

SORAM: Towards a Multi-agency Model of Sex Offender Risk Assessment and Management

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Summary: This paper charts the development of the multi-agency model for Sex Offender Risk Assessment and Management (SORAM) from its origins of co-working a small number of very high-risk cases in 2007/8 to its national roll-out in May 2013. Consideration is given to the environmental context, drivers and challenges faced, while also capturing the significant benefits of a joint approach to high-risk offender management. The context includes an outline of the work of the Department of Justice and Equality in considering high-risk offender management and the targets set within governmental and intergovernmental committees, examining how these developments led and supported operational drivers to achieve specified targets. The parallel and aligned introduction of an all-island system of risk assessment, coupled with the establishment of a cross-jurisdictional 'All-Island and UK committee', is explained, including the cross-jurisdictional strategies initiated to support best practice, training and research.

Keywords: SORAM, sex offender, risk assessment, risk management, multi-agency model, Probation Service, An Garda Síochána, Health Service Executive, Irish Prison Service, Sex Offenders Act 2001, better lives, treatment programme.

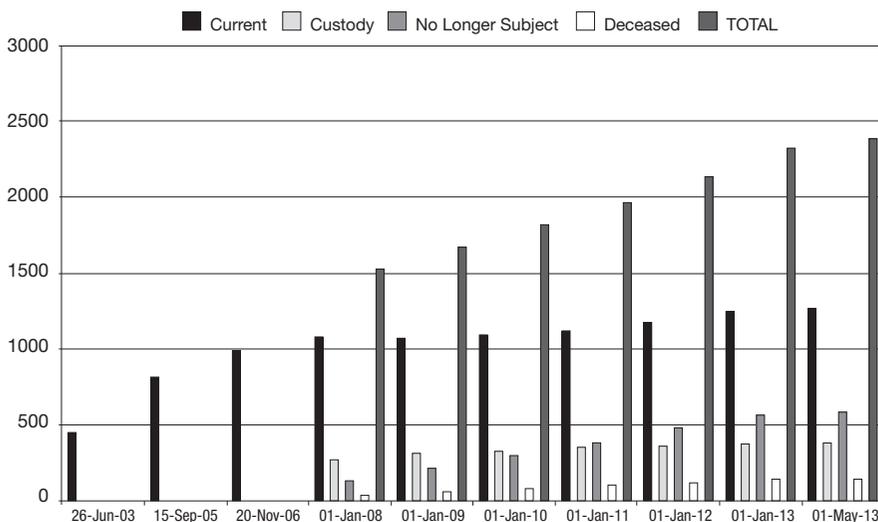
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Introduction

For over a decade the Sex Offenders Act 2001 has been the central legislative foundation for the management of sex offenders in Ireland. This included the introduction of a notification system (similar to a sex offenders register) whereby sex offenders must provide their names and addresses to An Garda Síochána,¹ making Ireland one of only five countries with such a system (alongside the United Kingdom, Canada, the USA and Australia). The Act also established the requirement for the court to consider a period of post-release supervision for those sex offenders sentenced to a period of imprisonment.

Twelve years later, there are almost 1,300 convicted sex offenders subject to the requirements to notify, with approximately 12% of these subject to probation supervision. A further 363 sex offenders are currently in prison.² As can be seen from Figure 1, current patterns indicate that the numbers subject to notification and in custody are increasing. This is also the case with post-release supervision.

Figure 1. Sex offenders subject to Section 2 of the Sex Offenders Act 2001, 2003–13. Data supplied by An Garda Síochána (Domestic Violence and Sexual Assault Investigation Unit) (unpublished)



¹ Ireland's national police service.

² Figure supplied by the Irish Prison Service for 20 May 2013.

Moving beyond the Sex Offenders Act 2001

The Sex Offenders Act 2001 provided a very clear legislative basis for the community supervision and monitoring of sex offenders. As the numbers of offenders increased, the need for an integrated risk assessment and management system became apparent. By 2008, while it was not included within the text of the Criminal Law (Human Trafficking Act) 2008, thought had been given to the need for legislation covering this area. This prompted An Garda Síochána and the Probation Service to engage in focused dialogue at an operational level with a view to developing a model in preparation for, and to inform, the publication of any proposed legislation. The result has been the development of the Sex Offender Risk Assessment and Management (SORAM) model of practice.

Structural change supporting enhanced joint practice

In 2006–2007, the Probation Service underwent a period of significant restructuring, which included, in mid-2007, the establishment of a new national region, ‘Prisoners, Risk and Resettlement’. Within this region a High Risk Offender Management team was created and tasked with developing an enhanced practice capability within the service. At this time, initial contact was established between the Probation Service and An Garda Síochána’s Domestic Violence and Sexual Assault Investigation Unit in the National Bureau of Criminal Investigation. Information exchange developed informally and, as the working relationship became more established, a shared realisation of mutual areas of responsibility and concern was identified. In particular, it was clear that the two organisations had complementary roles to play in managing the risk posed to the community by convicted sex offenders, especially those deemed to be high profile and/or posing a high risk of reoffending. Having worked jointly on a small number of such cases, the potential benefits of replicating the aligned approach became evident.

Policy context

In a 2006 paper, Dr Joseph Duffy highlighted the need for policy development in the area of sex offender management, concluding:

It is now time to give attention to policy development for the risk management of sex offenders within an Irish culture in a manner that reflects the complexity of the issues involved. (Duffy, 2006, p. 15)

Since that time, governmental and intergovernmental targets have provided significant opportunities for meaningful progress in the area of sex offender management.

In late 2007, the Department of Justice, Equality and Law Reform established a High Risk Offender Working Group to consider the management of sex offenders from the point of conviction through to imprisonment and on to post-release interventions. The group was chaired by the department, with additional representation drawn from key justice sections including An Garda Síochána, the Probation Service and the Irish Prison Service. Additional representatives were invited from COSC (the recently established National Office for the Prevention of Domestic, Sexual and Gender-Based Violence), Children and Family Services (HSE) and the Department of Environment, Heritage and Local Government.

In January 2009 the Department of Justice, Equality and Law Reform published *The Management of Sex Offenders: A Discussion Document*. It examined current management arrangements and put forward proposals for future developments. The report invited comments and observations from the public, and was promoted through the convening of a conference on 26 March 2009.

Following submissions, the Department of Justice and Law Reform published a further report, *Summary of the Views Received on Discussion Document on the Management of Sex Offenders* (2010), which focused on policy and practice areas including risk assessment, interventions in custody, sex offenders in the community, the courts, victims and legislation. Both reports, including the views of submissions received, strongly supported the need for multi-agency risk management arrangements.³ Indeed, the Working Group itself supported such a development in practical ways by facilitating regular communication between key sections within Justice and between Justice, Environment and Health.

More specific government targets were also in place around this time, including the following.

³ Interestingly, a similar process had been instigated by the department prior to the publication of the Sex Offenders Act 2001. Released in May 1998, *The Law on Sexual Offences, a Discussion Document* addressed similar issues such as risk assessment, post-release management and electronic monitoring, but made no reference to multi-agency models of practice at that time.

- (i) The *Joint Oireachtas Committee on Child Protection Report* (Oireachtas, 2006) focused on age-appropriate sentencing for young persons convicted of sexual offences and the assessment and treatment of convicted sex offenders, and called for a review of the operation of post-release supervision.
- (ii) The *National Development Plan 2007–13* (Stationery Office, 2007) targeted the expansion of prison and community sex offender programmes, and the need to assist the reintegration of prisoners in areas such as accommodation, employment, training and further education.
- (iii) The *Programme for Government 2007–12* (Department of the Taoiseach, 2007)⁴ sought to ensure that all sexual offenders were assessed before their release from prison to identify the level of supervision and regulation needed. It also proposed to introduce a Sexual Offences Bill that would consolidate and modernise all criminal law in the area of sexual offences; however, this target was not realised.
- (iv) *The Way Home: A Strategy to Address Adult Homelessness in Ireland 2008–13* (Department of the Environment, 2008) identified the issue of accommodation provision, requiring liaison between local homelessness fora and the Multi-Agency Group on Sex Offenders (MAG)⁵ with a view to ensuring a range of effective measures to prevent, as far as possible, the incidence of persons convicted of sexual offences becoming homeless.
- (v) The *Public Protection Advisory Group*, a joint justice committee established under the Intergovernmental (Good Friday) Agreement and co-chaired by the Director of the Probation Board for Northern Ireland and the Director of the Probation Service, in 2008 agreed to introduce an all-island assessment tool for sex offenders.
- (vi) The *National Strategy on Domestic, Sexual and Gender Based Violence 2010–14* (COSC, 2010) covered a broad range of targets in relation to assessment, treatment and risk management.

Also, in 2009, the Irish Prison Service (IPS) published a policy document outlining its focus in this area. *Sex Offender Management Policy: 'Reducing*

⁴ Available at www.taoiseach.ie/eng/Publications/Publications_Archive/Publications_2007/Eng_Prog_for_Gov.pdf

⁵ A sub-group of the Dublin Regional Homeless Consultative Forum.

Reoffending, Enhancing Public Safety (IPS, 2009) aimed at bringing about changes in prisoners that would reduce their risk of reoffending and could form an integral part of wider community-based interventions by justice agencies.

Investigations and reports

These policy developments cannot be seen in isolation from the numerous investigations into allegations against the Catholic Church that arose at this time and that undoubtedly strongly influenced this area of work. The Ferns Inquiry Report (Ferns Report, 2005) was published in October 2005 following investigation into allegations and complaints made against clergy in the diocese of Ferns, County Wexford. The HSE established five working groups to address the 20 separate recommendations made by the Inquiry team.

Two notable committees, from this paper's perspective, were known as:

- (i) The Ferns 4 Working Group, which focused on responses for the victims of sexual offending. This committee produced a report considering responses to the assessment, therapeutic and counselling needs of children who had been sexually abused, and their families (September 2009).
- (ii) The Ferns 5 Working Group, which focused on interventions for perpetrators. Its initial report was entitled 'Treatment Services for Persons who have Exhibited Sexually Harmful Behaviour' (March 2007) and recommended a national treatment model, structured into four regions and delivered using a 'core and cluster' model of practice.

Also, in 2009, both the Ryan⁶ and Murphy⁷ Reports were published. Among many other things, these strongly influenced the work of the Task Force on the establishment of the Child and Family Support Agency, which led on the governance structure of that new agency.

⁶While known as the Ryan Report, its formal title was 'The Commission to Inquire into Child Abuse'. Chaired by Justice Seán Ryan, the terms of reference involved an investigation into all forms of child abuse in Irish institutions for children, the majority of which fell into the category of reformatory or industrial schools. The Commission sat between 1999 and 2009. The Final Report was published in May 2009, containing some 99 recommendations. Key actions included: developing and strengthening national child care policy and evaluating its implementation; improving the organisation and delivery of children's services; revising (contd.)

Review of An Garda Síochána Policy

To ensure that best practice was being achieved, and to enhance public confidence following the issuing of these reports, An Garda Síochána considered it timely to conduct a comprehensive review of its policies regarding both child welfare and the investigation of sexual crime. The *An Garda Síochána Policy on the Investigation of Sexual Crime, Crimes against Children and Child Welfare* was published in April 2010, updating previous policies, introducing new policies and consolidating them into a single document. That policy document has since been reviewed, resulting in a second edition being published in 2013 (An Garda Síochána, 2013). The document also acts as a practical reference guide providing comprehensive instruction and advice to members of An Garda Síochána in their work as it relates to these critical areas of public protection, including the management/monitoring of sex offenders (An Garda Síochána, 2013).

HSE policy development

Policy in the area of child protection and welfare was significantly influenced by the appointment of an Assistant National Director for Children and Family Services within HSE in 2009. With the establishment of a national office, work began to provide consistency in child protection practice. In January 2011 the HSE appointed Ireland's first National Director for Children and Family Services.

In July 2012, the Minister for Children and Youth Affairs published the *Report of the Task Force on the Child and Family Support Agency* (Department of Children and Youth Affairs, 2012), clearly setting out the vision, governance and service model in the way forward for child and family services in Ireland. The report proposes the most significant shift in child welfare in the history of the State, with a single dedicated State agency overseen by a single dedicated government department, all focused on providing a single continuum of services committed to children's well-being and protection.

⁶ (contd.) Children First, the national guidance for the protection and welfare of children and underpinning the guidance by way of legislation.

⁷ Released a few months after the Ryan report, the Murphy Report was the informal title given to the Report by the Commission of Investigation into the Catholic Archdiocese of Dublin headed by Judge Yvonne Murphy. It examined complaints and allegations of sexual abuse in the Dublin archdiocese between 1975 and 2004: www.dacoi.ie

At the time of writing, the Child and Family Agency continues to develop and a Programme Director and CEO Designate has been appointed.

Risk assessment within SORAM

In 2007, as previously mentioned, the Public Protection Advisory Group (PPAG; a cross-border justice committee, established under the Intergovernmental Agreement) undertook to advance an all-island approach to sex offender assessment. Initial work undertaken by the Probation Service established which instruments should be introduced, recommending the adoption of a combination of the Risk Matrix 2000 (RM2000) (Thornton *et al.*, 2003) and the Stable & Acute 2007 dynamic instrument (SA2007) (Hanson *et al.*, 2007). This reflected developments in Northern Ireland, where the RM2000 was well embedded and the SA2007 instrument was then being piloted, thereby facilitating a common language of the risk posed by sex offenders, who tend to travel between the two jurisdictions.

A joint approach to RM2000 training was adopted and by 2009 over 200 personnel had been trained within the Probation Service and An Garda Síochána. By 2010, through co-operation with the National Offender Management Service (NOMS) in England and Wales, a train-the-trainer programme was delivered to justice personnel on an all-island basis and was extended to include both the Irish Prison Service and National Forensic Mental Health Service.

The introduction of SA2007 was a slower process. The Probation Service initially targeted training, on a single-agency basis, in the High Risk Offender Management Team (2007–8), allowing the service to develop concentrated experience in the use of the instrument before extending the training to a broader group of personnel. Training for the team was accessed from both Multi-Agency Sex Offender Risk Assessment and Management arrangements (MASRAM)⁸ in Northern Ireland and the Effective Practice Unit in the Scottish Government.

⁸ Established in 2001, MASRAM was initially a voluntary arrangement to facilitate police, probation, prisons, housing and health agencies in working together. The arrangements were placed on a statutory footing in October 2008, at which time they were renamed the Public Protection Arrangements for Northern Ireland (PPANI).

By 2009 the Probation Service had an Implementation Plan in place. This was coupled with growing interest in and understanding of this more complex instrument by An Garda Síochána. To support an aligned and integrated approach, an Implementation Group was established with operational and training personnel from both agencies. Additionally the Probation Service statistician, seconded from the Central Statistics Office, and a multi-agency Public Protection Arrangements for Northern Ireland (PPANI)⁹ representative participated. The involvement of the PPANI representative was extremely useful, allowing the benefit from the learning of the pilot of SA2007 in Northern Ireland to be absorbed. An initial attempt to secure a train-the-trainers model was unsuccessful, leading to the positive and ongoing development of a relationship with a trainer from the Scottish Government.

Also in 2009, a committee, known as the All-Island and UK committee, was formed to consider how a cross-jurisdictional approach could benefit ongoing implementation, e.g. training, efficiencies, best practice, accreditation and research. Membership initially included Ireland, Northern Ireland (lead), Scotland, and England and Wales; however, England and Wales subsequently withdrew following their decision not to implement SA2007 in 2011.

Over the following two years the Probation Service developed sufficient capacity of trained personnel to pilot a national system of assessing sex offenders which operated between 2010 and 2011. The outcome of the pilot generated learning from which both the Probation Service and the An Garda Síochána have benefited. An Garda Síochána largely focused its SA2007 training on divisions where the joint SORAM arrangements were being piloted, with over 150 An Garda Síochána personnel now trained. Finally, in March 2013, through much effort on the part of the All-Island and UK Committee, a train-the-trainer programme was delivered to identified personnel from Ireland, Northern Ireland and Scotland. Six An Garda Síochána and Probation Service personnel are now certified to deliver training in the use of the SA2007 instrument, resulting in a minimum need for further expenditure to retain the effective use of the instruments used within SORAM.

The added value of the cross-border approach was reinforced by the PPAG's decision to evaluate the use of the instruments over a three-year

⁹ www.publicprotectionni.com

period. To this end a research project was established that is operating from 2011 to 2014.

The development of SORAM

Having extensively reviewed the legislative, policy and political backdrop, it is timely to consider how SORAM itself was developed. By late 2009 the Probation Service and An Garda Síochána had agreed to formally pilot a model of joint working. A model was adopted that involved a national (lead/oversight) committee coupled with local area committees where the case management would take place. Discussion on geographical boundaries identified that both organisations used largely county boundaries outside Dublin, but Dublin was more problematic, and agreement was reached to structure the model on An Garda Síochána divisional boundaries there.

Guidance and supporting documentation was prepared, following liaison with the Office of the Data Protection Commissioner, to enable local committees to make structured use of the newly introduced risk assessment instruments, thus ensuring a high quality of joint risk management planning. In consideration of lead personnel, it was felt that a joint lead approach was required at both national and local levels, one that maximised the potential for full implementation and effect.

The National SORAM Committee was jointly led by the Detective Superintendent for the Domestic Violence and Sexual Assault Investigation Unit (DVSAIU) and the Regional Manager for the Probation Service 'Prisoners, Risk and Resettlement' region. The committee also included members of the An Garda Síochána Sex Offender Management and Intelligence Unit and the Probation Service High Risk Offender Management Team.

It was decided that local SORAM committees would be jointly led by the Senior Probation Officer for the relevant area and the An Garda Síochána Inspector with divisional responsibility for sex offenders. Additional personnel from each organisation were to be included based on the specific cases being considered (i.e. supervising Probation Officer and/or designated Garda).

For the initial pilot, five local areas were selected that allowed the model to be tested in a range of settings (city, town and rural). These were Tipperary, Cork City, Mayo, Louth and north Dublin (Dublin

Metropolitan Region North). Cross-agency residential training was implemented in the An Garda Síochána Training College, allowing targeted staff to get a common understanding of the model, each other's roles and responsibilities, and facilitating the development of working relationships. Following that training, the pilot started in June 2010, with a built-in research/review process being undertaken by the An Garda Síochána Research Unit and supported by the National SORAM Committee.

In each local SORAM committee area, a list of qualifying sex offenders was drawn up and, using the risk assessment instruments and additional information known to each agency, a joint risk management plan was prepared. This plan was then reviewed on a regular basis, based on the reported information from each agency relating to the offender concerned.

The need to include the child protection perspective of the HSE was apparent, and an invitation was extended shortly after the pilots started. Having accepted the invitation, the HSE initially limited its involvement to an observation role on the National SORAM Committee, allowing for consideration of the implications of full or partial engagement. This representation included a national specialist from the Children and Family Services, and the Director of the COSC sex offender treatment programme in Donegal.

In May 2012, based on the An Garda Síochána Research Unit Evaluation report, the model was extended to 11 new areas – all of Dublin, Cork and Limerick plus Cavan/Monaghan, Carlow/Kilkenny and Galway were included. By this time the HSE had decided to become involved in local SORAM committees. In an effort to introduce a third partner to the model, it was agreed to introduce the HSE Principal Social Workers to the five pilot sites initially.

In February 2013, in acknowledgement of the specific offender type being released into the community from prisons (repetition, persistence, serious harm), the National SORAM Committee invited the Irish Prison Service to become involved. Having accepted the invitation, there is now great potential to significantly improve the alignment of throughcare and the strengthening of information exchange mechanisms.

In May 2013, building on the momentum, the remaining 12 areas of the country were included. These were Sligo/Leitrim, Donegal, Roscommon/Longford, Wexford, Waterford, Clare, Kerry, Laois/Offaly,

Kildare, Wicklow, Westmeath and Meath. The HSE decided to roll out the model fully, and is now represented by Principal Social Workers in all 28 local SORAM committees. The aligning of boundaries was challenging, particularly in Dublin, as there are 28 An Garda Síochána Divisions in which SORAM operates compared with 24 Probation Service areas and 17 Integrated Service Areas in the Children and Family Services of the HSE.

Over the three years since the first pilot was launched, we have moved from a single-agency approach to one where four significant statutory partners have adopted a common approach using agreed processes, assessment instruments and guidance material. However, as will be seen, maintaining a momentum of change requires ongoing commitment, energy and leadership.

SORAM in operation

Without underpinning legislation, the SORAM model is limited to dealing with offenders who are *both* subject to the notification requirements of Part 2 of the Sex Offenders Act 2001 *and* under the supervision of the Probation Service. Other sex offenders cannot be included due to data protection limitations. As such, the SORAM model is restricted in what it can achieve, but allows for a robust model to be developed that will be suitable for a larger number of offenders at a later time.

For offenders who are eligible for consideration, a filtering system is in place that is designed to ensure that greatest resources are applied to those posing the highest risk. At its simplest, the static risk assessment instrument (RM2000) is first applied and if the offender is assessed as above low risk, he/she is included in the multi-agency arrangements. Low-risk cases are filtered out and managed on a single-agency basis. However, this does not preclude the appropriate sharing of information between monitoring An Garda Síochána personnel and supervising Probation Officers regarding such offenders and, where further information indicates a heightened risk of reoffending, any offender can then be included in the multi-agency arrangements.

For those higher risk cases deemed eligible for inclusion in SORAM, the dynamic assessment instrument (SA2007) is applied and used by the local SORAM committee to guide a jointly agreed risk management plan. For cases where a child protection issue is identified, the Principal Social

Worker from the HSE becomes involved. The risk factors are then reviewed on a regular basis and appropriate adaptations are made to the risk management plan when necessary.

In summary, the SORAM process ensures:

- enhanced working relationships between personnel
- a structured approach to risk management
- a co-ordinated intervention with the offender
- higher levels of monitoring
- higher levels of appropriate information exchange
- more accurate risk assessment
- enhanced public/child safety.

To ensure this is achieved, the National SORAM Committee is in place to:

- lead on the development of the model
- facilitate inter-agency dialogue at an organisational level
- script and revise the supporting documentation
- drive the need for a quality assurance focus that is in keeping with each organisation's internal policy and direction.

The challenges of SORAM

As already mentioned, it is one thing to roll out the model to 28 An Garda Síochána divisions, 24 Probation Service areas and 17 HSE Integrated Service Areas with boundaries that do not correspond, but quite another to ensure that the model remains healthy and continues to operate robustly and develop further. There is a need to provide ongoing training support and governance, allowing practice to develop locally that is in keeping with the consistent model of practice in place nationally. There is also a need to provide a more seamless throughcare from prisons, supporting the prisoner in maintaining gains made and/or ensuring that effective monitoring arrangements are in place as necessary.

To deliver these requirements, a co-located National SORAM Office has been established in the National Bureau of Criminal Investigation, Harcourt Square. With personnel from An Garda Síochána, the Probation Service and the HSE, the office will support the work of the National SORAM Committee, linking with local SORAM committees and

ensuring that a constant focus is maintained on standards and quality practice.

The office will operate as a single point of contact to answer queries as they arise and support problem-solving at a local level. As such it will also be in a position to assess trends and learning requirements, recommending actions to the National SORAM Committee where necessary.

Additionally, in support of SORAM, some critical issues may require a legislative response, including:

- facilitating the sharing of information between statutory partners
- the development of a common definition of sex offender (which is broader than that held in the Sex Offenders Act 2001, e.g. sexually motivated offences)
- clarity on complex human rights issues such as disclosure or equal rights in access to training or education.

One of the most recurring and enduring barriers to effective risk management is the absence of provision of appropriate accommodation for sex offenders. Indeed, for higher profile or higher need offenders (including those assessed as not capable of living independently), there continue to be serious public safety issues requiring resolution. While this has been receiving attention in various ways, including the work of the MAG in Dublin, it remains far from resolved. As such the National SORAM Committee identifies the need for the inclusion of a representative from the housing sector to lead on this area.

Finally, for SORAM to be effective at a local level, risk management interventions that target the offender's internal controls need to be available. These include obvious interventions such as engagement with treatment and/or supervision, but also actions on the part of the offender to support the development of a 'better lives' approach. Examples of these include making constructive use of daytime (activity), overcoming the common issue of social isolation, or the management of mental health or addiction issues. Each of these actions requires both positive engagement by the offender but also, significantly, the support of relevant statutory and voluntary partners. It can be difficult for local SORAM committees to access such services, particularly for higher risk and higher profile offenders.

Conclusion: Why does SORAM work?

As can be seen, much has happened over the past five years; meaningful, robust changes have significantly enhanced effective practice and increased public safety. In achieving a multi-agency outcome, much effort has gone into aligning the thinking, perspectives and priorities of our organisations. This effort involved having a clear understanding of the evolving structural, policy and practice developments in each department and organisation, and demanding that through a multi-agency lens, opportunities, limitations and operational realities were maximised, accepted and developed when and where possible.

But in conclusion, the real success of SORAM lies in the added value it brings to staff managing the offender on a day-to-day basis. SORAM provides for the development of relationships and effective communication between key personnel; it ensures a robust and structured method for inter-agency engagement; it requires information to be shared; it demands that comprehensive risk assessments be conducted and reviewed regularly. SORAM pools resources that previously worked in parallel and were largely disconnected, maximising the effectiveness of the various complementary roles, responsibilities and perspectives of each agency involved to add significantly to child and public protection.

Most importantly, An Garda Síochána, the Probation Service, HSE Children and Family Services and the Irish Prison Service are fully committed to the full implementation and consolidation of the SORAM model.

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