed by a staff member along with wider duties.

Inactive RSOs may be deceased or currently in custody. Those in custody may become active again when released into the community.

As of May 2019, there were 8 286 RSOs on the Sex Offenders Register. Of these, 4 436 (54 per cent) have active reporting requirements. Victoria Police expects the number of RSOs managed in the community to increase to 5 531 by June 2022, consistent with recorded growth in RSO rates.

The objective of this audit was to determine whether RSOs are safely integrated into the community. To address this, we assessed whether Victoria Police has the governance structure and organisational capability to manage RSOs. We also examined how effectively CMs operate in the field, including whether Victoria Police adequately resources CM units to ensure that they have the capacity to fulfil their requirements. We note however, that safely integrating sex offenders into the community involves a range of agencies and services, of which Victoria Police is one.

Conclusion

Victoria Police has not demonstrated a consistent level of sex offender management across the state. In the presence of such significant levels of variation in the resourcing applied to sex offender management, Victoria Police cannot be assured that all its units are best managing the risks these offenders pose, beyond the minimum legislated compliance requirements.

Victoria Police takes seriously its responsibilities under the Act to collect and maintain RSO information and has gone beyond the Act's compliance requirements to establish comprehensive risk-based offender management practices. However, its operational model—designed to be flexible to meet competing operational demands—means there are differences in the level of workload and the amount of time staff spend in the role, as well as the time they can allocate to the job on a day-to-day basis. These differences affect the extent of offender management CMs can conduct, meaning some RSOs receive less management irrespective of risk level.

Victoria Police's data analysis of reported breaches and sexual reoffending has improved to better identify reoffending risk. However, its ability to effectively monitor management of RSOs is impacted by weaknesses in its information collection and analysis. It does not know the quantum of police resources currently managing RSOs across the organisation. It also lacks insight into the most effective training or workloads, and consequently, what an ideal model is for CM units to manage RSO risks.

Victoria Police recognises many of these deficiencies and has begun to examine the current RSO management operating model for improvement opportunities. This work is in initial stages and, while positive, Victoria Police is still deciding on the appropriate next steps for the project. We encourage Victoria Police to progress this work.

Findings

Resource allocation, training and practices in RSO management

Key elements that support success in CM units

Several factors improve CMs' capability and capacity to mitigate risk through compliance monitoring and meaningful proactive actions and investigations. Derived from our findings, and echoed in the Evidence Led Sex Offender Management Project undertaken by Victoria Police, they include that CMs should:

- be part of a dedicated unit that undertakes RSO management exclusively
- be in the role for a sufficient period of time (at least nine months)
- have an interest in this area and recognise the seriousness of managing RSOs
- have a sound understanding of their supervised offenders to enable early identification of escalating risk
- be able to build rapport with RSOs
- work in units with adequate CM to RSO ratios and sufficient equipment

- write high-quality Offender Management Plans (OMP) tailored to an RSO's up-to-date risk assessment
- implement the OMPs
- have the time and resources to conduct adequate and sufficient proactive investigations.

Structures and resources and their impact on RSO management

Resourcing arrangements

Under Victoria Police's decentralised and geographically based operating model, there is no direct reporting line between the executive position accountable for the overall management of RSOs—the Assistant Commissioner Intelligence and Covert Support Command—and the CM units, which are under the direction of Regional Commanders. Each region determines the resourcing model it considers best for its individual priorities and operational needs.

Regional Commanders have set up a variety of structures and resource models for the 43 CM units across the state. While CMs all receive a good common baseline training course, they have:

- different additional skill sets within their CM cohort dependent on the unit type
- sometimes only short durations in the CM role, denying them the ability to benefit from adequate on-the-job training
- variable workloads depending on the level of staff to RSO allocation and whether the unit is dedicated to RSO management.

Across the regions, CM units mostly sit within Sexual Offences and Child Abuse Investigation Teams (SOCIT) or Crime Investigation Units (CIU). These teams are either dedicated to RSO management or this role is added to their SOCIT or CIU duties. Further, the CM role can be a permanent role or a short-term appointment or secondment, ranging from six weeks to 12 months. CM units also have significant workload differences. Units based in CIUs have an average CM to RSO ratio of 1:26, and units based in SOCITs have an average ratio of 1:55. The lowest ratio across all units is 1:3 and the highest is 1:100.

These variations in workload and time spent in the role have consequences for the extent of RSO management that CMs can provide. Inadequate time or resources increases the risk that they may forgo more proactive investigations and monitoring. For example, CMs with high caseloads, or those in non-dedicated roles with less time for RSO management, told us they have little time for anything more than basic compliance work, and would like the time to develop and implement high-quality OMPs and to undertake proactive investigations. This creates a risk that CM units manage RSOs with varying degrees of effectiveness across the organisation, which might increase the risk of reoffending.

Learning and development

All CMs undertake a comprehensive two-day training course that outlines the key details of the Act and their compliance management requirements. Although our survey and interviews found that CMs consider the course sufficient, they emphasised the importance of on-the-job training to fully understand the complexities of the Act, the requirements of the CM role and to familiarise themselves with the RSOs. Short-term roles and competing tasks limit opportunities for this on-the-job training.

The skills sets within CM units vary depending on their makeup. CMs believe completing detective training—either for crime work in the CIU or for investigating sex offences in SOCIT—provides useful investigative skills. They see SOCIT training as particularly useful, as SOCIT members complete training tailored to investigating sex crimes and therefore CM work is most aligned with the interests and expertise of SOCIT. This is likely to lead to CMs completing better quality RSO management work, particularly in their approach to offenders. One CM unit includes members who have not completed either CIU or SOCIT investigatory training.

Impact on RSO management

Some CM units have good levels of training, governance and resourcing. CMs in these units are resourced by SOCITs, have benefited from SOCIT training, and work in dedicated roles for a significant period of time (at least nine months). This means they can better understand and apply their knowledge of the Act, build rapport with offenders, understand the dynamics of RSOs offending, and be in the best position to identify escalation of risk.

In contrast, other CMs may not receive relevant aspects of SOCIT training (especially if they are in CIUs), may have to balance RSO management duties with other investigative tasks and may spend a limited time in the CM role.

Some CMs expressed concern to us about a perceived conflict of interest in SOCITs' management when a police member who prosecutes a person for an original offence then goes on to manage that person as an RSO. In these situations, the police member must change their initial adversarial relationship with the offender into a productive information-sharing relationship to manage them. Victoria Police can minimise these concerns by formally maintaining a separation between the investigating police member and the member who acts as CM.

The lack of a prescribed model for CM unit structures and resourcing leads to the variations described. While some flexibility is necessary to best use policing resources across the state, the high degree of variation creates a risk that Victoria Police is not always managing RSOs in a way that best reduces the risk of reoffending. Victoria Police cannot determine its current level of resourcing for RSO management as it does not track the hours that CMs spend on this task, and the number of non-dedicated CMs and varying time in the role leads to additional complexity. Given this, Victoria Police does not have baseline data from which to project future resourcing needs to match the growing numbers of RSOs.

OMPs and proactive investigations

The inconsistencies between CM unit models also impact CMs' ability to draft and implement effective OMPs and conduct proactive investigations. The lack of resources is more pronounced in some CM models, such as those that work in non-dedicated teams or in teams with high CM to RSO ratios.

OMPs

High-quality OMPs should be realistic, practical and contain effective strategies to mitigate an RSO's specific risks. Mitigation actions should be specific, measurable and subject to review. For example, CMs should specify the number of visits to be conducted each year.

Victoria Police has identified that a lack of resources has led some CMs to set OMP actions based on the likelihood they can be achieved, rather than what is necessary to mitigate the risk of reoffending.

Compounding these issues, Victoria Police does not effectively monitor the quality of OMPs or determine whether identified mitigation actions are implemented as planned. Without this, the organisation cannot be sure that RSOs are being effectively managed and the safety risk to the community minimised.

Victoria Police also identified inadequate training as a barrier to developing and implementing high-quality OMPs. Some CMs drafted OMPs in which they ambiguously defined the frequency of mitigation actions, such as 'as required'. In response, the SOR unit issued updated guidance and included OMP training in regional workshops held in June 2018. Although the benefits of this training will take some time to filter through to new or revised OMPs, Regional Offender Management Operations Committee (ROMOC) minutes from September 2018 note the 'apparent tokenism of OMPs, which are generic and written to the lowest common denominator'.

Proactive work

Proactive investigations, such as a CM conducting an unscheduled visit, are a good way to detect possible reoffending and breaches of reporting obligations, but they rely on adequate financial and human resourcing.

CM units we spoke to and surveyed understand the value of proactive investigations, but they note that a lack of time and resources prevent them from doing more. This is particularly the case for units that have high CM to RSO ratios and work in non-dedicated teams. At present, proactive investigations usually require CMs to set aside other tasks and/or work beyond their standard roster.

The Evidence Led Sex Offender Management Project also noted that CMs in dedicated teams identified that they have more time for proactive investigations because they are more engaged and 'on top of' the compliance management work.

A **targeted operation** is a sudden or significant increase in police allocation of resources to respond to an identified risk of increased criminal offending of a particular type or by a certain person or group. Targeted operations conducted by CMs usually involve unscheduled visits to RSOs to increase the chance of detecting reporting breaches.

The SOR unit made efforts to improve targeted operations funding for 2018–19 by moving from a system in which regions receive equal funding to one where funding is assigned in proportion to the number of high-risk RSOs. It intends to continue this approach, and therefore better reduce reoffending rates. Information gained from proactive investigations regarding the risk factors of high-risk RSOs will also contribute to better targeted OMPs.

This is a step in the right direction. However, Victoria Police should ensure it does not neglect low-risk RSOs, who generally do not have OMPs or any management strategies beyond the compliance requirements of the Act. Therefore, CMs usually see them only at annual interviews. Several CMs expressed concern about low-risk RSOs and the possibility that they may miss emerging risks, given their limited contact with them. Our data analysis also identified some reoffending by RSOs rated as low-risk. While it is appropriate to assign a greater proportion of resources for proactive monitoring on high-risk RSOs, low-risk RSOs should not be overlooked.

Investigation of improvements to CM unit structure

In mid-2018, Victoria Police's Intelligence and Covert Support Command and Family Violence Command began to investigate the feasibility of transitioning CM resourcing to SOCITs, where operationally viable. The staff involved advised us that they are working on issues such as calculating the CM resources currently assigned to RSO management, and the level of new CM resources that would be required to implement the SOCIT model. Victoria Police must also find solutions to the various concerns that exist for SOCIT units managing RSOs across the state, for example resourcing in rural locations covering a large geographical area may require a different resourcing approach to a metropolitan SOCIT.

Victoria Police is still deciding on the appropriate next steps for this work. Unless Victoria Police management ensures that this work has continuity and the resources it needs, it is unlikely that it will be able to effectively assess the feasibility of such a transition.

Organisational monitoring and reporting

Systems used to manage RSOs

Under the Act, RSOs must report any changes to their key personal details.

It is a breach of their reporting obligations if they do not report these details within the required time frame.

Victoria Police maintains the Sex Offenders Register across several separate databases and systems, none of which link to each other. This lack of integration adversely impacts the quality of the information and police members' ability to effectively use it.

CMs and the SOR unit advise that they spend considerable time manually inputting data to maintain and update the various systems. We observed that entry of certain information is duplicated across multiple systems which, in addition to being inefficient, introduces the potential for errors or inconsistencies.

The lack of system integration also creates inefficiencies in reporting, because staff must manually collate information from various sources to generate the monthly reports, and manually calculate results for each region and division.

Further, inconsistent usage of Interpose—the system that CMs use to case manage RSOs—makes it difficult for Victoria Police to understand a CM's management of an RSO. This is particularly important when a CM is under review by Victoria Police, for example, when an RSO reoffends. In these cases, it is necessary to understand whether the CM conducted the required annual RSO interview and properly drafted and implemented an OMP.

Interpose does not have adequate case management capability. Therefore, CMs use other methods, such as spreadsheets, to track their RSO management activities. While these systems and practices create the risk of inconsistency and increase the chance of error, our data integrity analysis found that the data consistency between the SOR database and LEAP is good. The relatively small number of inconsistencies does not have a practical effect on RSO management, due to the use of unique identifiers.

The **Law Enforcement Assistance Program** (LEAP) is a Victoria Police database used to record and access information on reported crimes.

Monitoring and reporting

Operational and steering committees—which include members from executive command and from each of the regions—oversee the monthly performance reports of RSO management. These reports contain key operational data, such as the number of RSOs, outstanding OMPs or annual interviews, and the number of breaches and reoffences broken down by police region, division and CM unit.

For some reporting categories, the statistics show whether a result has increased or decreased from the previous month, but there is no detail on the degree of increase or decrease, or any trends over longer periods. The lack of specific information on result changes and changes over time limits the use of the report for understanding performance.

CMs also advise that due to the time taken to generate and send these reports, the results are not always up to date when the CM units receive them. This means that they are responding to performance issues or outstanding actions that have since been resolved, causing an unnecessary feedback loop and inefficiency.

Victoria Police is working towards more detailed analysis of breach data, broken down by region and division, and is monitoring reoffending to provide relevant information to its oversight committees about RSOs who have been charged with new sexual offences. Any information that is known about an RSO's management is now included in a spreadsheet and noted for discussion and consideration by ROMOC. This is a positive initiative and Victoria Police has identified that, in future, it needs to recognise consistent regional trends and common issues that lead to reoffending. The SOR unit is planning to look at six months of data to better understand the issue. After this work, ROMOC will decide on the ongoing value of this analysis and assess its insights.

ROMOC oversees operational aspects of RSO management. It is discussed further in Parts 2 and 3.

Victoria Police is also trialling a new predictive modelling tool that incorporates multiple factors, captured in LEAP, that may influence an RSO's risk of reoffending. It attempts to identify RSOs who are most likely to reoffend, in conjunction with the established risk-assessment tools. The SOR unit runs the analysis across the population of RSOs every two weeks. As the tool is in its initial stages, the SOR unit has yet to ascertain whether the risk levels determined by the model highly correlate with RSO reoffending in practice. If it determines over time that the correlation is high, the SOR unit intends to reconsider the use of the model in the context of its overall risk rating framework.

Multivariate analysis uses statistical techniques to analyse more than two statistical variables at once. A variable or factor used to analyse RSO reoffending could include employment status and type of offence committed.

We undertook a limited multivariate analysis using nine factors and found a strong correlation between the number of general criminal offences committed by an RSO and sexual reoffending. The higher the number of other criminal offences, the more likely an RSO is to sexually reoffend. While this was a limited exercise, it supports the notion of using such a process to better understand reoffending risk.

Internal auditing of RSO management

Audit units in each region—which evaluate management and reporting processes against legislative and policy requirements—provide widely different levels of scrutiny of the RSO management function across the regions. Two regional audit units have not audited RSO management since 2017 and two other regional audit units did some audits, but these varied greatly in depth and analysis. There is also a risk that issues identified through regional audit units are not consistently or appropriately fixed, as no unit could provide systematic evidence of this.

The SOR unit is working with regional audit units to standardise practice by providing a template to use. However, these efforts will not result in significant improvements in the regional audit process without:

- an assessment of whether OMPs adequately address the RSOs' identified key risks
- determining a regular frequency and number of CM units to audit
- standardised audit criteria
- a process to track the implementation of audit recommendations.

Issues in overall monitoring and management

We consistently received feedback from CM staff that RSO management is not perceived to be an organisational priority. CMs advised that despite the general lack of resources and organisational attention for RSO management, if something goes wrong, it is the CM's job that is 'on the line'. They stated that a lack of resources would not be considered a legitimate excuse for failing to comply with OMPs if an RSO reoffends. This reflects a lack of confidence of staff in management's role in supporting high-quality compliance management.

Victoria Police only recently acknowledged that current resourcing may not be able to keep up with compliance management requirements as the number of RSOs increases. Its 2018–19 State-Wide Community Safety Profile, which is an internal planning document, describes the risk as 'increasing numbers of registered sex offenders are impacting compliance enforcement and subsequently community safety'. Victoria Police recognises the need to manage these risks by focusing on achieving efficiency in compliance management, while not compromising effectiveness.

Victoria Police's ability to effectively monitor RSO management is also impacted by its lack of information collection and analysis. Its current processes do not allow it to know with sufficient precision the quantum of police resources managing RSOs across the organisation. Victoria Police cannot yet compare the impact of different compliance management approaches, nor does it have measures to understand which balance of training and resources is most effective and efficient for CM units in reducing breaches and reoffending, either for individual units or the organisation collectively.

RSO management is complex and it is difficult to define what operational success looks like. Unless Victoria Police establishes a way to accurately measure and compare compliance management performance, it will not know how well it is managing RSOs.

Recommendations

We recommend that Victoria Police:

1. determines the current and the projected level of financial and human resources necessary across the organisation for effective compliance management and proactive registered sex offender management and use this as an input into resourcing decisions (see Section 2.2)
2. establishes avenues through which examples of best practice within compliance manager units—such as local guidance material or standard operating procedures—can be shared with other compliance managers (see Section 2.3)
3. reviews the compliance manager course and assesses whether there are relevant elements from other training courses, such as the Crime Investigation Unit or Sexual Offences and Child Abuse Investigation Team training, that could enhance the capability of compliance managers to do the role (see Section 2.5)
4. investigates opportunities to improve the registered sex offender management operating and resource model and ensures that this project has appropriate representation and team membership and sufficient resources to fulfil its mandate (see Section 2.8)
5. ensures that the business case for the system that will replace Interpose requires adequate case management functionality to manage registered sex offenders, compliance activities and investigations (see Section 3.2)

6. improves the timing of, and include trend analysis in, Regional Offender Management Operations Committee reports so they are more useful (see Section 3.3)
7. implements a process to effectively monitor the quality of Offender Management Plans and whether identified mitigation actions are implemented (see Section 3.3).
8. ensures that regional audit units:
    - include analysis of whether Offender Management Plans address the key risks identified by Registered Sex Offenders' risk assessments in their audit assessment template
    - have guidance on the criteria against which to choose compliance manager units to audit
    - track the implementation of the improvement opportunities they identify (see Section 3.3)
9. formulates and implements an effective data collection and analysis strategy to facilitate comparison of reoffending data between compliance manager teams within units across Victoria Police and evaluates the overall success of registered sex offender management for community safety (see Section 3.3).

Responses to recommendations

We have consulted with the Department of Health and Human Services (DHHS), Department of Justice and Community Safety (DJCS) and Victoria Police, and we considered their views when reaching our audit conclusions. As required by the *Audit Act 1994*, we gave a draft copy of this report to those agencies and asked for their submissions or comments. We also provided a copy of this report to the Department of Premier and Cabinet.

The following is a summary of those responses. The full responses are included in Appendix A.

Victoria Police accepts all nine of our recommendations, notes that it is already working towards implementation of each of them, and advises that it will continue to look for opportunities to further enhance outcomes for a safer community. It also outlines some operational aspects that impact its position on audit findings relating to resourcing the RSO management task.

DJCS states that it accepts the findings of the audit in principle and that it takes its contribution to the management of RSOs seriously. While no recommendations were directed towards DJCS, it supports ongoing improvements to the scheme.

DHHS have no comments to make as no recommendations were directed towards it.

1 Audit context

1.1 The sex offenders registration scheme

The Act came into operation on 1 October 2004. Together with the *Sex Offenders Registration Regulations 2014*, the Act creates a scheme to impose reporting obligations on people convicted of sexual offences and who pose a risk to the safety of others.

The scheme aims to:

- reduce the likelihood that the RSO will reoffend
- assist the investigation and prosecution of any offences an RSO may commit
- prevent RSOs from working in child-related employment.

The Sex Offenders Register lists all RSOs.

Legislative framework

Registrable offences

The Act automatically applies to all adults sentenced for committing Class 1 or Class 2 sexual offences against a child.

The courts also have discretion to include on the Sex Offenders Register:

- an offender who is under the age of 18 years
- an adult sentenced for certain sexual offences against an adult
- any person who commits any offence where the court finds that the offender poses a risk to the safety of one or more persons or to the community.

Class 1 sexual offences: includes rape, incest, sexual penetration, facilitating sexual offences.

Class 2 sexual offences: includes sexual assault, sexual assault of a child under the age of 16, possessing child abuse material.

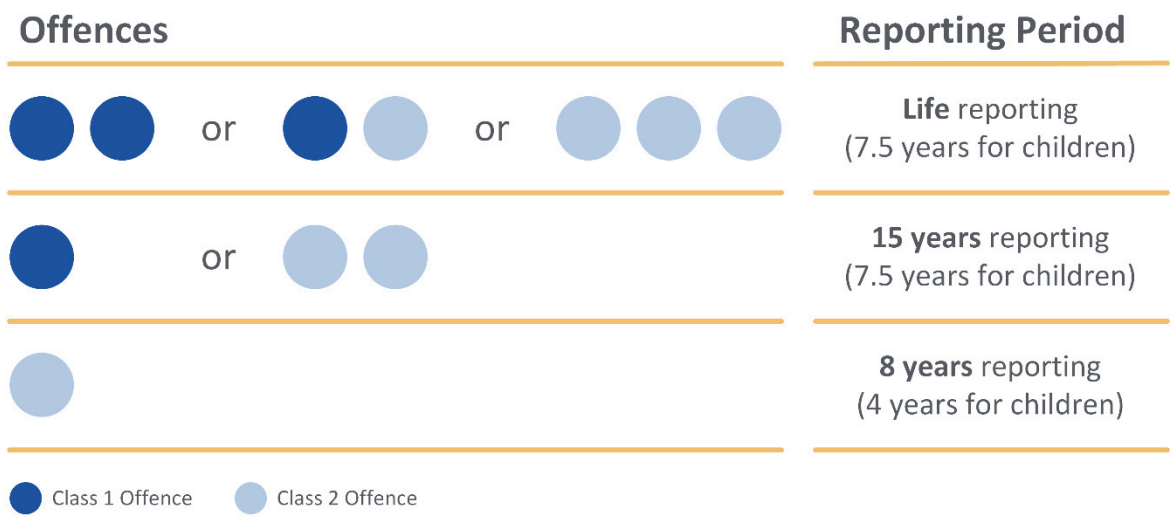
—Schedules 1 and 2 of the Act.

Reporting periods

When an offender becomes an RSO, they must report key personal details to Victoria Police for a specified period. The length of the reporting period depends on the number and nature of the offences for which the RSO was sentenced, and whether the offender was an adult or a child at the time of the offences.

Figure 1A shows that adult offenders must report for eight years, 15 years or life. Youth offenders report for half the period of adult offenders. Where an adult offender would report for life, a child's maximum is 7.5 years.

Figure 1A
Reporting periods under the Act for RSOs



Source: VAGO, adapted from Victoria Police CM training material.

Reporting obligations of personal details

All RSOs have the same reporting obligations regardless of the length of the reporting period. Figure 1B outlines the reporting obligations of RSOs, including the timeframe and whether the details must be reported in person or can be reported over the telephone or email.

Figure 1B
RSO reporting obligations under the Act

What to report	Details	Time frame (and method)
Change of address	All addresses where the RSO spends seven or more days in a year, whether consecutive or not	Within 24 hours (must be in person)
Contact with children	The name of each child with whom the RSO has contact as defined by the Act	Within 24 hours
Scars, tattoos and marks	Any tattoos or permanent distinguishing marks that the RSO has (including details of any tattoo or mark that has been removed)	Within 7 days (must be in person)
Clubs/ associations	Association with any clubs or organisations that have child membership or participation in their activities	Within 7 days
Contact details	All of the RSO's phone numbers, email addresses and internet service providers	Within 7 days
Internet usage	Usernames the RSO uses on the internet or other electronic communication services, including instant messaging, chat rooms or forums	Within 7 days

Figure 1B
RSO reporting obligations under the Act—*continued*

What to report	Details	Time frame (and method)
Employment	Any employment (including voluntary, unpaid and self-employment) and its location(s) where the RSO is employed at those premises for 14 days—whether consecutive or not—within a 12-month period	Within 7 days
Motor vehicles	Any motor vehicle or caravan owned or generally driven by the RSO (driven 14 times—whether consecutive or not—within a 12-month period)	Within 7 days
Travel	Overseas—for any length of time; interstate—for two or more consecutive days or permanently	7 days prior to departure (if travelling overseas, in person)

Source: VAGO, adapted from Victoria Police CM training material.

Breaches of reporting requirements

Indictable offences are serious offences that cannot be heard without the accused person being present at court.

It is an indictable offence for an RSO not to comply with the reporting obligations without a reasonable excuse. Maximum penalties for these offences are two or five years of imprisonment, depending on the reporting breach.

Relevant schemes in other states and jurisdictions

Victoria Police's SOR unit communicates with other police forces when an RSO moves into or out of its jurisdiction. Once an RSO moves outside Victoria, the relevant police agency will manage the RSO in accordance with its own legislation.

Crimes committed outside Victoria can also result in an offenders' registration under the Act. For example, crimes under federal legislation are specifically listed as registrable offences under the Act. These crimes are often online offences, such as access or production of illegal digital content.

Under section 11 of the Act, sex offenders who commit other crimes under federal, interstate or international legislation and who reside in Victoria can also be registered and made to comply with reporting obligations in certain circumstances.

The fact that RSOs may have periods when they are outside Victoria, as well as the existence of registrable sex offences under federal legislation, affects the completeness of RSO data in some of the systems—shown in Figure 1F—used to record their information. It has also impacted our ability to analyse this data, as discussed later in this report.

1.2 Key figures

In May 2019, there were 8 286 RSOs on the Sex Offenders Register in Victoria:

- 4 436, or 54 per cent, are in the community and have active reporting requirements.
- 3 850, or 46 per cent, do not have active reporting requirements because they are either:
  - in custody (960)
  - interstate or overseas (1 200)

- de-registered (those who have completed their reporting obligations—1 215)
- deceased (463), or
- suspended from reporting (12), which the Act allows in circumstances such as when the RSO poses no threat to community safety.

Some RSOs, such as those currently in custody, will have active reporting requirements when released into the community. RSOs may also become inactive in Victoria by moving interstate and may return and become active in Victoria again.

More than half of all RSOs have reporting periods of 15 years or life.

According to the Sentencing Advisory Council, a **secondary offence** is 'an offence that meets the following criteria: (1) the offence applies to a person who has been suspected or convicted of an offence, (2) because of that involvement with the criminal justice system, the person is subject to special conditions and (3) non-compliance with those special conditions constitutes a punishable offence'.

Breaches of reporting obligations

The Sentencing Advisory Council—a body that produces research, statistics and education about sentencing in Victorian courts—reports that courts issued 5 353 sentences for sex offender secondary offences between July 2011 and June 2016. Secondary offences or breaches include failing to comply with reporting obligations, furnishing false or misleading information, applying for or engaging in child-related employment, and applying for a change of name without permission.

The most common secondary offence was failing to comply with reporting obligations (4 900, or 92 per cent). According to the Sentencing Advisory Council, information as to which specific obligations had been breached only exists for 546, or 11 per cent, of these offences sentenced in the Magistrates' Court. The three most common reasons of offences for which information exists were failing to report:

- telephone contact details (111 offences)
- electronic or online identity details (107)
- address details (99).

1.3 Roles and responsibilities

Victoria Police

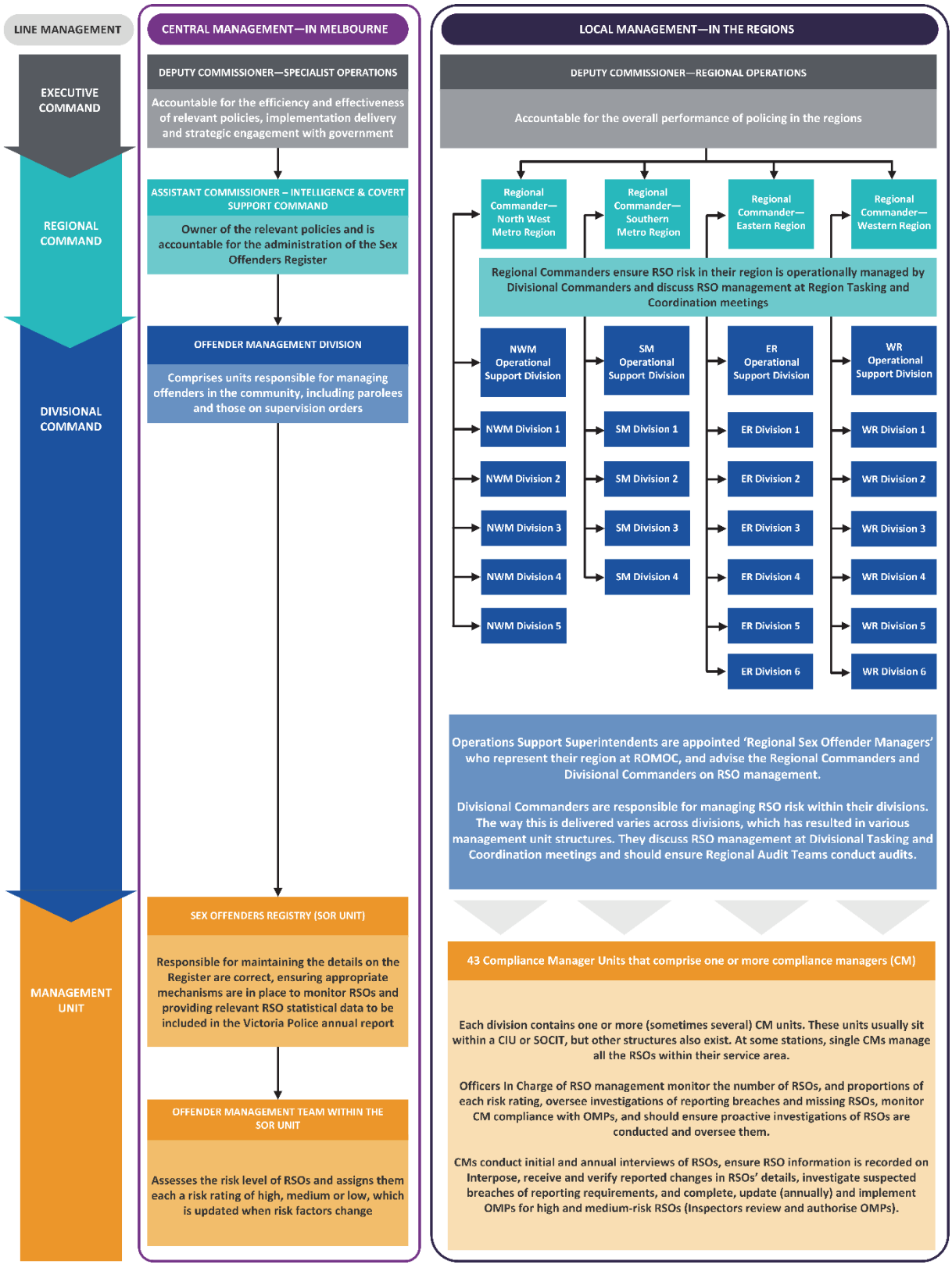
Roles and responsibilities across the organisation

The Act requires Victoria Police to:

- apply for Sex Offender Registration orders
- maintain the Sex Offenders Register
- coordinate RSO reporting and registration processes
- monitor and manage RSOs
- disclose information to other agencies regarding RSOs
- investigate and prosecute relevant breaches/offences by RSOs
- assist the Independent Broad-based Anti-corruption Commission (IBAC) and report to the Minister for Police.

The Chief Commissioner of Police delegates these tasks to various business units and staff in Victoria Police, as shown in Figure 1C.

Figure 1C
RSO management and governance responsibilities across Victoria Police



Note: NWM: North West Metro; ER: Eastern Region; SM: Southern Metro; WR: Western Region.
Source: VAGO, adapted from information provided by Victoria Police.

Registering an offender

When a court first imposes reporting obligations on a person who has committed one or more registrable offences—making the person an RSO—it issues a Notice of Reporting Obligations (NORO).

This notification is forwarded to the SOR unit, which conducts the initial registration process and enters the reporting obligations into the relevant databases and systems. The SOR unit also sends notifications of new RSOs to:

- the Working with Children Check unit of DJCS
- Registry of Births, Deaths and Marriages Victoria (BDM)
- Corrections Victoria's (CV) Post Sentence Branch
- the Australian Department of Home Affairs
- Victoria Police's Offender Management Team.

The Offender Management Team sits within the SOR unit and conducts risk assessments of RSOs, assigning a high, medium or low-risk level to each RSO.

The risk level of RSOs is primarily determined by applying all available information to the:

static risk assessment, which relates to factors such as offence histories that predict recidivism but are not amenable to deliberate intervention

dynamic risk assessment, which relates to potentially changeable factors, such as substance abuse and negative peer associations, and are considered conducive to offending if left unchecked.

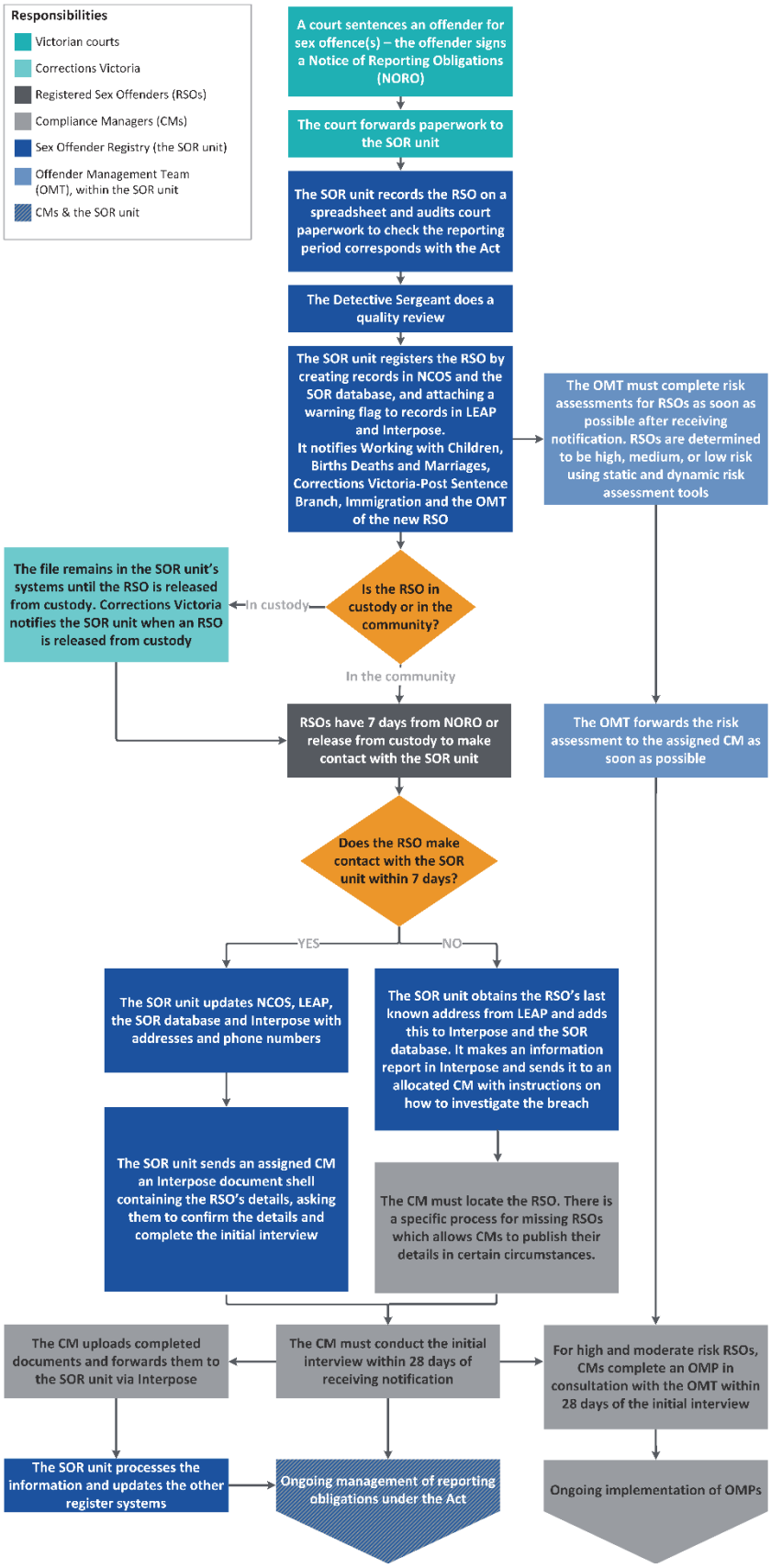
Based on where the RSO lives, they are assigned to a CM in one of the 43 CM units across four Regional Commands—Eastern, North West Metro, Southern Metro and Western. These regions cover Victoria and are divided into 21 divisions, with four to six divisions per region. Some divisions have multiple CM units, while others have a single CM unit that manages all RSOs in that division.

The CM conducts the initial interview with the RSO and ensures that the RSO has read and understands the NORO. The CM also records or confirms all relevant personal details of the RSO.

After completing the initial interview, the CM must also complete an OMP for each RSO who is classified as high or medium-risk or who has concerning dynamic risk factors as identified by the Offender Management Team or the CM. The OMP is tailored to the specific risks that the offender poses to the community and details proposed strategies to mitigate these risks by listing practical and effective strategies to be executed by the CM.

Figure 1D outlines the process for registering RSOs.

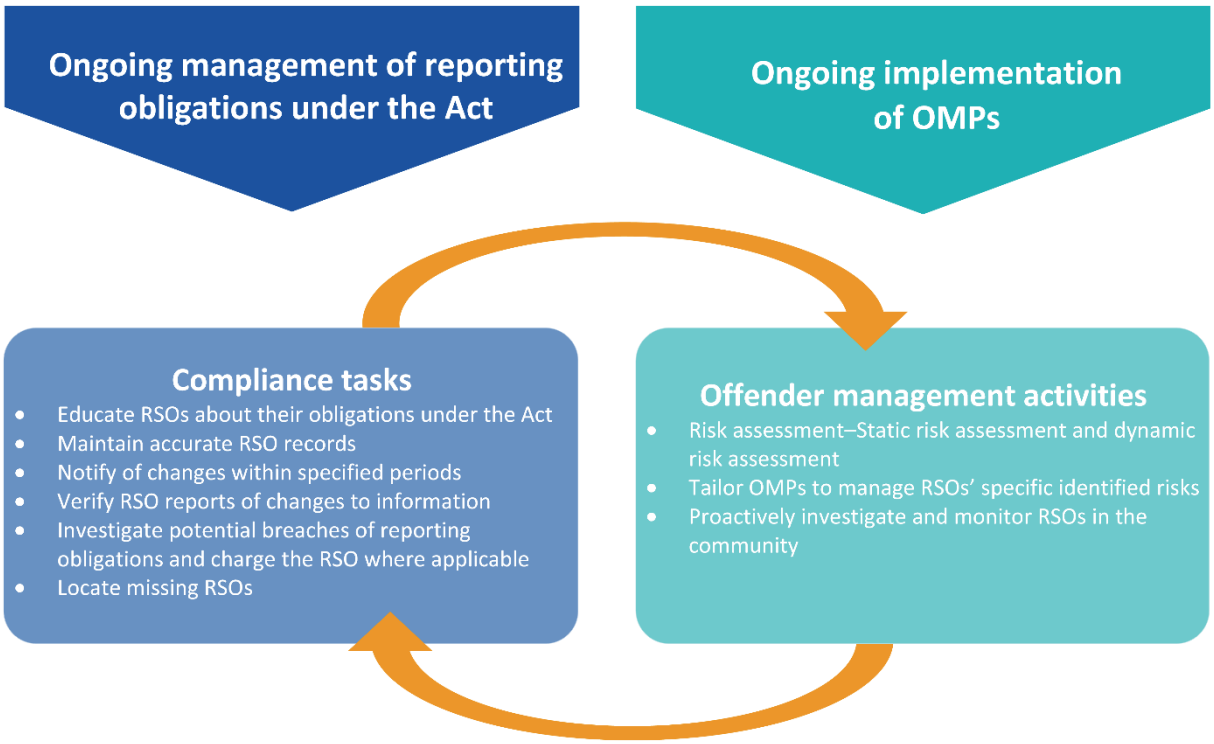
Figure 1D
Process for registering an RSO



Note: LEAP: Law Enforcement Assistance Program; NCOS: National Child Offender System.
Source: VAGO, adapted from information provided by Victoria Police.

Once registration has occurred, the RSO moves into ongoing management for the period of their reporting obligations. All RSOs have the same reporting obligations under the Act, but certain RSOs have additional offender management as prescribed by their OMPs. Figure 1E outlines the two tranches of ongoing management.

Figure 1E
Ongoing management of RSOs



Source: VAGO, adapted from material provided by Victoria Police.

Compliance management under the Act

The CM is responsible for monitoring and overseeing an RSO's reporting requirements under the Act for the period of their listing on the Sex Offenders Register. The CM is also responsible for investigating any breaches of reporting requirements or sexual reoffending.

Conducting annual interviews

The CM conducts an annual interview with assigned RSOs in the calendar month that the initial interview occurred. If an RSO does not report for the annual interview before the end of the calendar month, the CM, after making reasonable attempts to contact or locate the RSO, is to notify the SOR unit of the RSO's failure to comply.

Processing changes in reportable details

Where there is a change in the RSO's reportable information, RSOs must notify either the CM or the SOR unit. Where an RSO reports a change of details, CMs:

- verify and corroborate all information provided by RSOs by obtaining documents or other supporting evidence—this can include copies of rental agreements, vehicle registration documents and telephone contracts
- issue an acknowledgment of the receipt of this information, referred to as a 'section 25' in reference to the relevant section of the Act, to the RSO within seven days of the report
- forward the details to the SOR unit.

Investigating breaches in reporting obligations

When a police member identifies a potential breach of reporting obligations by an RSO—for example, through any planned or chance interaction they have with the RSO—the CM investigates the matter. Where there is enough evidence, the matter proceeds to court. Breaches of reporting requirements are heard in the Magistrates' Court.

Investigating sexual reoffending

Similarly, when a police member identifies a potential case of sexual reoffending, the CM investigates the matter. Where there is enough evidence, the matter proceeds to court. These offences are usually heard in a committal hearing at the Magistrates' Court and may be committed for trial before a judge in the County Court or Supreme Court.

Offender management through OMPs for certain offenders

As noted, the CM must also complete an OMP for all RSOs who are classified as either high or medium-risk, or who have concerning dynamic risk factors as identified by the Offender Management Team or the CM. For example, this can include low-risk RSOs who have temporary living conditions that may increase their risk of reoffending.

OMPs are intended to be unique for each RSO and outline the actions that CMs commit to do to meaningfully mitigate the RSO's dynamic risk factors. OMPs should be specific and measurable, and include the regularity with which the CM will undertake each action.

Review of risk assessments

CMs must review the risk assessments on which OMPs are based annually at a minimum and ascertain if a new risk assessment is needed based on new information or intelligence.

Review of OMPs

OMPs are also reviewed:

- on an annual basis
- at any time of the year if an RSO is charged with a reporting breach or a sexual reoffence
- if a change in the dynamic risk factors as part of the risk assessment review indicates a need to increase monitoring of the RSO.

Maintaining the Sex Offenders Register

The Sex Offenders Register should contain all relevant RSO details and reportable information and be updated as needed. The Sex Offenders Register is not contained in one list or source, but instead comprises information held across multiple systems and locations. Figure 1F outlines these systems.

Figure 1F
The information that makes up the Sex Offenders Register

Source: VAGO, based on information provided by Victoria Police.

Department of Justice and Community Safety

Corrections Victoria

A sex offender sentenced with reporting obligations under the Act may also receive other sentences, including community corrections orders or a term in custody. Section 53 of the Act includes mandatory reporting requirements for CV. If an RSO is sentenced to a prison term, CV becomes responsible for keeping records of the offender's details and reporting requirements and for notifying Victoria Police of these once the offender is released from custody and their reporting period under the Act begins. CV must also tell Victoria Police when an RSO's community corrections order expires. CV and Victoria Police have a memorandum of understanding for information sharing to support these requirements.

Where an RSO is on parole, the parole officer is expected to collaborate with the CM. CV expects CMs and parole officers to share information regarding RSOs who are also parolees or who are on supervision or community corrections orders. Parole officers can consult CMs regarding relevant parole conditions such as assessing residence suitability. CV and Victoria Police also have a joint unit called the Supervision Order Specialist Response Unit (SOSRU) to assist in the management and sharing of information about post-sentence offenders, including RSOs.

Registry of Births, Deaths and Marriages Victoria

BDM processes requests to change the names of Victorian residents. Under the Act, an RSO who wishes to change their name must apply to the Chief Commissioner of Police for written permission—it is an offence not to do so. To fulfil its obligations under the Act, BDM has information-sharing arrangements with Victoria Police.

BDM must ensure that any name change application from an RSO has the required permission. If Victoria Police confirms that permission for a change of name has not been granted, BDM cancels the application. Victoria Police has the option to then press charges.

Department of Health and Human Services

Victorian Child Protection Service

The Victorian Child Protection Service (Child Protection) is responsible for meeting the needs of children and ensuring their safety when adults caring for them do not fulfil their responsibilities, are abusive, or exploitative. Victoria Police has legislated reporting obligations to Child Protection regarding suspected child abuse and is required to report contact between an RSO and a child to DHHS. To facilitate this, the agencies have a framework of policies, protocols and disclosure provisions regarding the methods by which they share information.

1.4 Previous reviews

Victorian Law Reform Commission review

In April 2012, the Victorian Law Reform Commission tabled a report that included 79 recommendations to improve the Sex Offenders Register system. Victoria Police implemented a range of amendments between 2014 and 2017 in response to this report. These included reforms to the Act, which resulted in changes to reporting obligations and disclosure of information.

The Independent Broad-based Anti-corruption Commission

IBAC monitors Victoria Police's compliance with its obligations under Parts 3 and 4 of the Act to maintain the required information in the Sex Offenders Register. It reviews Victoria Police's authorisations, policies and procedures pertaining to the Act, and conducts on-site inspections of the Register at the SOR unit.

IBAC tabled its most recent review in Parliament on 5 September 2018. The report covers the period from 1 January 2015 to 31 December 2016. IBAC found Victoria Police compliant or substantially compliant in all compliance categories it examined. IBAC highlighted the risk of operating the Sex Offenders Register across multiple databases and noted that it has raised this risk with Victoria Police before. It also noted that Victoria Police is working to consolidate RSO records. The report includes six recommendations that focus on ensuring Victoria Police uses its powers under the Act to manage RSOs according to the relevant procedures and guidelines, and in the most efficient way possible.

The Evidence Led Sex Offender Management Project

The 2015 Evidence Led Sex Offender Management Project was a research report commissioned by Victoria Police and conducted by a senior forensic psychologist. It outlined key management strategies for RSOs across several international jurisdictions and other Australian states. It considered these approaches alongside a discussion of Victoria Police's RSO management framework. The report was released internally in September 2015.

1.5 Recent legislative changes

The government amended the Act in 2014 to redefine when an RSO has contact with a child for the purposes of the Act. The definition is now broader, and the number of notifications that Child Protection receives from Victoria Police has significantly increased. Child Protection estimates an approximate 75 per cent increase in the number of police notifications between 2014–15 and 2016–17.

In 2017, amendments to the Act and the *Crimes Act 1958* gave police the ability to obtain fingerprints and to direct an RSO to undergo a forensic procedure. In 2018, Victoria Police began collecting forensic samples and fingerprints from RSOs. Victoria Police identified almost 2 700 RSOs eligible to provide samples, and in March 2018 commenced a state-wide targeted operation to collect them. It advised that it has completed collecting all DNA and fingerprint samples from current RSOs in Victoria. Victoria Police has begun to cross-reference these samples against all unsolved crimes in Victoria and the National Criminal Intelligence DNA Database and has matched 35 RSOs so far to 58 separate incidents.

The Act was also amended in 2017 to allow courts to grant exemptions to registration and reporting requirements. With this amendment, an offender can apply for exemption if at the time of the offence they were 18 or 19 and committed only a single registrable offence. For example, the court can order that the applicant is not an RSO if the victim was at least 14 and it determines that the offender poses no risk or a very low risk to the safety of the community.

1.6 Why this audit is important

Ineffective management of RSOs may result in higher rates of recidivism, which in turn decreases community safety and public confidence in the justice system. This audit provides valuable information about the current approach to RSO management in the community to inform future improvements.

1.7 What this audit examined and how

The objective of the audit was to determine whether RSOs are safely integrated into the community.

To address this objective, we assessed whether Victoria Police's governance structure supports a strong capability and capacity to manage RSOs. We focused on whether:

- Victoria Police's policies, guidelines and training are comprehensive and adequately support RSO management
- Victoria Police ensures that the SOR and CM units have the resources and capacity they need to fulfil legislative requirements
- there is a whole-of-organisation management and reporting framework that gives Victoria Police insight into whether RSOs are being actively managed in accordance with the Act.

We also examined how effectively CMs are operating in the field and whether practices at individual CM units across the organisation:

- best support the objectives of the legislation and minimise associated risks
- effectively use available intelligence and data to plan for and manage CM work.

In conducting the audit, we:

- reviewed Victoria Police documentation
- examined whole-of-organisation systems and processes
- completed fieldwork at five Victoria Police CM units across the four Victoria Police regions
- conducted a survey of all 43 CM units
- obtained data relevant to managing RSOs to determine its integrity, to understand breach and reoffending rates, and to investigate if there are common factors among RSOs who reoffend.

Survey and interview data

We visited three metropolitan CM units, two regional CM units and the central SOR unit office in Melbourne. At each location, we interviewed the head of the unit as well as staff of differing levels, to understand their role and the nature of their job. We chose to visit not only a mix of metropolitan and regional units, but also SOCIT and CIU-based units, as well as dedicated and non-dedicated units.

As we could not visit all units, we distributed a survey to all 43 CM units across Victoria Police, asking the head of the CM unit to answer a consistent set of questions. We received 35 responses to the survey from 31 individual units. This means that 72 per cent of units responded. The survey sought CMs' experiences and views on:

- CM resource levels and the amount of time they spend in the role
- the different operational models that CMs work within
- how they conduct proactive monitoring of RSOs
- the types of reporting that they do
- the training they receive.

We have sought to present CMs' perspectives by including representative responses to survey questions and comments made during interviews, especially where these have been corroborated by Victoria Police's own research as outlined in the Evidence Led Sex Offender Management Project.

Agencies included in the audit

The audit includes Victoria Police, DJCS and DHHS. Victoria Police is the main focus of the audit. DJCS and DHHS are included insofar as information is required to be shared among the agencies.

Conducting our audit

We conducted our audit in accordance with the *Audit Act 1994* and ASAE 3500 *Performance Engagements*. We complied with the independence and other relevant ethical requirements related to assurance engagements. The cost of this audit was $510 000.

1.8 Structure of this report

The remainder of this report is structured as follows:

- Part 2 examines resource allocation, training and practices in RSO management.
- Part 3 examines organisational monitoring and reporting.

2

Resource allocation, training and practices in RSO management

For Victoria Police to assure its executive and the public that it is fulfilling its RSO management responsibilities, an effectively implemented, organisation-wide control framework is essential. This should include:

- sufficient and consistent resource allocation and clear policies
- staff who understand their roles and comply with relevant legislation and internal policy requirements.

In this Part, we consider whether these elements are in place. We also examine the way CMs manage RSOs on a day-to-day basis across the organisation, based on the factors that optimise their capability and capacity.

2.1 Conclusion

Victoria Police's operational model, coupled with a lack of organisational policy and guidance on baseline resources, means there is no consistent guidance for resourcing RSO management across the organisation. Varying governance and resourcing arrangements impact greatly on the skill sets developed within CM units. They also affect CMs' overall workload—as shown by the great variance in CM to RSO ratios—and whether they can dedicate their time to RSO management tasks or must also fulfil other roles. This significantly influences the ability of CMs to undertake meaningful action beyond the bare minimum of compliance control.

There are examples of CM units with good governance and resourcing. RSO management work is better aligned with the interests and expertise of SOCITs rather than CIUs. Therefore, resourcing CMs through the SOCIT model is likely to lead to better compliance management. This, combined with working in dedicated teams for significant periods of time, allows CMs the opportunity to build rapport with RSOs, understand offender dynamics, and be in the best position to identify and address risk.

CMs in some other units complete only the two-day CM training course, spend as little as six weeks in the role and have competing investigative tasks. In these situations, they may not have the interest, specialised ability and time to effectively fulfil the role.

In particular, it is concerning that high CM to RSO ratios and limited time and resources sometimes prevent CMs from drafting and implementing effective OMP strategies targeted at minimising the specific risks posed by RSOs. Instead, some CMs report that they will draft OMPs with standard strategies that make the work more easily achievable. This increases the chances that risks posed by RSOs in the community are not recorded or addressed.

Victoria Police has recognised the need to examine the current model and is working to investigate options, as part of its broader approach to continuous improvement. For example, a project is investigating the feasibility of managing CMs primarily through SOCIT units. However, Victoria Police is still deciding on the appropriate next steps for this work. Unless Victoria Police management ensures that this work has continuity and the resources it needs, it is unlikely that it will be able to effectively assess the feasibility of such a transition.

2.2 Policy and resourcing

Good corporate policies and procedures are key to ensuring staff understand their responsibilities and comply with relevant requirements. Adequate resources across the organisation help ensure that staff have the capacity to fulfil the requirements of policies and legislation.

Policy and guidance

The Victoria Police Manual (VPM) contains the RSO management policy and guidance for Victoria Police. It provides direction on the legislative provisions imposed on RSOs and provides the minimum standards that Victoria Police employees must apply to manage them.

The VPM is useful for providing general policy and guidelines, but it does not provide a comprehensive practice guide to resolve the many practical issues faced in the day-to-day management of RSOs. The VPM is supplemented with specific training and other material for CMs, which is discussed in Section 2.3.

Lack of policy position on consistent structures

Responsibility for RSO management belongs to multiple areas across the organisation. The VPM outlines this spread of roles, which is shown in Figure 1C.

There is no direct line management between the position accountable for the overall management of RSOs—the Assistant Commissioner Intelligence and Covert Support Commander—and the CM units that undertake the bulk of the day-to-day RSO management, which are the responsibility of Regional Commanders. Additionally, no organisational policy exists to guide Regional Commanders on how to set up and resource CM units. This is intentional. Under its operational model, Victoria Police allows the regions to determine the model which best suits their priorities and operational needs. However, the consequence of this is that there is no mechanism to ensure a baseline level of resourcing for sex offender management across the state.

Various resourcing arrangements for CM units

In this environment, Regional Commanders have established different structures and resource models for the 43 CM units across the state.

CMs are resourced by different units

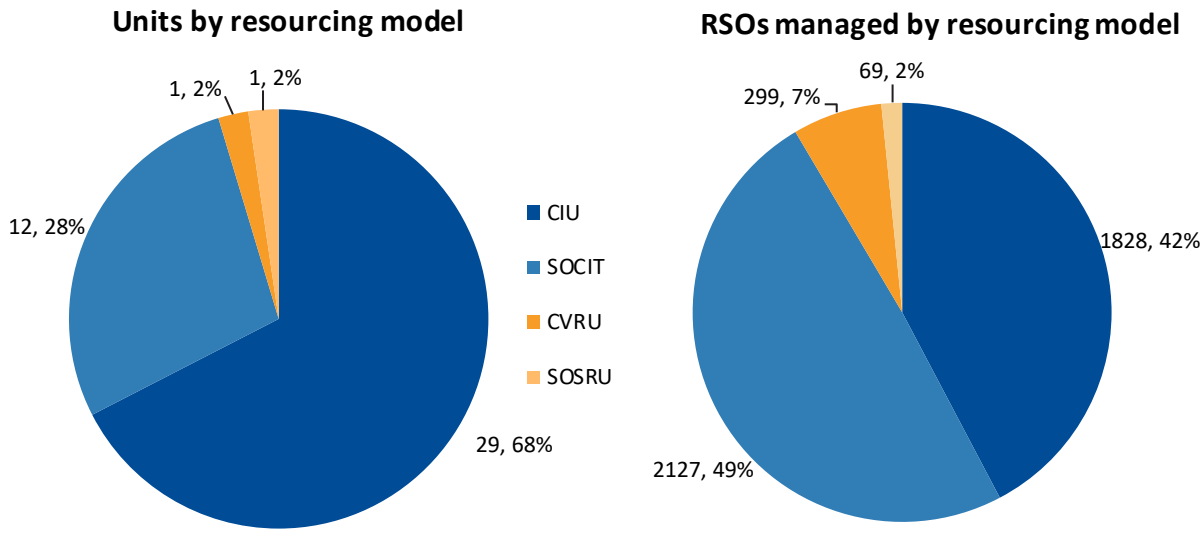
Volume crime is any crime which, through its sheer volume, has a significant impact on the community and the ability of the local police to tackle it. Volume crime often includes priority crimes such as robbery, burglary and vehicle-related criminality, but can also apply to criminal damage or assaults.

CM units are usually resourced by, and located in, a specialist group such as SOCITs or CIUs. There is also a CM unit in the Central Victorian Response Unit (CVRU), which was established to manage volume crime and is resourced by staff on rotation. The CVRU sits separately from either CIU or SOCIT.

SOSRU is a joint unit between Victoria Police and CV staff that strengthens the oversight of RSOs who are also on supervision orders. Its role varies from other CM units because of the different level of monitoring that supervision orders require. It also provides advice, general support and member resourcing when required to other CM units.

Figure 2A breaks down CM units by resourcing model and RSOs managed by resourcing model.

Figure 2A
Breakdown of resourcing models



Source: VAGO, using data in the Victoria Police February 2019 ROMOC report.

Figure 2A shows that most CM units are resourced by a CIU. However, SOCIT-based units manage almost half of the RSOs, even though they make up only 28 per cent, or 12, of the units.

While Figure 2A shows the varying resourcing models and the numbers of RSOs they manage, it does not depict the true resource allocation or workload of these units.

This is because the lack of organisational direction and direct line management has resulted in further differences, including that CM units:

- have vast differences in CM to RSO ratios
- may either be dedicated CM teams, or have other duties to perform alongside RSO management
- may be made up of staff who spend varying periods of time in the CM role—ranging from six-week rotations to permanent roles.

High variation in CM to RSO ratios

As part of our survey on CM experiences of different governance structures and work demands, we asked CM units to provide the number of full-time equivalent staff currently in the CM role. Using these responses and the number of RSOs currently managed by CM units, we calculated the ratios of RSOs per CM for each unit that responded to the question. Figures 2B and 2C show the results of this analysis.

Figure 2B shows CM to RSO ratios according to whether RSOs are managed by CIUs, SOCITs or other—for example, each CM working in the Latrobe CIU-based unit is responsible for 94 RSOs. As shown in green, the average ratio for SOCIT-based units—55 RSOs per CM—is significantly higher than the average at CIU-based units—26 RSOs per CM.

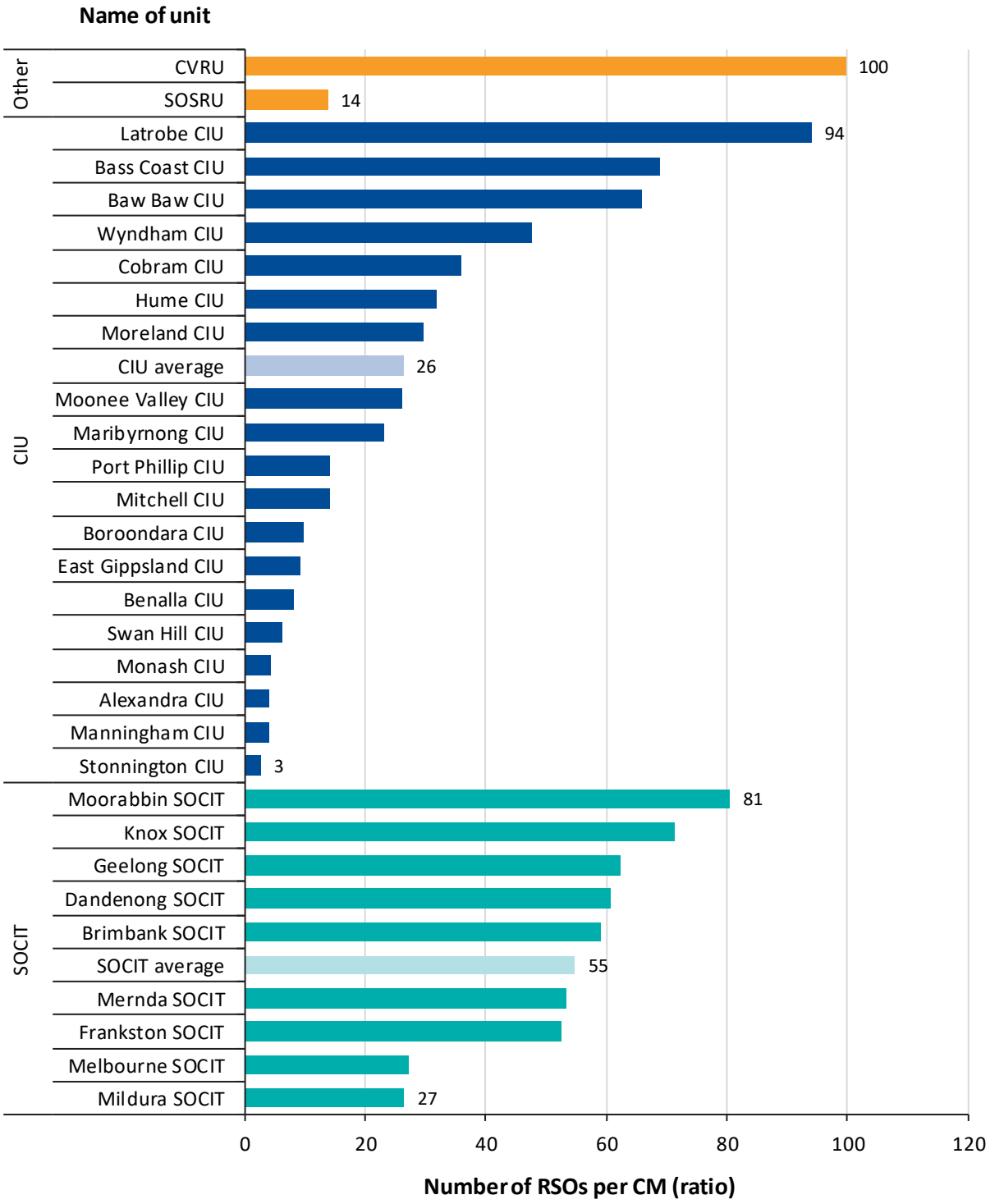
The significant difference in average ratios is explained in part by the fact that most CIU-based CM units do not operate on a dedicated basis, whereas the majority of CM units based in SOCITs conduct the role as their primary duty—only Latrobe and Wyndham CIUs operate on a dedicated basis, as shown in Figure 2C.

Dedicated and non-dedicated teams

Of the 30 units that provided information about the number of staff conducting the CM role, nine are dedicated to RSO management. Figure 2C shows the breakdown of CM to RSO ratios for the 30 units that provided their staff levels, divided by this workload type.

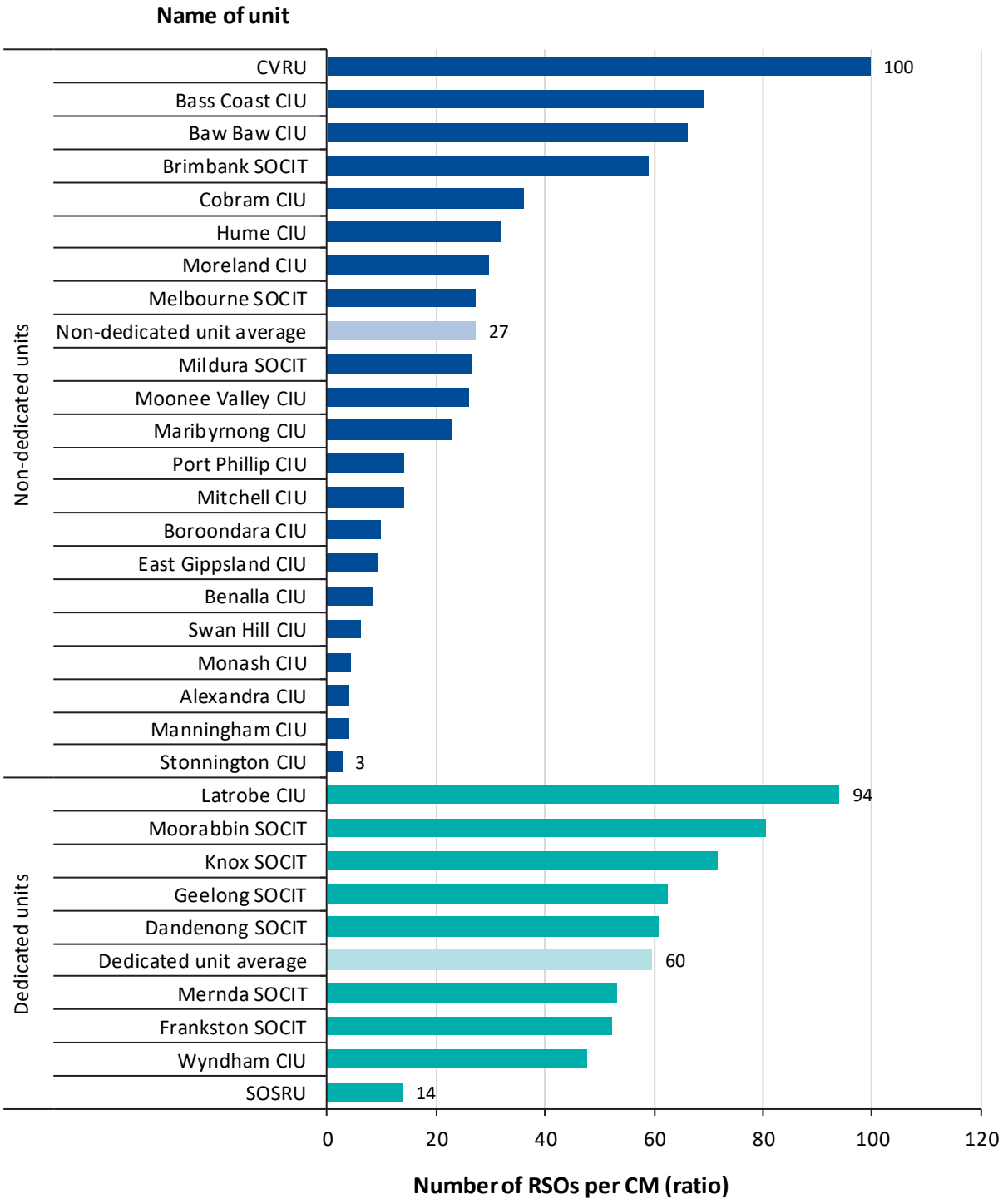
The average ratios of CMs to RSOs for these unit types show a significant difference—1:27 for non-dedicated units and 1:60 for dedicated units. It is reasonable to expect that CMs in non-dedicated units will manage fewer RSOs than those in dedicated units, because they have other competing demands and less time to conduct the CM role. However, some non-dedicated units, such as CVRU, must juggle other duties, but also have an extremely high ratio—CVRU has a ratio of one CM to 100 RSOs.

Figure 2B
Ratio of RSOs per CM by unit type—CIUs compared with SOCITs



Source: VAGO, based on data provided by Victoria Police and our survey. This figure includes information for the 30 units that provided their staff information in their responses to our survey.

Figure 2C
Ratio of RSOs per CM by workload type—dedicated units compared with non-dedicated units



Source: VAGO, based on data provided by Victoria Police and our survey. This figure includes information for the 30 units that responded to our survey with information on staff numbers.

Difficulty in measuring CM resources

Since some CMs do not dedicate all their time to RSO management and some CMs spend only a short amount of time in the role, there are difficulties in measuring the full-time equivalent resources dedicated to RSO management.

In 2017, Victoria Police attempted to calculate a snapshot of resources dedicated to RSO management, which showed drastic variation in ratios across the units, ranging from 41.33 RSOs per CM hour to 0.33 RSOs per CM hour. However, Victoria Police acknowledges that this analysis was limited as it related only to 17 RSOs in total. Our analysis is more comprehensive, as 30 of the 43 CM units provided us full-time equivalent data in response to our survey.

While both analyses have limitations, it is clear from them both, our interviews with CM staff and the Evidence Led Sex Offender Management Project—described in Section 1.4—that there is a significant variance in CM to RSO ratios across units. CMs also indicated that they lack resources to complete their work to a standard that they are comfortable with and that is proportionate to the risk RSOs present.

Inability to ensure sufficient CM resources

Although Victoria Police monitors the numbers of RSOs, it does not know the true allocation of resources currently assigned to the CM role because it does not track CM hours spent on the task. As such, Victoria Police cannot be sure it is currently resourcing the CM role sufficiently.

Also, given the growing number of RSOs, it cannot be sure that resourcing can keep up with the demand for compliance checks and active offender management in the future. We discuss the impact of resourcing on producing and monitoring quality OMPs and CMs' ability to conduct proactive investigations in Sections 2.6 and 2.7.

Victoria Police advises that it is trying to measure how much time is spent on managing RSOs so that it can develop standards and guidance for the regions on expected resourcing for the task.

2.3 Learning and development

Training and support help to ensure staff understand their roles and responsibilities and comply with relevant legislation and internal policies and procedures. Good training can help reduce the risk of incorrect or inconsistent practice that may hinder Victoria Police's effective management of RSOs.

Mandatory training for CMs

Victoria Police has developed an RSO Management training course that staff must complete before they can be a CM.

The RSO Management training course is a comprehensive two-day seminar, and covers topics including:

- the purpose, powers and obligations under the Act for Victoria Police
- the functions of the SOR unit, including the steps involved in the initial RSO registration process
- guidance on using Interpose
- the importance of the role of managing RSOs and their reporting obligations
- how to interpret risk ratings assigned to RSOs, including static and dynamic risk assessments
- when and how RSO information can be shared
- what to do when RSOs breach reporting obligations or go missing
- how to create and implement OMPs
- other practical information to assist members to conduct the role.

The training also includes information about sex offender behaviour, psychology and offending types. It provides real case studies and activities demonstrating practically how risk is assessed. This includes a section on female sex offenders, who do not fit within the same considerations for risk assessment as male sex offenders.

Survey respondents and CMs who we spoke to had mixed reviews of the training. Most respondents indicated that the training is sufficient to allow CMs to conduct the role. However, some believe the course could be improved, either in its content or presentation. Suggestions include:

- ensuring that the time between taking the course and commencing the role is not too long, so CMs can recall what they have learned
- emphasising the importance of building rapport with RSOs as a means to effectively manage them.

Other skills that CMs are interested in developing include:

- interviewing, mental health awareness and community engagement
- surveillance and investigating online crimes.

The need for on-the-job training

In addition to the two-day training course, the importance of subsequent on-the-job learning was consistently emphasised, both in the survey and on our visits to police stations.

Most CMs note that despite learning the fundamentals in the training course, it takes at least three to six months of on-the-job experience to fully understand the complexities of the Act and the requirements of the CM role. Attaining this level of on-the-job training is challenging for staff undertaking the CM role on a short rotational placement.

Additional training courses and ongoing support

Other training courses

The Discreet Online Investigation Course gives CMs the ability and the authority to monitor RSOs' online activity. Providing CMs with additional skills such as these can make them more effective at proactively monitoring RSOs, beyond the basic compliance checking.

CMs also repeatedly stated that detective training, either for crime work in the CIU or for investigating sex offences in SOCIT, provides skills that assist in the CM role. The effect this training has on the way that RSOs are managed is discussed further in Section 2.5.

The need for ongoing training and information updates

Legislation changes regularly, impacting the roles and responsibilities of CMs. We note that the SOR unit has issued newsletters to CMs highlighting changes to legislation, as well as other matters, such as updated guidance for completing other CM-related work.

The SOR unit has also conducted several workshops across the regions to explain recent legislative changes to RSO reporting obligations and time frames. It also provides advice on best-practice OMPs and their importance in providing effective and accountable management of high-risk RSOs.

Informal guidance material

In addition to the RSO Management training course, some CM units develop their own training material or Standard Operating Procedures (SOP) to detail their expectations of members in the CM role.

SOPs are not required by the VPM—each division or region determines their necessity. The SOR unit advises that this has resulted in great variance in the existence and degree of detail included in SOPs and guidance material, and it does not monitor this material for consistency across divisions and regions or with the training course that it provides.

One of the CM units that we visited had developed thorough SOPs that outline the specific requirements for CMs at various stages of RSO management and how they are to comply with legislative requirements in practice. The SOPs included guidance on:

- what RSO information must be reported in person, and what can be reported by email or over the phone
- the appropriate evidence that RSOs should provide to establish changes in their information
- how the CM should process a change in an RSO's information and update the SOR unit
- interactions with other agencies, such as DHHS and CV
- how to manage RSO breaches of reporting requirements
- how to create and comply with OMPs.

This is an example of good practice that Victoria Police could share to encourage a consistent approach across CM units.

2.4 Key elements that support success in CM units

A CM unit's success in managing RSOs can be measured by its capacity to mitigate risk through monitoring of compliance and meaningful proactive actions and investigations.

The RSO Management training course provides the basis from which CMs undertake their role, but other key elements optimise the capability and capacity for CMs to manage RSOs effectively.

The following elements are derived from our findings and are further supported in the Evidence Led Sex Offender Management Project, described in Section 1.4. CMs should:

- be part of a dedicated unit, meaning that they can undertake the RSO management function exclusively and do not have to also fulfil other duties, such as CIU or SOCIT investigations
- be in the role for a sufficient period of time (at least nine months)
- have an interest in this area and recognise the seriousness of managing RSOs
- have a sound understanding of their supervised offenders for the purposes of early identification of escalating risk
- be able to build rapport with RSOs
- work in units with adequate CM to RSO ratios and sufficient equipment
- write high-quality OMPs tailored to an RSO's up-to-date risk assessment
- implement the OMPs
- have the time and resources to conduct sufficient proactive investigations, as without this, CMs focus on compliance issues or limit proactive investigations only to high or medium-risk RSOs, which means that low-risk RSOs can 'fly under the radar'.

2.5 Impact of various models on RSO management

Using our survey results and responses from interviews, as well as other documentary evidence such as the Evidence Led Sex Offender Management Project, we assessed how the different governance models influence the ability of CMs to effectively implement the practices outlined above.

Benefits of SOCIT or CIU training

Some CMs have different skill sets dependent on the unit type they are in. Whether CMs have had access to SOCIT or CIU training depends on the unit that the CM is based in. For example, CMs based in a SOCIT-resourced unit will also have undertaken the SOCIT training.

CIU police members are detectives and have completed training in investigating non-sexual crimes, such as burglaries and assaults. These skills may benefit members if they also become CMs because they use investigative skills when examining potential RSO reporting obligation breaches.

SOCIT police members are trained to investigate the complex crimes of sexual offences and child abuse and have specialist skills and interest in this field. As such, CM work is most aligned with the interests and expertise of SOCITs rather than CIUs. The Evidence Led Sex Offender Management Project noted that this is likely to lead to CMs completing better quality work.

Different approaches to offenders

Victimology is the study of the victims of crime and the psychological effects of their experience.

SOCIT members learn how to develop rapport with sex offenders and with victims to investigate alleged sex crimes. This is due to the nature of sex offender behaviour, psychology, and victimology. To investigate a sexual crime, the investigator must often rely on personal accounts of the incident from the victim and the alleged offender. This differs from the way CIU detectives generally investigate non-sexual crimes, where there is less need to rely on personal accounts. In most non-sexual criminal investigations, a great portion of the evidence used to charge and convict an offender is physical—stolen items, footage of the crime, DNA or fingerprints, weapons—whereas this is often not the case for sex crimes. In these cases, physical evidence may not exist or, if it does, it may be nullified by the offender alleging consensual sexual activity. For these reasons, the ability to talk to and obtain information from perpetrators of sex crimes is of significant importance in proving a crime.

The importance of establishing rapport with RSOs

CMs and the SOR unit agree that SOCIT members' skills in developing rapport are valuable when dealing with RSOs. This is because compliance with the Act is heavily reliant on RSOs actively reporting their information, and therefore it helps for CMs to have a civil and productive relationship with them. Interaction with CMs should also ideally shift from monitoring and surveillance for the sake of catching the offender out, towards promoting compliance with register obligations. It should also be an opportunity for police intervention in aid of the ultimate goal of reducing reoffending.

As such, CMs can exert the greatest level of interpersonal influence on the offender within an appropriate relationship, characterised by respect, understanding, care and positive expectations.

Further, CMs do not have the right to enter RSOs' premises or search their devices without the RSO's permission, unless they have a warrant. Therefore, rapport with the RSOs may provide CMs with opportunities to look for potential breaches or offences.

Interest in the role and recognising its importance

A CM's motivation and interest in the role is closely related to the ability to establish rapport. While motivation is not an easily defined criterion, desire to perform the role seems likely to increase CMs' efforts to manage RSO risk. As such, survey results and interview responses consistently found that RSO management best fits within the remit of SOCITs rather than CIUs. SOCIT members are more likely to understand the importance of compliance management and the impact it can have in preventing further offending.

For example, one CM we interviewed who had conducted the role within a CIU and SOCIT team had experienced very different approaches to work—at the CIU, RSO management work was often de-prioritised. However, the CM found that CMs working in a SOCIT have chosen the sex crime specialisation and are therefore likely to have a greater appreciation for its importance. The CM said that RSO management is not always a desirable area to work in, as the CMs deal with the 'bad guys' rather than the 'good guys' daily. The CM felt that a member who is interested in the role will try harder to establish a productive relationship with RSOs.

The Evidence Led Sex Offender Management Project cited further evidence from CIU members. Some stated that they have no interest in RSO management, and thus only do the 'bare minimum', reacting to incidents without any proactive management strategies. This lack of interest and the subsequent reduction in offender management increases the risk of reoffending.

Dedicated role versus conflicting duties

Based on feedback we received, dedicated units give a higher priority to compliance management work than non-dedicated units. This is because in non-dedicated units CMs must also complete other SOCIT or CIU investigator duties.

Two of the units we visited believed that it is more important that CMs work in a dedicated capacity, rather than whether they are resourced by SOCITs or CIUs. Three of the five units we visited stated that dedicated CMs can perform the role to a higher standard because they have time to understand their RSO cohort and to more proactively monitor them.

Similarly, some units see competing duties as a risk to good CM work. Non-dedicated CM units juggle their RSO management work with other responsibilities, such as criminal investigations. Importantly, Victoria Police advised that active investigations almost always take precedence over managing RSOs. To these CMs, criminal investigations are more pressing than the largely compliance-based tasks of managing RSO information.

This was echoed in the survey responses, where seven out of 23 units that are not in a dedicated CM role acknowledged that their competing duties sometimes result in a reduced ability to proactively manage RSOs. Nineteen respondents indicated that staffing levels were the main barrier to more proactive work, such as targeted mitigation strategies as defined in OMPs or separate, proactive operations. This may mean that CMs do not complete RSO management work beyond basic compliance. In these cases, breaches of the Act or reoffending may go undetected.

Permanent role versus short-term role

The length of time police members spend in the CM role impacts their understanding of the Act's requirements, as well as their understanding of the RSO cohort. These two factors are crucial for effectively managing RSOs.

CMs report that it takes between three and six months of on-the-job training to properly understand the complexities of the Act and the requirements of the role. Further, it is important that CMs are given the opportunity to understand the risk factors of particular RSOs and to establish rapport with them.

The less time that CMs spend in the role, the less they are able to benefit from establishing a rapport with RSOs. Some CM units have time-limited secondments for as little as six weeks, which does not allow enough time to learn the role and apply their knowledge or to properly know and interact with RSOs.

One CM we spoke to had been in the role for two months and was due to rotate out of the role in another month's time. The CM struggled to learn all aspects of the role in this time and advised that the rotation does not emphasise the significance of RSO management. Two CMs we spoke to felt that it takes at least six to 12 months to get to know the RSOs they are managing.

Conversely, CMs working permanently in the role advised us that having the opportunity to get to know their RSOs allowed them to anticipate their behaviour and their potential to breach their obligations or to reoffend.

Impact of high CM to RSO ratios

A high ratio increases an individual CM's workload and reduces the amount of time they can dedicate to each RSO. It also reduces the CM's capability to conduct proactive monitoring activities, which are effective in detecting RSO breaches of reporting obligations.

All five of the CM units we visited advised that they have requested more staff, but any increases made have not kept pace with the growth in RSOs.

CMs working in units that have a high CM to RSO ratio are likely to focus mainly on the minimum requirements of the role, such as the legislative requirements to conduct annual interviews and process RSOs' updates to information. In three of the CM units we visited, the unit heads conduct aspects of compliance management that more junior staff should usually conduct, because the unit lacks the resources to do otherwise.

All the CMs we visited, and eight respondents to our survey, argued for the establishment of appropriate CM to RSO ratios. Their views varied on appropriate levels, but they suggested factors that should be considered when determining appropriate ratios. These included:

- staff hours (full-time equivalent)
- the risk rating of the assigned RSOs, which impacts the time required to effectively manage them
- the distance CMs are required to travel to visit RSOs, which impacts their efficiency.

2.6 Developing and implementing high-quality OMPs

The RSO Management training course emphasises that the OMP is the most important document for managing RSOs.

OMPs help CMs direct their resources towards RSOs who pose the greatest risk. OMPs are usually three pages long, and contain a brief description of the original offending, victimology and RSO characteristics.

Drafting clear and accountable OMPs

CMs generate OMPs after an offender is assessed as either high or medium-risk or has specific risk factors—such as temporary accommodation—that require an OMP. The Offender Management Team recommends strategies to target each risk factor. CMs can elect to include these additional mitigation strategies, to simply use the prompts included in the OMP template, or to tailor their own strategies. When compiling an OMP, the CM ideally considers the offender's risk level and the suggested strategies, and consults with the Offender Management Team to discuss how frequently to deploy strategies.

For a high-quality OMP, CMs should include practical and effective strategies tailored to the RSO's specific risks. All proposed mitigation actions should also be specific, measurable and subject to review. For example, CMs need to clearly specify the number of visits to the RSO they will make each year.

As part of the standard reviews of OMP quality for RSOs who have reoffended, the SOR unit found that CMs were drafting OMPs ambiguously, with the frequency of mitigation actions listed as 'as required'. This makes it hard to measure completion of actions. In response, the SOR unit issued a newsletter in April 2018 to all CM units requesting they appropriately describe and quantify actions in OMPs. The SOR unit also presented updated training on OMPs through a series of regional workshops in June 2018.

While the benefits of the training will take some time to filter through to new or reviewed OMPs, ROMOC minutes from September 2018 still noted the 'apparent tokenism of OMPs, which are generic and written to the lowest common denominator'.

Resourcing

Apart from training, resourcing also influences the quality of OMPs. CMs at units we visited said that a lack of resources—such as vehicles with which to conduct visits—and time can lead a CM to set actions based on the likelihood they can be achieved, rather than what is considered necessary to mitigate the risk of reoffending. CMs believe that because OMP strategies need to be carried out, it is better or easier to make the OMPs achievable rather than effective.

During our interviews, two units noted that CMs do not complete all visits required under the RSOs' OMPs because they do not have the resources to do so. However, this is not identified as an issue unless something goes wrong.

The risk that CMs are not putting clear and accountable information in OMPs because they cannot meet the requirements is known to Victoria Police. It was highlighted in the Evidence Led Sex Offender Management Project and also discussed at ROMOC in late 2018.

It is encouraging that Victoria Police has established a target to improve the overall quality of OMPs through education, but it must also address any resourcing barriers so CMs have the means to implement the improved OMPs.

CMs to review OMPs

It is good practice for a CM to review an RSO's OMP at various points throughout the reporting period. At a minimum, OMPs should be reviewed every 12 months unless there is an indication of risk escalation—for example, through breaches, further offences or reports of changes to the dynamic risk factors.

Other reasons for reviewing an OMP include major changes to the RSO's life, such as the breakdown of a relationship, a change in the RSO's address or other information gleaned through the annual interviews. However, as identified in the Evidence Led Sex Offender Management Project, there are no thresholds specified or formal mechanisms to compel the review of an OMP within a specified period and no independent check to ensure reviews occur. This can lead to ineffective RSO management.

SOR unit monitoring OMP quality and implementation

The SOR unit can monitor whether new OMPs have been completed on time and has made a concerted effort to work with regions to reduce the number of outstanding OMPs. However, it cannot easily monitor the quality of existing OMPs or whether they are being implemented as planned. This is because they are uploaded to Interpose as Portable Document Format (PDF) documents and cannot be easily and systematically reviewed.

OMP implementation is also difficult to monitor given that CMs may not always record information in Interpose and there are challenges in finding information on Interpose (see Section 3.2).

As such, quality control is generally reactive. Where there is serious reoffending by an RSO, the SOR unit and ROMOC review whether the OMP was appropriate or if it was implemented.

The SOR unit should assess whether the training on drafting more appropriate OMPs is having the desired effect. However, the organisation must find a way to effectively track the quality of drafted OMPs, and whether CMs implement them as planned. It can then hold CM units appropriately to account. Without this, Victoria Police cannot be sure that RSOs are being effectively managed and the risk of reoffending minimised.

General improvement opportunities

ROMOC noted the difficulties with actively monitoring OMPs, and members suggested several improvements, including:

- encouraging regular consultation between CMs and the Offender Management Team on mitigating risk, which leads to improved OMPs
- using high-quality OMPs to develop a template that can serve as a starting point for CMs
- improving training.

Intention to improve OMPs for high-risk RSOs

The SOR unit identified that most RSOs who reoffend are in the high-risk category at the time of reoffending, and so were already being managed through an OMP. This highlights that although high-risk offenders are being correctly identified, the ensuing risks are not being mitigated.

The SOR unit looked at the dynamic risk assessments conducted on many of the high-risk RSOs and compared them with the content of the OMPs. This exercise found that more contemporary information should be gathered from high-risk RSOs to identify and update the most significant dynamic risk factors.

With this updated information, Victoria Police could better manage high-risk RSOs through fit-for-purpose OMPs. This information is intended to be collected through the updated approach to proactive investigations, discussed in the next section.

2.7 Proactive investigations

CMs may also detect breaches and thereby reduce reoffending by conducting proactive investigations.

Benefits of proactive investigations

CMs at all five units we visited agreed that proactive investigations and unscheduled visits to RSOs are a good way to detect breaches of reporting obligations.

They are beneficial because RSOs who are not prepared for a visit from a CM cannot hide things that could reveal a breach, such as unreported vehicles, phones or items that indicate contact with children. Another benefit of these visits is that while some annual interviews are conducted at police stations, unscheduled visits allow CMs to see the RSO's living environment and any factors that may increase their risk of reoffending.

Ensuring enough resources

Proactive approaches for the detection, assessment and management of offenders rely on adequate financial and human resourcing.

Proactive investigations usually require CMs to set aside other tasks and/or work beyond their standard roster, as they need to travel to and between multiple RSOs and investigate suspicious circumstances. CM units we visited noted that they will usually do these operations as overtime and over a weekend. Running proactive investigations can be particularly difficult in divisions with large geographical areas, such as in the Eastern and Western regions, due to the distances covered.

Units we spoke to want the time and resources to do more proactive investigations. This is particularly difficult for units that have high ratios and work in non-dedicated teams. The Evidence Led Sex Offender Management Project echoed these findings. It noted that CMs in a dedicated team identified that this model allows more time for proactive work because CMs are more engaged in their work and are more organised and 'on top of' the compliance management work.

Improving proactive investigations

Funding for proactive investigations is currently divided equally among the regions. The SOR unit advises that this does not necessarily deliver the most effective use of time and resources, and that it intends to assign funding proportionally across the regions according to the number of high-risk RSOs. In doing so, the SOR unit hopes to allocate this money to areas of highest risk and therefore better contribute to community safety by reducing reoffending rates.

This will influence CMs' knowledge of their high-risk RSOs' most significant dynamic risk factors, and in turn can be used to better customise their OMPs. Also, a questionnaire developed in the SOR unit by a specialist forensic psychologist will guide CMs in their information gathering.

Another element of this work is educating CMs about best practice on how to manage high-risk RSOs. The guidance developed by the SOR unit to assist the upcoming operations will be distributed to all CMs and used as standard procedure for proactive investigations.

The SOR unit also acknowledges the need to improve the key performance indicators around proactive investigations. It recognises that key performance indicators have been based on outputs, such as the number of RSOs visited, the number of referrals made to DHHS for potential investigations into child safety, and the number of information reports submitted about RSO activity. It acknowledges that this does not show the success of proactive investigations in actually improving the sexual safety of Victorians, which is a key purpose of the Act.

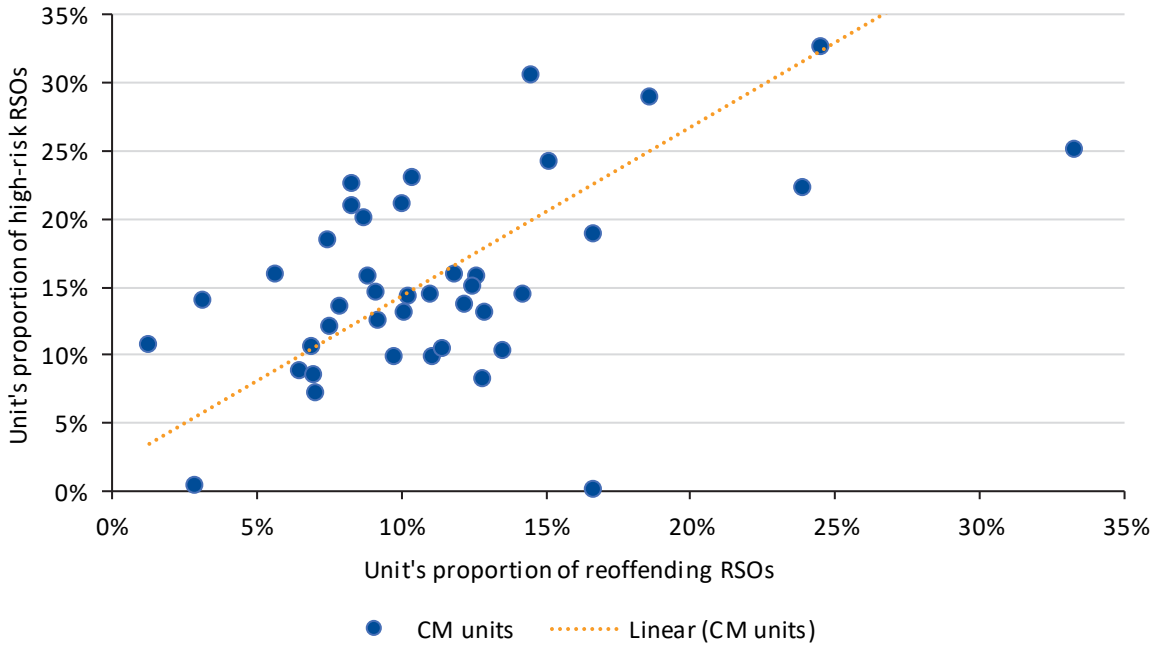
Low-risk RSOs—a blind spot?

Low-risk RSOs generally do not have an OMP or any management strategies beyond the compliance requirements of the Act. Therefore, CMs usually only see them once a year at the annual interview, which may occur at police stations, meaning that CMs will not see the RSO's home. This limited engagement may mean that CMs miss emerging risks among low-risk RSOs. For this reason, several of the CMs we visited expressed more concern about their low-risk RSOs than their higher-risk ones, who are more actively managed.

The SOR unit has identified that the high-risk cohort of RSOs has a higher likelihood of reoffending. Therefore, it is appropriate that a large proportion of available resourcing for intensive monitoring is designated to them. However, low-risk RSOs also reoffend and therefore present some risk of harm to the community, as shown in Figure 2E. For this reason, low-risk RSOs should not be overlooked for some form of proactive investigation.

Figure 2D shows the correlation between the percentage of high-risk RSOs that a CM unit manages and its percentage of reoffending RSOs.

Figure 2D
CM units' high-risk RSOs compared to reoffenders

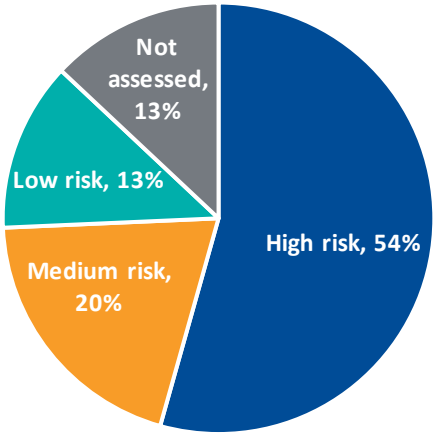


Note: This analysis includes the 88 per cent of RSOs who have sexual crimes recorded in LEAP. It does not show some crimes not recorded in LEAP because they were committed under federal jurisdiction or in another state or country. Data for the CM unit managing an RSO is current as at the time of the RSO's reoffence; data for the risk rating of RSOs managed by CM units is current as at the date of our data extract on 14 November 2018. SOSRU is not shown in this figure—it is a specialised unit that is deliberately assigned high-risk RSOs.
Source: VAGO, based on data from LEAP, the SOR database, the OMT database and ROMOC reports.

Figure 2D suggests some correlation between the proportion of high-risk RSOs a CM unit manages and their proportion of reoffending RSOs. However, the correlation is not particularly strong. This suggests that it is not the only factor that will impact the proportion of reoffenders that a CM unit manages.

Figure 2E displays the proportions of RSO reoffenders by risk rating, showing that those in all types of risk levels reoffend.

Figure 2E
RSO reoffenders by risk rating



Note: This analysis includes the 88 per cent of RSOs who have sexual crimes recorded in LEAP. It does not show some crimes not recorded in LEAP because they were committed under federal jurisdiction or in another state or country. Data for the risk rating of RSOs is current as at the date of our data extract on 14 November 2018, not the time of the reoffence. 'Not assessed' refers to RSOs who are not yet risk assessed because they are either overseas, in custody, interstate, or are in the community and part of a small backlog of RSOs that the SOR is yet to process.
Source: VAGO, based on data from LEAP, the SOR database, the OMT database and ROMOC reports.

While low-risk RSOs are the least likely to reoffend, they represent 13 per cent of reoffenders, and therefore do pose a risk. Any proactive monitoring activity that CM units conduct should be planned with this in mind.

2.8 Investigation of improvement opportunities

In May 2018, an internal brief was circulated between the SOR unit and Family Violence Command that found that Victoria Police's management of RSOs is under-resourced compared to a benchmark ratio identified in the Evidence Led Sex Offender Management Project.

The CM to RSO ratio suggested in the Evidence Led Sex Offender Management Project was 1:40 or no more than 1:50, based on the model used in the United Kingdom. The brief recognises that under-resourcing is most pronounced in SOCIT-based units, which Figure 2B shows have a higher average CM to RSO ratio than CIU-based units. The brief concludes that SOCITs are the best fit for RSO management and Victoria Police should aim to accommodate both the predicted growth of RSOs and the recommended ratios.

The briefing does not purport to be the views of Victoria Police in terms of a holistic examination of the current operating model nor an acceptance that management of RSOs is currently under-resourced. However, there is a current project led by Victoria Police's Intelligence and Covert Support Command and Family Violence Command to investigate the feasibility of transitioning RSO management to SOCIT, and a project team has been established.

The project team reports that it is working on calculating the resources currently assigned to RSO management and the resources that would be required, if a decision is made to transfer all CMs to SOCIT. Victoria Police is also questioning the validity of the 1:40 ratio and whether it is suitable for Victoria. The project team is continuing work in this regard and will consider factors including dedicated versus non-dedicated roles, metropolitan versus regional needs, and the impact or risk ratings on resourcing.

Victoria Police is still deciding on the appropriate next steps for the project, and the project team's membership and management has changed frequently. This presents a risk to project quality and timeliness. Victoria Police management must ensure that the project has the resources it needs, and consistent staffing, to complete its mandate of investigating options for improvement. The project team must also find potential solutions to the various concerns that exist for SOCIT units to manage RSOs, and there is an opportunity to task this group with monitoring improvements to proactive targeting of resources and funding.

Concerns with SOCIT managing RSOs

Potential conflicts of interest

Two units we visited expressed concerns about CMs working in SOCITs because this removes the separation between the members who prosecute the original crimes and the members who go on to manage those offenders. Members who investigated the original crime may have a bias against the RSO or, at the very least, an adversarial relationship may exist between the two that will not lead to a productive relationship.

It is therefore important to maintain a separation in SOCITs between the police member who investigated the initial crime and the police member managing the RSO. Dedicating the CM role to RSO management will go some way towards ensuring this.

Greater geographical area

The four police regions are made up of four to six divisions—there are 21 divisions overall. The divisions are further divided into **police service areas**—there are 54 police service areas overall, with two to four per division.

In each division there is usually only one or two SOCITs compared with up to six CIUs—this equates to one CIU per police service area. Figure 2F provides an example of this, using Eastern Divisions 1 and 2.

Figure 2F
RSOs by risk category—Eastern Divisions 1 & 2

	High	Medium	Low	Not assessed	Total
Eastern Division 1					
Boroondara CIU	6	4	28	1	**39**
Manningham CIU	6	9	25	0	**40**
Monash CIU	4	10	45	1	**60**
Whitehorse CIU	9	13	42	2	**66**
Total					**205**
Eastern Division 2					
Knox SOCIT	40	58	181	7	**286**
Total					**286**

Source: Victoria Police.

The geographical size of police service areas and divisions varies across Victoria, but there are typically five to six police service areas per division. Therefore, where CIUs have the RSO management role, there are often multiple units that each cover a smaller geographical area. However, where SOCITs have the RSO management role, they tend to manage more RSOs per unit and cover a greater geographical area.

One CM we visited who worked in a CIU explained that the benefit of managing RSOs at the smaller police service area level is that it allows CMs to develop a more in-depth knowledge and familiarity with the RSOs, as they do not have as many as some other CM units.

Working in Multidisciplinary Centres

Multidisciplinary Centres provide specialist and holistic services to victims of sexual offences and child abuse from a single location.

The centres co-locate child protection practitioners with SOCIT investigators and sexual assault counsellors or advocates

An important factor to consider when determining how effectively a unit can operate under the SOCIT model is whether the division's SOCIT is located in a Multidisciplinary Centre (MDC). There are seven MDCs across the state, and four SOCIT-resourced CM units currently operate from an MDC.

RSOs cannot attend MDCs, as victims of sexual crimes attend these centres. Because CMs then have to travel to the RSOs, these CMs travel more often, making the RSO management more difficult.

3 Organisational monitoring and reporting

A good control framework includes benchmarks for performance and mechanisms that enable CM units, regional command and executive management to understand how RSO management is working by providing visibility of performance issues and emerging risks. It also requires fit-for-purpose and reliable systems for staff to effectively fulfil their roles.

These governance elements are necessary to assure Victoria Police that its management of RSOs is effectively mitigating risk.

3.1 Conclusion

Victoria Police maintains the Sex Offenders Register across various information technology (IT) systems that do not properly support its business needs. Managing information across different systems creates considerable additional work and the risk of missing and inconsistent data. It does not let police members easily generate reports or more detailed analysis. In addition, completing trend analysis takes considerable effort.

Operational and steering committees, with membership from various parts of Victoria Police, go some way to addressing the line management gap outlined in Section 2.2. However, they do not fully overcome it. These committees track and oversee operational data but cannot mandate decisions across business units on issues like consistent governance and resourcing, which means that these risks remain.

Victoria Police's recent move towards measuring more complex information on breaches and recidivism is good, but it cannot yet compare the impact of different compliance management approaches to understand what works best. It has, however, initiated a project to improve CM resourcing and is seeking to increase the profile of RSO management across the organisation so that risks are better managed.

RSO management is complex and it is difficult to define what operational success looks like. Unless Victoria Police establishes a way to accurately measure and compare compliance management performance, it will not know how well it is managing RSOs.

3.2 Systems used to manage RSOs

A good IT system can facilitate efficient and effective RSO management by accurately recording, monitoring and reporting on related issues.

The Sex Offenders Register

Various databases and systems make up the Sex Offenders Register, as shown in Figure 1F. The SOR unit advises that the multiple systems came about because its methods for storing RSO information evolved over time to suit needs as they arose. Victoria Police advises that each of the systems it uses serves a specific purpose, but none of them have the functionality to conduct all the activities required for the management of RSOs under the Act and that the systems are not integrated with each other.

SOR database

The SOR database was created to store the key RSO information that Victoria Police must collect under the Act. As staff in the SOR unit have begun to record information in other systems—such as the national system described below—they no longer need to duplicate the information in the SOR database. The incomplete fields meant we could not complete meaningful analysis on the SOR database.

The SOR unit advises that it intends to render the SOR database obsolete as it transitions to recording more information in the National Child Offender System (NCOS). However, this will require Victoria Police to arrange for sufficient reporting functionality from NCOS, which has proved difficult.

National Child Offender System

NCOS is the national system to record and share RSO information across Australian jurisdictions and is administered by the Australian Criminal Intelligence Commission (ACIC). Victoria Police began inputting its RSO information into NCOS in 2005. However, there are issues with fully transitioning from the SOR database to the NCOS system.

Despite the SOR unit's attempt to use NCOS as its primary system for recording RSO information, its structure is not ideal for Victoria. Each state has different requirements for the information it must collect, and Victoria Police has to negotiate and make formal requests to have any changes made to the functionality of its part of NCOS.

This means that NCOS does not always have a field specifically for the information that the SOR unit is required to maintain. In some instances, the SOR unit has stored information in free text fields designed for other information because it is the only place it can put it.

In its 2018 report, IBAC commented that the way that Victoria Police stores information in NCOS is not always straightforward. Regular amendments to the Act, which change RSO and police obligations, also impact Victoria Police's ability to ensure that NCOS remains fit for its specific purposes. This requires ongoing negotiation with ACIC to accommodate.

Inability to extract reports in a usable format

As ACIC administers NCOS, Victoria Police cannot extract information from the database in a format that is easy to analyse. Victoria Police is working with ACIC to develop a fit-for-purpose reporting tool that can extract data from NCOS and be interoperable with Victoria Police systems.

This project has been underway for four years. It has been difficult to finalise due to complexities with making system changes for Victoria Police while not negatively impacting interstate users. For this reason, ACIC needs to consult with those users before implementing any changes, which is a slow process.

Interpose

Interpose is used across Victoria Police as an investigation case management tool. The SOR unit and CMs use Interpose to record information about the transactional management of RSOs and to store relevant documents.

CM activity needs to be accurately recorded in Interpose to give a complete picture of a CM's management of each RSO. For example, CMs should record information about any interactions with RSOs, such as home visits. They also use it to save documents such as OMPs, risk assessments, updated RSO details and information about any investigations that RSOs may be subject to.

Replacement of Interpose in 2020

IT support for the Interpose system is due to expire in 2020 and Victoria Police is yet to finalise arrangements for its replacement. Victoria Police must ensure that the system that replaces it has case management functionality to manage offenders and investigations and make recording and monitoring of compliance activities more efficient.

Impact of IT arrangements on RSO management

Time cost for data entry and checking consistency

The SOR unit is responsible for maintaining the Sex Offenders Register and for ensuring that the details are consistent across all systems. IBAC's monitoring role for the register includes a crosscheck of data consistency across systems.

Victoria Police manages RSO information across multiple systems, which impacts the quality of the information and members' ability to effectively use it. At the most basic level, CMs and the SOR unit spend a considerable amount of time manually inputting data to maintain and update the various systems. Some information is duplicated across multiple systems. In addition to being inefficient, this introduces potential for errors or inconsistencies.

A full-time staff member in the SOR unit is responsible for quality checking to ensure that the data across the different systems is consistent. This person conducts regular checks and audits of the data.

The fact that information exists across several systems increases the burden of both IBAC's monitoring role and quality checking by the SOR unit.

Inefficiencies in reporting

A significant limitation resulting from Victoria Police's use of multiple systems to record RSOs' information is its impact on reporting. Victoria Police does not currently have unrestricted access to its information stored in NCOS, despite using it as one of the main systems for storing its RSO information. The information that it can extract is not in a format that can be easily analysed. The SOR unit must manually collate NCOS data with data from the other various sources to generate the monthly ROMOC report and calculate the results for each region and division manually.

The project to negotiate with ACIC to create a reporting tool in NCOS has now reached the User Acceptance Testing phase, but has been significantly delayed, which means that the current approach to data analysis remains cumbersome and manual.

Manual case management in Interpose

Victoria Police advise that Interpose is not a well-functioning case management tool and that members must still use other means, such as spreadsheets and calendars, to track action items and case-manage RSOs.

All CM units that we visited confirmed that they use a combination of spreadsheets, calendars, diaries and whiteboard lists to keep track of required actions for their RSO files, such as scheduled visits and annual interviews. These varying practices create the risk of inconsistency, and because they are manual, they increase the chance of error.

Inconsistent usage and inefficient reviews of RSO management

Each RSO has at least one folder in Interpose, but it can be difficult to locate a specific RSO's information. Within Interpose folders, the structure for saving files varies greatly between units. Some units set up a consistent file structure to ensure documents of the same type are in the same place and information is recorded consistently, while others do not.

Inconsistent usage creates difficulty in understanding a CM's management of an RSO. This is particularly important when a CM's management is under review—for example, when an RSO reoffends and it is necessary to understand whether annual interviews had been conducted or an OMP had been properly drafted and implemented. Due to these issues, there is also no way for the SOR unit to effectively oversee or monitor the implementation of these tasks.

Inconsistent access controls

Interpose allows Victoria Police to control which members have access to specific files. However, as Victoria Police does not have a consistent way of structuring folders and access levels in Interpose, RSO files may be accessed by members who are not routinely conducting the CM role.

Effect on data quality—results of our data testing

We assessed the completeness and accuracy of RSO-related data across the SOR database and LEAP.

We worked through the results with Victoria Police and are satisfied that the data consistency between the SOR database and LEAP is good and the small amount of inconsistencies do not negatively impact RSO management, due to the use of unique identifiers. Unique identifiers are unique numbers assigned to identify each individual who has interacted with police. Through the use of these, Victoria Police can trace each individual's involvement with various incidents. Appendix B lists full results of the testing.

3.3 Monitoring and reporting

Heads of CM units report monthly to their line manager on the status of their work. These reports are brief and contain information on:

- numbers of RSOs per risk rating
- numbers of breaches and reoffending
- outstanding OMPs, annual interviews and whereabouts investigations.

'Whereabouts' is a flag that can be added to a person's records to indicate to other police that a member wants to make contact with the person. CMs may use this if they need evidence for an RSO's change of information

Some units supplement this information with their own customised reporting. The line manager must validate the information contained in the monthly reports. However, what happens to the information in these reports and how it is used beyond this step is unclear. CMs we interviewed, survey respondents, and the SOR unit were not able to provide detail on any further use of these reports—it appears that above this line manager level, the reporting process stops.

Our findings are echoed in a 2016 Victoria Police internal audit of monthly inspection reports that found that ownership and governance of station compliance has not been clearly defined and communicated across the organisation. It also found lack of clarity regarding who is responsible for monitoring and reporting on compliance across the state. The recommendations from this audit were not implemented. Instead, Victoria Police advised that another internal audit, which is currently in draft stage, has superseded the 2016 audit.

Further, the information reported in these monthly inspection reports is already recorded and reported in the ROMOC reports. The SOR unit sends the ROMOC reports to the CM units in the Regional Commands so that they can monitor performance across the regions. As such, there is an unnecessary duplication of reporting.

Monitoring and reporting by the SOR unit

Monthly reporting on operational data—ROMOC reports

The ROMOC reports contain key operational data, such as:

- numbers of RSOs
- breaches and reoffending
- outstanding RSO annual interviews and OMPs.

This information is broken down by region and division.

The reports are published as PDFs and are a snapshot of the month. As such, they contain limited analysis of performance in the various categories over time. Some categories show whether a result has increased or decreased from the previous month, but there is no detail on the degree of increase or decrease, or any trends over longer periods. As the SOR unit has collated this information over several years, it would be more useful if this data could show trends over time and whether any changes are statistically significant.

The reports are created for and discussed by ROMOC, which is how they got their name. They are also sent to the CM units in the regions, but CMs that we spoke to note that the report is already approximately two weeks old when they receive it and therefore not useful to them. Improving the timing of the report so that they are more useful to CM units could avoid the need for the duplicated reporting described above.

Analysing breach data

The SOR unit presented a brief at the December 2018 ROMOC detailing breaches over the 18-month period from 1 January 2017 to 30 June 2018 using LEAP and internal data held by the SOR unit. The brief examined the number of breaches per region and how it compared with the number and risk rating of the RSOs managed by that region. The purpose of the brief was to determine if any specific relationships across the data sets that contributed to anomalies in breach numbers between regions could be identified.

The brief stated that:

- high-risk RSOs accounted for 17 per cent of the RSO population and 34 per cent of breaches
- medium-risk RSOs accounted for 21 per cent of the RSO population and 27 per cent of breaches
- low-risk RSOs accounted for 59 per cent of the RSO population and 37 per cent of breaches
- RSOs who are not risk-assessed accounted for 3 per cent of the RSO population and 2 per cent of breaches.

Using these percentages, the brief concluded that breach rates of RSOs are in line with their risk assessment for sexual reoffending. However, it is not possible to calculate the actual breach rate by risk rating from the numbers in the report. This is because the report only shows the percentage of RSOs within each risk rating and the percentage of breaches within each risk rating and it is not possible to calculate the breach rate using only the percentage—it is necessary to have the actual number of RSOs and breaches.

It also found that:

- North West Metro region had 30 per cent of the total breaches contained within LEAP over the 18-month period; however, as of June 2018, it managed 25 per cent of RSOs in the community
- Eastern Region accounted for 21 per cent of total breaches yet managed 28 per cent of RSOs in the community
- Southern Metro accounted for 21 per cent of breaches and managed 21 per cent of RSOs
- Western Region accounted for 28 per cent of breaches and managed 26 per cent of RSOs.

The brief draws out specific units that are processing either a higher or lower percentage of breaches than the percentage of RSOs reporting in their area. While this information may be useful, it is not clear what its purpose is, or how it is to be used and analysed further.

Overall, the move towards analysing breach data is a step in the right direction, however, we are not able to draw conclusions as to the efficacy of RSO management across the different regions or units from this analysis.

After this brief, ROMOC requested further information on breaches. This analysis is currently underway, and it will compare a proposed new survey of CMs conducted by Victoria Police with analysis of Interpose data.

Analysing reoffending

ROMOC monitors a reoffending spreadsheet, which is designed to provide information about the dynamic risk factors relevant to RSOs who have been charged with new sexual offences in the month prior to that ROMOC meeting. The spreadsheet details the reoffence, presence or absence of a tailored OMP, and CM engagement/proactive risk mitigation.

If an RSO reoffends, this prompts the SOR unit to review the Interpose folder. The aim is to review the offender's risk assessment and the adequacy of the OMP. However, the only capacity the SOR unit has to monitor whether the strategies in the OMP were addressed is through the comments in the Interpose folders, which sometimes do not provide a clear picture due to issues surrounding the capacity of CMs to complete this administrative step. Any information that is known about the RSO's management is included in the spreadsheet and noted for discussion and consideration at ROMOC.

In February 2019, ROMOC members identified the need to be able to identify consistent regional trends and issues inherent in the reoffending. For example, relationship breakdowns and transiency have been identified as markers for further offending, but there is no easy way to collate this information. Victoria Police advises that analysing this data is a time-consuming, manual task.

However, the SOR unit advises that it is planning to look at six months of data to get a broader overview of trends and patterns. It also notes its intent to look at the reoffending data regularly to provide updates to ROMOC.

Managing RSO reoffending risk using predictive modelling

Victoria Police has recently taken steps towards improving its ability to assess RSO risk. The SOR unit is developing a tool to further nuance the risk assessment process by considering additional factors that may influence an RSO's likelihood to reoffend in order to highlight those of highest risk. They are using a type of predictive modelling known as a random forest algorithm to predict RSOs' increased likelihood of sexual offending in the coming 12 months by analysing a range of factors captured in LEAP records, such as:

- time since the RSO's first sex offence
- time since the RSO's last sex offence
- number of distinct sex victims
- existing charges made against the RSO for any crime, both prior to and post becoming an RSO
- breaches of reporting obligations committed by the RSO
- number of addresses on LEAP and number of address moves
- LEAP warning flags that indicate previously identified medical or mental health conditions, or violent, psychotic or suicidal behaviour
- involvement in other LEAP event records such as bail, intervention orders (complainant or respondent) or family violence (perpetrator, affected family member or other involvement).

To enable the model to look for and identify patterns that may suggest an increased risk of reoffending, it considers various subsets of the dataset, each with a different combination of factors. This allows for circumstances in which one factor may not be indicative by itself but may be so if other factors are also present. By considering different combinations an immense number of times, it creates a robust model without human preconceptions as to what might be indicative of RSO offending.

As part of our own analysis of RSO data, we considered some variables recorded against RSOs to explore whether there were any in particular that were indicative of a higher likelihood to reoffend. Our analysis—completed with a more limited set of factors— found that a higher number of non-sexual criminal offences committed by an RSO correlated with a higher likelihood of them sexually reoffending. Criminal offending is one of the factors included in Victoria Police's model.

The SOR unit intends to continue to add factors to their model, including data relating to an RSO's time in custody and data captured in the other systems used to record RSO information.

Tasking and coordination is the process used to determine Victoria Police's key risks and priorities for response. It begins at the statewide level and flows down to the priorities of police regions and divisions. Tasking and coordination creates accountability—priorities identified as part of the process are reported on to senior management.

The Offender Management Team is currently using the predictive modelling in conjunction with the existing risk assessment tools that determine the high, medium or low-risk ratings. These are longstanding and well-validated tools, and the predictive modelling does not replace them, but aids in the discussion around RSOs' risks at tasking and coordination meetings. The output of the predictive tool can be used to prioritise the highest risk RSOs for further discussion with the CM and additional proactive targeting. This is beneficial because it allows the SOR unit to assess—and inform the CMs of—the highest risks among the total population of high-risk rated RSOs.

The SOR unit runs the analysis across the population of RSOs every two weeks. As use of the tool is still in its initial stages, the SOR unit has yet to ascertain whether the risk levels determined by the model highly correlate with RSO reoffending in practice. If it determines over time that the correlation is high, the SOR unit intends to reconsider the use of the model in the context of its overall risk rating framework.

Central tracking of annual interviews and OMPs

The SOR unit can track whether annual interviews and OMPs are outstanding and reports this information in the ROMOC reports and communicates it to the CM units in question. However, there is no central and systematic tracking of the quality of OMPs or whether actions identified in them are implemented, as discussed in Section 2.6.

Inconsistent scrutiny of RSO management

Each region has an audit unit that conducts assessments of compliance and management practices at the work unit level to identify opportunities for improvement. They are an integral component to identify continuous improvement opportunities for operational unit managers. The regional audit units evaluate management inspection and reporting processes against legislative and policy requirements.

We asked all the regional audit units for all audit reports on RSO management from 2017, 2018 and 2019. We received the following responses:

- Western Region—nine audits in 2017; nine audits in 2018; no audits in 2019 to date
- Eastern Region—seven audits in 2017; no audits in 2018; no audits in 2019 to date
- North West Metro Region—no audits of the RSO management function since 2017; some review of RSO Interpose files as part of the overall review of Interpose files
- Southern Metro Region—no audits of the RSO management function since 2017; some review of RSO Interpose files as part of the overall review of Interpose files.

Overall, scrutiny of the RSO function by the regional audit units is very inconsistent. Not only did some audit units appear to not audit the RSO management function at all, but the reports we received varied significantly in depth and scope, with the Eastern Region's reports being more detailed than other regions.

We also asked for management responses or ways in which issues identified in these audits are tracked for implementation. No regional audit unit provided a management response because management did not provide any official management responses to the audit units. Only the Eastern Region's reports contain information on audit action plans in which unit management must detail proposed actions against compliance issues. Nevertheless, it appears the Eastern Region does not systematically verify recommendation implementation, with the audit unit providing only one example of implementation tracking for a division (through a series of emails). As such, there is an overall risk that issues identified through regional audit units are not consistently or appropriately fixed.

Improvement program by the SOR unit

The SOR unit identified this lack of consistent scrutiny and is working with regional audit units to create standardised practices. It has developed a template for use by regional audit units, which is currently being trialled by one regional audit unit. If the trial is successful, the template will be rolled out across the regions. The template includes questions such as:

- Have all CMs completed the relevant training provided by the SOR?
- Where an offender reports a change of details, is a receipt issued to the offender within seven days as required by Section 25 of the Act?
- Do RSOs with a risk rating of medium or high, or RSOs identified by the Offender Management Team as requiring an OMP, have a current OMP which is uploaded to Interpose?
- Do the OMPs contain achievable, specific and measurable intended actions?
- Have the intended OMP actions been carried out and a comment added in Interpose?

The template is a step in the right direction and should help to improve consistency. However, it could be improved by including an assessment of whether the OMPs adequately address the key risks identified by an RSO's risk assessment.

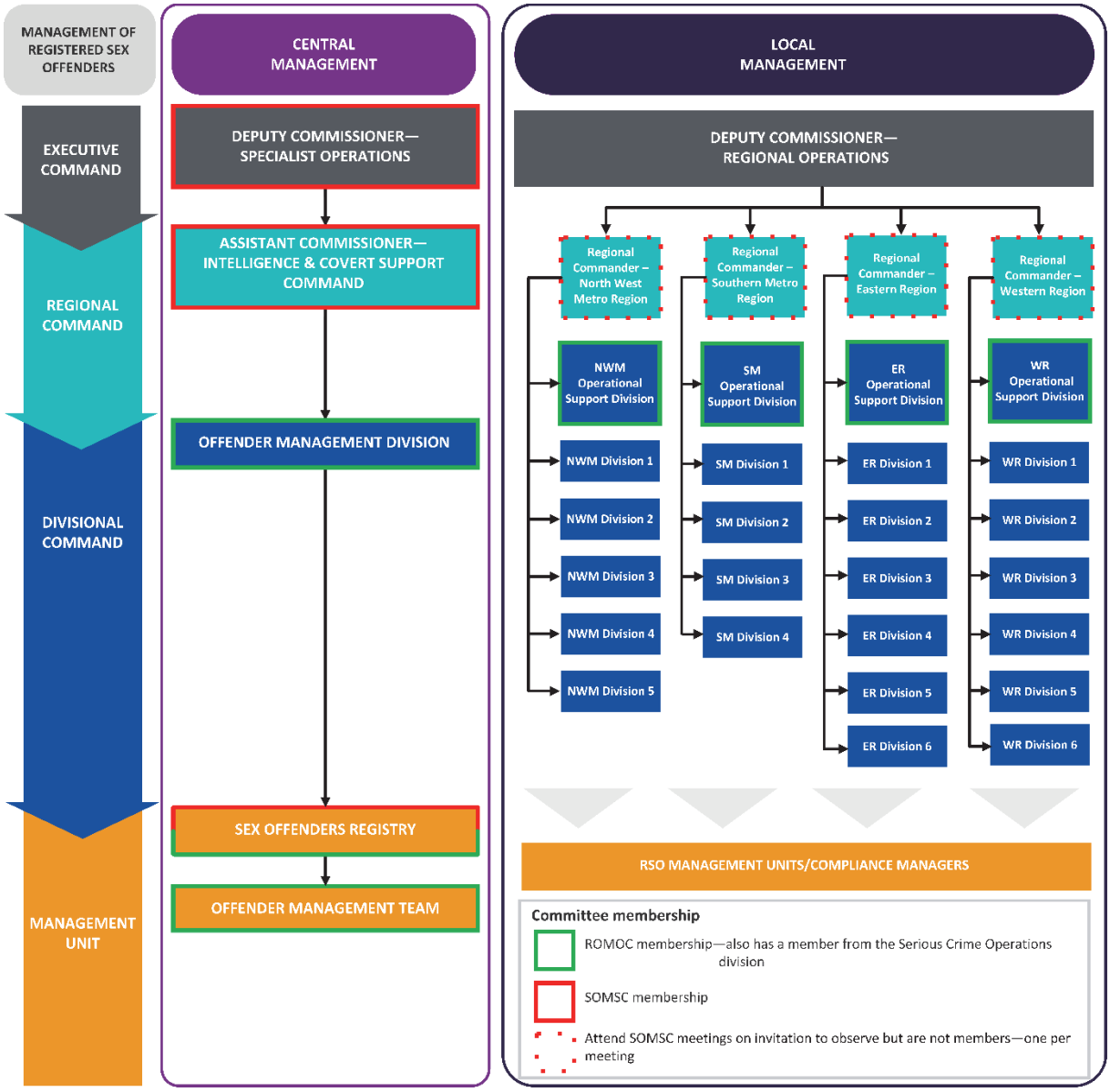
There is no guidance on the number of units to audit annually or the criteria against which to choose them. Further, the processes should include a method to identify improvement opportunities and track implementation.

Oversight by operational and governance committees

Two main operational and steering committees provide operational oversight and direction of the RSO management function. Figure 3A outlines the memberships of these committees.

These committees go some way to addressing the line management gap because they pull together relevant members from various parts of Victoria Police and track and oversee reports on key operational data. However, they cannot overcome the other deficiencies identified in the control framework. For example, the committees cannot mandate consistent practice and structures across CM units or allocate resources to the CM function. Therefore, while the stated purpose in the VPM is 'to provide a governance framework that ensures appropriate management of RSOs', the committees do not fully achieve this task.

Figure 3A
Governance committees for managing RSOs



Source: VAGO, based on information provided by Victoria Police.

Regional Offender Management Operations Committee

ROMOC, which is attended by members of Victoria Police Executive Command, includes key members of the SOR unit, as well as the Regional Operational Support Superintendents. Its stated purpose is to:

- provide a governance framework within Victoria Police that ensures appropriate management of RSOs
- oversee the implementation and adequacy of all sex offender management training in Victoria Police
- provide operational oversight of the management of RSOs
- engage with relevant stakeholders and provide advice to Victoria Police's executive on issues relating to sex offender registration.

ROMOC reports to the Serious Offender Management Steering Committee (SOMSC) in relation to its activities and relevant operational matters. The committee meets monthly and discusses the monthly ROMOC report.

Our review of ROMOC minutes reveals active discussion and good questioning of the ROMOC report. Recently, ROMOC has also commissioned more detailed reporting on breaches.

Serious Offender Management Steering Committee

The Assistant Commissioner Intelligence and Covert Support Command and the Deputy Commissioner Specialist Operations attend SOMSC, providing the executive branch some visibility and control over RSO management and thereby partially mitigating the line management gap. SOMSC also includes members from the SOR unit and other key personnel, and the committee invites an independent senior member from the Regions to observe each meeting.

The purpose of SOMSC is to oversee ROMOC in relation to its relevant operational matters, direct action items to ROMOC and oversee project plans, budgets, risks and issues.

SOMSC meets six times a year. Our review of minutes reveals that it actively reviews the ROMOC reports. While there is evidence that SOMSC receives updates on the work to review the operational model (discussed in Section 2.8), there is no evidence that it discusses in detail key risks affecting RSO management, such as the variation in governance structures and the level of resourcing of the CM role. Given SOMSC's specific purpose is to oversee risks and issues, this is a gap in its oversight role. The committee should be fully aware of these risks and explore options to address them.

Issues in overall monitoring and management

Reactionary and ad-hoc attention to risk

We received consistent feedback in the survey results and in our discussions with CMs that Victoria Police does not consider RSO management an organisational priority. CMs spoke about how despite the general lack of resources and attention the organisation provides to RSO management, if something goes wrong, it is the CM's job that is 'on the line'.

CMs accept that scrutiny over the prior management of a reoffending RSO is appropriate and to be expected. However, they reiterated that Victoria Police knows that the CM role is under-resourced, but that this would not be considered a legitimate excuse for failing to comply with OMPs should an RSO reoffend.

Survey respondents recounted similar experiences. One CM stated that 'organisational, regional and divisional priorities prevent resources being injected into this field. The risk of RSOs reoffending is real and this is the only time some management have any interest in what the unit does/has done. The interest only comes when the offending occurs'.

RSO management identified as an organisational risk

Victoria Police cannot be sure there is sufficient staffing for the CM role.

As part of their annual planning cycle, Victoria Police produce a **State-Wide Community Safety Profile**, which examines the community safety environment for the upcoming year. The annual assessment identifies priorities to feed into the internal organisational risk management processes.

Only recently has Victoria Police identified the risk of inadequate CM resources and the effect this has on the quality of compliance management as a key organisational risk. In May 2018, the emerging risk was identified in Victoria Police's 2018–19 State-Wide Community Safety Profile, which stated that 'increasing numbers of registered sex offenders are impacting compliance enforcement and subsequently community safety'.

The Victoria Police Operations Committee considered the risks and emerging trends raised in the statewide profile. In response to the emerging risk for RSO management, ROMOC decided to increase the Offender Management Divisions by 48 sworn and 11 Victorian Public Service staff, from April 2018. ROMOC considered the current maturity of Victoria Police's RSO compliance regime and the incoming resources to Offender Management Divisions against the organisation's current capacity to address other key risks and government investment. ROMOC decided that the current processes and incoming resources, together with work to review the operational model, were appropriate treatments for the identified risk.

Given that inadequate CM resourcing has been identified as a community safety risk, Victoria Police advises that RSO management is now listed in the top 10 organisational risks and is an organisational priority.

No data on the efficacy of compliance management approaches

Victoria Police's information collection and analysis does not currently allow it to draw definitive conclusions as to the efficacy of compliance management, either for individual CM units or the organisation as a whole. This means Victoria Police cannot determine if it is mitigating risks as best as it can.

We acknowledge that any results that can be derived from the available breach or reoffending data can potentially lead to erroneous conclusions. For example, several possible interpretations exist for a low breach rate, which could indicate good RSO management leading to fewer breaches or the inability to discover reporting failures. Similarly, a high breach rate does not necessarily mean inadequate RSO management—it could also be a result of a more concerted effort to discover and investigate breaches.

Likewise, recidivism rates cannot be directly attributed to the style of compliance management of a particular CM unit because too many other variables are involved, including transience of the RSO population, length of time the CM model has been in operation and location of offender reporting versus the location where the crime is committed, among others.

Other information limitations also exist. For example, Victoria Police cannot easily monitor the quality of OMPs or their adequate implementation due to the limitations of Interpose.

However, while RSO management is complex and it is difficult to define what operational success looks like, Victoria Police should aim to establish meaningful key performance indicators and agreed-upon targets against which to measure and determine performance.

Appendix A Submissions and comments

We have consulted with DHHS, DJCS and Victoria Police, and we considered their views when reaching our audit conclusions. As required by the *Audit Act 1994*, we gave a draft copy of this report, or relevant extracts, to those agencies and asked for their submissions and comments.

Responsibility for the accuracy, fairness and balance of those comments rests solely with the agency head.

Responses were received as follows:

DHHS.....68

DJCS.....69

Victoria Police.....70

RESPONSE provided by the Secretary, DHHS

Secretary

Department of Health and Human Services

50 Lonsdale Street
Melbourne Victoria 3000
Telephone: 1300 650 172
GPO Box 4057
Melbourne Victoria 3001
www.dhhs.vic.gov.au
DX 210081

BAC-1750

Andrew Greaves
Auditor-General
Victoria Auditor-General's Office
31/35 Collins Street
MELBOURNE VIC 3000

Dear Mr Andrew Greaves

Proposed Performance Audit Report – Managing Registers Sex Offenders

Thank you for your letter dated 31 July 2019 which accompanied the proposed report on Managing Registered Sex Offenders.

The audit scope included Victoria Police, the Department of Justice and Community Safety (DJCS) and the department as agencies with key roles and responsibilities in relation to the management of sex offenders. As the proposed report includes no recommendations for the department, the department has no comments to make.

I look forward to receiving the final report. Please do not hesitate to contact Ms Beth Parker, Assistant Director, Office of Professional Practice on (03) 9096 8426 or via email at beth.a.parker@dhhs.vic.gov.au should you require further information.

Yours sincerely

Kym Peake
Secretary

20 / 8 / 2019

VICTORIA State Government

RESPONSE provided by the Secretary, DJCS

Department of Justice and Community Safety

Secretary

Level 26
121 Exhibition Street
Melbourne Victoria 3000
Telephone: (03) 8684 0501
justice.vic.gov.au
DX: 210077

Our ref: CD/19/588900

Mr Andrew Greaves
Victorian Auditor-General
Level 31, 35 Collins Street
MELBOURNE VIC 3000

Dear Mr Greaves

Thank you for your letter of 31 July 2019 providing me with the Victorian Auditor-General's Office *Managing Registered Sex Offenders* proposed report and opportunity to formally respond.

The Department of Justice and Community Safety (the department) supports the report's findings in principle, noting that the recommendations are directed to Victoria Police.

The department takes seriously the issue of sex offender management and its contribution to the scheme. We support improvements to ensure the effective and efficient management of registered sex offenders now and into the future in order to keep the Victorian community safe.

If you have any questions or require further information, please contact Kris Waring, Director, Integrity and Investigations, on 8684 8280 or via email Kris.Waring@justice.vic.gov.au.

Yours sincerely

Rebecca Falkingham
Secretary

15 / 8 / 19

VICTORIA State Government

RESPONSE provided by the Chief Commissioner, Victoria Police

VICTORIA POLICE

Graham Ashton AM
Chief Commissioner of Police

Victoria Police Centre
637 Flinders Street
Docklands Victoria 3008 Australia
Telephone +61 3 9247 6868

P.O. Box 913
Melbourne Victoria 3001 Australia

Our Ref: FF124644
Your Ref: 33529

Andrew Greaves
Auditor-General
Victoria Auditor General's Office
Level 24, 35 Collins Street
Melbourne VIC 3000

Andrew
Dear Mr Greaves

Managing Registered Sex Offenders – Final Report

Thank you for the opportunity to provide a response to the proposed report into Managing Registered Sex Offenders. We understand the significance of this audit and the need to provide assurance and ensure protection of the Victorian community. We are pleased this report acknowledges that Victoria Police takes seriously our responsibilities under the *Sex Offenders Registration Act 2004* and that we have gone beyond the Act's compliance requirements to establish comprehensive risk based offender management practices. We are grateful for the dedication and commitment shown by our employees across the State who undertake this work.

There has been a significant commitment and investment by Victoria Police to effectively manage Registered Sex Offenders (RSO's) across the State. We recognise the importance of our responsibilities under the *Sex Offenders Registration Act 2004* to ensure RSO's comply with their reporting obligations, and have significant resources, both centrally and across the organisation, working hard to ensure that compliance rates remain very high.

We understand that the report, necessarily, focusses on risks that could materialise. We note that the current sex offences reoffending rate for this cohort is relatively low, at approximately 2.3% on average, which would indicate our compliance and proactive efforts are having the desired impact. To ensure progress continues, we remain committed to enhancing our strategies to mitigate risks and safeguard the community, and these audit findings will help focus our work to inform and guide us towards best practice. On this basis, we accept the recommendations (1-9) and are already working towards implementation of each of the actions.

We note the report recognises the positive work we have already undertaken, which is consistent with the findings of IBAC who actively monitor Victoria Police's legislated responsibilities for compliance with the *Sex Offender Registration Act 2004*.

In recent years, we have focused on a range of operational strategies that ensure we manage Registered Sex Offenders in line with our objective to enhance the safety of the community. These strategies are delivered within the context of a partnership between frontline policing areas and those who work in the specialist area of Intelligence and Covert Support Command. For example, the Offender Management Framework is an evidence-based model incorporating best practice elements postulated in the sex offender literature, namely, actuarial and dynamic risk assessment as well as risk management components. Victoria Police has undertaken significant work to validate a fit for purpose dynamic risk measure to meet the needs of police in prioritising the deployment of resources to high risk sex offenders. The international literature supports operational models which focus on high risk offenders, without disruption to rehabilitation goals and retain the flexibility to respond to new intelligence regarding lower risk offenders. All of these elements have led to the adoption of Victoria Police's Offender Management Framework and dynamic risk tool across four other Australian jurisdictions (WA, SA, Qld, NSW).

In terms of our resourcing commitment to sex offender management, the Victorian Sex Offenders Registry is well resourced and certainly the largest in Australia. The Victorian registry comprises teams focussed on intelligence and analytics, ensuring legislative compliance, offender risk assessment as well as Proactive Targeting Teams (PTT). The commitment of resources is greater in comparison to the national landscape and in New Zealand and Canada. To enhance our capability, in 2018 we bolstered our resources by an additional 36 FTE to support the Sex Offenders Registry and the Regions, and we also created PTT (with dedicated FTE of 21) to provide additional capacity. The teams prioritise, monitor and engage the highest risk RSO's and in the first 12 months, successfully applied for 20 Sex Offender Prohibition Orders, executed 20 search warrants and made over 80 arrests and assisted the Regions to locate over 34 sex offenders.

Legislative reform has further strengthened our ability to reduce sexual re-offending and better monitor Registered Sex Offenders. As an example of our commitment to use this legislation, Victoria Police recently completed the back capture of over 3000 forensic samples taken from registered sex offenders as well as those whose reporting obligations had expired.

We will continue to look for opportunities to further enhance the outcomes for a safer community, and welcome the recommendations in this report that provide direction for an enriched policing approach. There are however aspects of the Audit findings where we vary in our thinking.

We note VAGOs concerns around baseline modelling for compliance management units. Victoria Police's operating model is decentralised, geographically based and nuanced to the risks and needs of the Region, which we say has delivered community safety in this State. The report views differing operational models across the state as inconsistent and therefore presenting a risk to effective offender management. We say decentralisation provides Regions the scope to deliver compliance management in a way that ensures flexibility to meet all of their service delivery requirements for community safety. We do not support a 'one size fits all' approach, however acknowledge the requirement for consistency where appropriate. If a Region has increased risks around their Registered Sex Offenders, they are now supported by a PTT as a surge capability to assist with high risk offender management and we believe this model has been effective. Whilst we are open to reviewing the model, we do not share the same concern, but recognise that to meet future demands, we will need to ensure the model is scalable and able to respond to demand. As per the recommendations (1 & 4) we will continue our work to review the model, however we will only

support a model that provides for flexible and agile resourcing and ensures all of our competing priorities can be balanced.

The report findings indicate a need to review the resourcing model, with VAGO expressing concerns about consistency of resourcing and workloads across the state. Victoria Police has developed the Staff Allocation Model (SAM) to assist us to forecast the strategic allocation of resources, based on evidence of service demand, and this supports the decision making to enable an agile response to a shifting and complex environment. The SAM applies a range of information and data sources to inform the placement of resources such as calls for assistance, reported crime, reportable deaths, sex offender management, event management and traffic incidents. Core functions, such as how many police are needed to keep the station open and a van on the road, are also taken into account. We note there are point in time ratios presented in the report. Using an agreed best practice evidence base, time attributed to sex offender management has been incorporated as an input for the past two years and continues to inform allocations to Sexual Offences and Child abuse Investigation Teams (SOCITs) and Crime Investigation Units (CIUs). The SAM is an evolving model, which is reviewed annually to ensure it appropriately reflects our optimal operating environment.

VAGO raises the issue of consistency in training opportunities. Our professional development approach includes a fit for purpose training course, policy and guidance (Victoria Police Manual & Victoria Police Manual Guidelines) and a Compliance Manager Practice Guide that provides clear understanding of what is required and how to achieve best practice. This framework supports our Compliance Managers across the State to understand their role.

The report finds our Compliance Manager training course delivers a comprehensive education to our employees undertaking these duties. As with best practice in education and striving for continuous improvement, we will undertake a training needs analysis to ensure we remain contemporary and provide our Compliance Managers with all the tools required to fulfil their roles.

Overall, Victoria Police is grateful for the work VAGO has undertaken on this important part of our business. We would like to thank the VAGO Auditing team, led by Caitlin Makin for their professional and respectful engagement with our teams and appreciate the opportunity to provide this response to the proposed report.

Yours sincerely

Graham Ashton AM
Chief Commissioner

21 / 08 / 2019

Victoria Police action plan to address recommendations from Managing Registered Sex Offenders Audit

No	VAGO recommendation	Action	Completion date
1	Determine the current and the projected level of financial and human resources necessary across the organisation for effective compliance management and proactive RSO management and use this as an input into resourcing decisions (see Section 2.2).	Victoria Police acknowledges the trends on increasing registered sex offenders and will undertake work to determine both our current and projected level of resources required to deliver effective compliance and proactive management of registered sex offenders. We will use this work to inform our resource allocation.	June 2020
2	Establish avenues through which examples of best practice within compliance manager units—such as local guidance material or standard operating procedures—can be shared with other compliance managers (see Section 2.3).	Victoria Police will establish a process for the collection and validation of best practice and enable its sharing with compliance managers.	March 2020
3	Review the compliance manager course and assess whether there are relevant elements from other training courses, such as the Crime Investigation Unit or Sexual Offences and Child Abuse Investigation Team training, that could enhance the capability of CMs to do the role (see Section 2.5).	Victoria Police will undertake to perform a training needs analysis to deliver on opportunities to enhance the capability of case managers to perform their role.	March 2020
4	Investigate opportunities to improve the registered sex offender management operating and resource model and ensure that this project has appropriate representation and team membership and sufficient resources to fulfil its mandate (see Section 2.8).	Victoria Police is working on a project methodology to explore a range of options for an RSO Operating Model to best meet competing service delivery demands.	June 2020
5	Ensure that the business case for the system that will replace Interpose requires adequate case management functionality to manage registered sex offenders, compliance activities and investigations (see Section 3.2).	The recommendation indicates an IT solution as providing best practice to mitigate this risk and whilst we agree with that, we need to consider what is fiscally achievable in the current operating environment. Victoria Police will ensure that functional requirements for the case management of Registered Sex Offenders are drafted to inform the development of a business case for any replacement management system.	Solution dependant

RESPONSE provided by the Chief Commissioner, Victoria Police—continued

6	Improve the timing of, and include trend analysis in, Regional Offender Management Operations Committee reports so they are more useful (see Section 3.3).	Victoria Police has commenced a process to improve the timing of Regional Offender Management Operations Committee reports, inclusive of trend analysis, to increase their usability.	December 2019
7	Implement a process to effectively monitor the quality of Offender Management Plans and whether identified mitigation actions are implemented (see Section 3.3).	Victoria Police is implementing an organisational process that focus' on quality management of high risk persons of interest, inclusive of the Registered Sex Offender Cohort. Combined with specific timely Registered Sex Offender trend analysis and enhanced Regional Auditing to effectively monitor quality and appropriate mitigation actions are implemented.	August 2020
8	Ensure that regional audit units: • include analysis of whether Offender Management Plans address the key risks identified by Registered Sex Offenders' risk assessments in their audit assessment template • have guidance on the criteria against which to choose compliance manager units to audit • track the implementation of the improvement opportunities they identify (see Section 3.3).	Victoria Police seeks to continue improving its high level of compliance by enhancing capability of Regional Audit Teams and will develop and provide appropriate tools and training to enable assessments, provide guidance and track implementation.	August 2020
9	Formulate and implement an effective data collection and analysis strategy to facilitate comparison of reoffending data between compliance manager teams within all units across Victoria Police and evaluate the overall success of registered sex offender management for community safety (see Section 3.3).	Victoria Police is committed to undertaking strategic analysis of factors and indicators influencing sexual reoffending to inform better case management. Factors effecting sex offender recidivism are complex and some are out of the immediate legislated authority and control of Victoria Police.	June 2020

Appendix B
Data quality checks

Cross-referencing SOR data with LEAP data

At the time of this analysis, there were 8 004 RSOs in the SOR database. These were cross-referenced with the LEAP database and examined for consistency.

We found that:

- 7 219 records, or 90.2 per cent, had matching dates of birth and names
- 427 records, or 5.3 per cent, had matching dates of birth but variations to the last name
- 346 records, or 4.3 per cent, had the same or recognisably similar names but dates of birth were not matching
- 12 records, or 0.2 per cent, were not found in LEAP at all.

We worked through these discrepancies with Victoria Police, but agree that the variations in names and dates of birth do not have an impact on RSO management in practice because the records are linked by unique identifiers.

Victoria Police could also explain the 12 files that were not in LEAP as being either duplicate SOR database entries or SOR database entries with multiple unique identifiers in LEAP. This can occur when RSOs have been entered on the SOR database with the unique identifier that was current on LEAP at date of entry and LEAP has subsequently been altered to reflect a new primary unique identifier. This usually occurs where what were thought to be two separate people are identified as the same individual. Entering the unique identifier recorded on the SOR database into LEAP automatically substitutes and redirects to the other, more current one and as such does not have an effect in practice. The SOR unit advises that they have now corrected the SOR data to reflect the most current unique identifier on LEAP.

Cross-referencing LEAP data with the SOR database

All RSOs must be given an RSO 'flag' on their corresponding record in LEAP. We cross-referenced these two datasets and assumed that any person flagged as an RSO in LEAP would have their details recorded in SOR.

There were 211 RSO flags in LEAP at the time of the analysis that were not found in the SOR dataset that we had received. Of these, 181 records can be explained as a timing difference between the SOR and LEAP data extracts—they were recorded in LEAP after the SOR dataset was extracted. The remaining 30 records, or 14 per cent, were not found in the SOR database. Victoria Police checked these records and the reasons for the discrepancies included:

- duplicate unique identifiers in LEAP
- test records in LEAP created by Victoria Police IT staff responsible for LEAP quality assurance which cannot be deleted
- a delay in creating the SOR record as the LEAP flag is entered immediately but the SOR record may require paperwork follow up (Victoria Police confirmed the nine examples this applied to are all now in SOR).

There were 12 instances where the RSO flag was raised in relation to RSOs who are not registered in Victoria but registered in another jurisdiction. At some point, Victoria Police believed they were moving into Victoria and would be registered which led to the addition of the flag. This ultimately did not occur, and Victoria Police has since confirmed these flags have been removed.

Auditor-General's reports tabled during 2019–20

Report title	Date tabled
Managing Registered Sex Offenders (2019–20:1)	August 2019

All reports are available for download in PDF and HTML format on our website www.audit.vic.gov.au

Victorian Auditor-General's Office
Level 31, 35 Collins Street
Melbourne Vic 3000
AUSTRALIA

Phone +61 3 8601 7000
Email enquiries@audit.vic.gov.au