Introduction

0.1 Members of gangs are often disaffected individuals whose behaviours and attitudes threaten their communities, their families and themselves. This can result in gang members being at risk of causing serious harm to the public.

0.2 These guidelines are provided to assist the Probation Service to manage the behaviour of gang members through multi-agency dynamic and responsive risk management. They should be read in conjunction with NOMS risk of harm guidance and NOMS MAPPA guidance 2009.

0.3 These guidelines do not promote new responsibilities but seek to build upon current good practice arrangements, developed through crime and disorder reduction partnerships and multi-agency public protection arrangements.

0.4 For easy reference for staff there are two Appendices – a risk grid for violent street gang offenders and an example of a risk management plan for a gang member.

Underlying Assumptions

- In the context of this guide, gangs refer to violent street gangs, not peer group or organised crime networks, though there clearly may be links between these.

- Membership of a violent street gang may increase the risk of serious harm presented by an offender, but it cannot be assumed and must be considered in conjunction with other risk issues.

- For the Probation Service to manage gang crime effectively, it is essential to work in partnership with the police / prisons / drug advisory service / social care / health care / youth services and court services.

- MAPPA – multi-agency public protection arrangements – have a vital role to play in managing the highest-risk gang offenders. They will share information, assess risk and agree a multi-agency approach designed to protect the public.

- Gang members may themselves be at risk of serious harm as they may be vulnerable to attack by rival gang members and therefore they are potential victims.

Objectives

0.5 These guidelines aim to ensure that:

1. Gang members are identified through a multi-agency risk management approach, and information is shared effectively.

2. Risks to the offender from rival gang members are managed effectively.
3. Risk assessments on gang members are appropriate and address relevant risk factors, both static and dynamic.

4. Risk management of gang members is effective in reducing their risk to the community.

5. Sentence plans are managed in partnership with intervention services to rehabilitate the offender.

1. Identifying gang members and multi-agency information sharing

Service responsibilities

1.1 The Probation Service should work in partnership with the Police to identify the extent of gang activity in their area – who the gang members are, and what their gang status is. The Home Office “Practical Guide to Tackling Gangs” provides advice on how to assess whether there is gang activity and how to agree a plan to tackle it.

1.2 If it is agreed that there is gang activity in the area, a probation trust and the local police force should each identify a single point of contact (SPOC) responsible for communicating with partnership agencies to manage the risk presented by gang members. The multi-agency process must make effective use of police intelligence and information drawn from other agencies.

1.3 A system for monitoring and profiling gang activity in the area and gang membership should be created by the police SPOC, and this information should be shared routinely with the probation SPOC or on request.

1.4 A probation trust should ensure that there is effective communication with youth offending teams through representation at the Youth Offending Team management boards in order to communicate and share information effectively regarding the risks presented by gang members.

Managers’ responsibilities

1.5 At senior manager level, a probation trust should work closely with the police and local authority via Community Safety Partnerships (CSP) to ensure the coordination of activity, an effective information sharing strategy and the provision of appropriate resources to tackle gang crime in the area. The senior manager responsible should ensure that the existing partnership information-sharing protocol, in line with section 115 of the Crime and Disorder Act, applies to gangs and gang members.

1.6 Senior managers should ensure that the local CSP and the Local Safeguarding Children Board (LSCB) have identified the gang activity in their area. They should have multi-agency plans to work cooperatively with partners to tackle the causes of gang membership.

1.7 Liaison with educational services and children services should be at a senior management level via LSCBs and local strategic meetings.

1.8 Team Managers should ensure that all staff are provided with contact details of the gang SPOC for both the police and the probation service to ensure that they can share and verify information effectively and easily. Information shared will be proportionate to the risks presented by an offender.

1.9 At senior manager level, the probation trust should aim to attend the Director of Offender Management public protection forum. This forum should ensure that there is a system for sharing information about gang members with prisons to assist the prison service to manage gang members in
custody. Managers should ensure that offender managers (OM) are aware of the importance of sharing information with prisons regarding gang activity during an offender’s sentence.

1.10 All information regarding offenders including gang activity must be managed responsibly. If there are any concerns regarding an organisation or an individual, access to information should be denied until the situation can be investigated.

1.11 In highly sensitive cases, the service may decide to exclude certain information from the electronic case record. In such a case a restricted access record should be created. This will allow staff to know that there is important information which is restricted. This decision should be endorsed by a senior manager.

1.12 On rare occasions, it may be necessary to arrest offenders on probation premises. Senior managers should agree a protocol with the police for arresting gang members on probation premises and make sure staff are aware of the process.

1.13 In order to protect staff, managers must ensure there are processes in place to alert staff to potential gang violence on probation premises. Staff should be briefed on procedures in supervision.

Offender Managers’ responsibilities

1.14 OMs must first ascertain whether an offender is a gang member and who his or her associates are. Information should be verified with the police SPOC. This information should be recorded in the risk section of OASys and should form a part of the risk assessment.

1.15 Offenders who are gang members should be flagged on the case management system using the alert system. This will ensure that all duty officers and reception staff will be alerted to the risk that an offender may present to staff or others. All reception staff should receive appropriate training to deal with such concerns.

1.16 If there is sensitive information about an offender which may put others at risk, this information should be recorded in the confidential section of OASys.

1.17 If the risk presented by a gang member represents a serious risk to specific individuals who may be managed by the Probation Service, a restricted access file will be created which is authorised by a senior manager.

2. Managing the risks presented by rival gangs

Service responsibilities

2.1 There may be significant risks to gang members from other gangs. The Probation Service should ensure that this is being addressed throughout the pre-sentence and post-sentence periods.

Managers’ responsibilities

2.2 It is important to ensure that court staff are aware if an offender in court is a member of a gang. At senior management level, a probation trust will attend the Local Criminal Justice Board and can ensure that there is a system for informing court administration of any known gang members appearing in courts. This could be achieved by an agreement for the police to alert the courts service of any issues that they need to address regarding witness safety / offender safety / public safety.
2.3 Post-sentence arrangements should be in place to ensure that intervention services are fully informed of the risks to the offender in complying with any specific sentence requirements. Great care must be taken when proposing any intervention that will take place at a specific location at a specific time of day. This is particularly relevant to unpaid work / accredited programmes / specified activities / drug rehabilitation requirements.

2.4 Managers should make arrangements for gang members to report to other suitable locations if a risk to the offender has been identified at the usual reporting venue. This could include an office in another probation division or area, the local police station or another partner agency. Managers will negotiate via the CSP and regional public protection forums to ensure that other agencies and areas are able to assist with reporting arrangements.

2.5 Managers should ensure that there are cooperative transfer arrangements in place within the region in line with Probation Circular 25/2007 in order to manage the risks presented by a gang member. Transfer should be agreed to protect the public and rehabilitate the offender. A multi-agency meeting will ensure that the required level of support is available and the risk issues are shared to formulate an effective risk management plan.

### Offender Managers / Probation Court Staff responsibilities

2.6 In areas where there is recognised gang activity, it is advised that the police SPOC should inform the probation court staff if a defendant is a known gang member. They should then ensure that relevant court personnel are informed so that any necessary arrangements can be made.

2.7 Probation court staff should work closely with prisons / the courts service / escort services to identify those occasions when rival gangs could be appearing in court on the same day, and make arrangements to avoid confrontation. Arrangements may need to be made for defendants to enter and leave court by different entrances.

2.8 Prisons and custody staff should be kept fully informed by OMs of the potential risks to gang members whilst in custody.

2.9 When managing a community sentence, it will be important for the OM to listen to the offender regarding any threat to their safety from rival gangs. Appointments should be made in advance but not always on the same day or at the same time – patterns of behaviour should not be created.

2.10 OMs should ensure that all partnership and intervention services are aware of the risks the gang member may present to self and others.

2.11 Gang members who are victims of relevant offences will be eligible for contact under the probation service victim contact scheme in the usual way. OMs must ensure that victim contact officers are fully briefed of the potential risk issues and provide advice on the suitability of home visiting.

### 3. Risk assessment of gang members

#### Service responsibilities

3.1 The risk assessment of offenders is the systematic collection of information to help determine the degree to which an offender poses an identified risk of serious harm to the public. Risk cannot be eliminated but it can be managed. Risk assessment is a dynamic process which requires ongoing re-evaluation in the
context of the offender’s changing circumstances, and, in the case of gang members, their position within
the gang.

**Managers’ responsibilities**

3.2 Managers should ensure that OMs review an offender’s risk in line with National Standards using
OASys every 16 weeks or as a result of a significant change in circumstances.

3.3 Managers are responsible for quality-assuring and countersigning OASys for all very high-risk and
high-risk offenders. For identified gang members they should ensure that relevant static and dynamic risk
factors are considered as outlined in Appendix A.

3.4 Managers must facilitate a multi-agency approach to assessing risk. This may include the
development of multi-agency meetings.

**Offender Managers’ responsibilities**

3.5 Risk assessments of gang members will be informed by OASys and other risk assessment tools. A
number of violence risk assessments recognise that the influence of “anti-social peers”, alongside other
factors, is important to consider when assessing risk. OMs need to be mindful that when assessing risk,
they should consider gang membership in conjunction with other factors associated with violence.

3.6 OMs should be investigative in their approach and should seek to develop a trusting relationship in
order to promote disclosure of information.

3.7 To undertake a comprehensive assessment, the OM should consider the vulnerability of the gang
member, including the potential risks to them as well as the risks they present to others from all the
information available.

3.8 Consideration of static and dynamic risk factors associated with gang membership may help to
indicate the current level of risk of serious harm. OMs must be able to recognise when risk is escalating
among those assessed as presenting low or medium risk and must have an understanding of acute risk
factors. A multi-agency approach to assessing gang members is essential. Both police and prisons have
vital information to share on offenders’ behaviours and attitudes – OMs must ensure they liaise with these
agencies throughout the sentence.

3.9 Experience suggests that offenders previously engaged in minor offending will tend to engage with
more serious offending when in a gang. This can be a result of group dynamics: individuals often take more
risks if supported by others. Gang-related offending is often spontaneous and related to issues of respect.

3.10 Some static and dynamic risk factors relating to violent gang crime are outlined in Appendix A.
These are based on practitioner observations of the type of circumstances which may increase the
likelihood of offending taking place. The risk factors indentified are patterns of behaviour related to gang
membership and are indicators for further investigation. Being a gang member does not in itself indicate
that an offender is a high risk of serious harm. However, a combination of the factors outlined will indicate an
increasing risk of gang activity which may result in reoffending and cause serious harm to the public.

**The role of ideology and group influence on extremist offenders**

3.11 Research suggests that individuals enter gangs, groups or new religious movements when these
promise to meet their needs for identity, power, respect and a sense of belonging, and leave them when
they cease to serve this purpose. Exploration of the balance of push and pull factors for entering and potentially for leaving may help to mobilise and motivate change.

3.12 A team within the NOMS Reducing Reoffending Policy Group (RRPG) have developed guidance for assessing extremist offenders – this is currently being piloted and, in West Midlands and Manchester, is being also tested for applicability for use with gang members. The guidance, which is designed to be completed on a multi-agency basis, focuses on four domains: Belief, Intent, Motivation and Capability. An initial evaluation is expected by summer 2010. For further information contact the Extremism Team within RRPG. For more information contact: Chris.Dean@noms.gsi.gov.uk

Acute risk factors

3.13. These are factors that change quickly over days or hours and whose emergence indicates a period of critical risk in which serious offending may occur. OMs must be aware that risk for gang members can change quickly and must be able to take action in very short time scales, e.g. to recall offenders to prison or to alert the police. Acute risk factors for gang members include:

1. Evidence that he or she is moving across gang boundaries.
2. Arrests for a gang-related offence, although there is no charge.
3. Intelligence from the police that the gang member has re-engaged with gang activities.
4. Testing positive for drugs.
5. The police report potentially dangerous behaviour.
6. Partner agencies report that the offender is not complying with instructions.
7. Increase in alcohol consumption.
8. Information from previous victim of increased concern/risk.

4. Risk management of gang members

Service responsibilities

4.1 The area should use Multi-agency Public Protection Arrangements (MAPPA) to share information when appropriate. Some gang members may be MAPPA-eligible owing to the nature of their offence or conviction (Category 1 – registered sex offenders, and Category 2 – violent and other sexual offenders) or owing to the level of risk they present (Category 3).

4.2 For MAPPA-eligible offenders the MAPPA coordinator must decide on the appropriate level of MAPPA management, dependent upon the level of risk and the complexity of the case. If the case requires level 2 or 3 management, all the necessary agencies must be invited to a MAPP meeting; this may include agencies that work specifically with offenders involved in gangs and could involve additional police representatives.

Managers’ responsibilities

4.3 Managers should ensure that there are arrangements in place to have inter-area MAPP meetings when the offender’s gang activity crosses boundaries into another area.
4.4 If the offender is not MAPPA-eligible, a multi-agency meeting may be convened to consider a multi-agency response. The SPOCs for the probation service and police should agree how these meetings should be managed and whom to invite.

4.5 Managers should ensure that, where a VISOR record exists, gang membership is recorded on VISOR and the record is kept up to date.

**Offender Managers’ responsibilities**

4.6 Many gang members will be MAPPA-eligible but some will not. However, OMs should be aware that multi-agency risk management is essential for all gang members to ensure that information is shared appropriately and the risk management plan is enhanced to manage the risks identified.

4.7 Gang members in prison who are MAPPA-eligible should be assessed and referred to MAPPA at least six months before release. If a gang member operates across probation areas, an inter-area MAPP meeting should be convened. A core group may be established at this stage to take forward the actions agreed.

4.8 When preparing a parole report the OM should consider intelligence from the prison as well as community sources. Consideration of which licence conditions will be effective, necessary and proportionate is important, with emphasis on restrictive conditions such as:

1. Non-association with other gang members.
2. Exclusion zones.
3. Curfew.
4. Restricted use of computers.
5. Residence in Approved Premises (AP) out of the area.

4.9 If a condition of residence in approved premises is considered appropriate, OMs should ensure that they have fully investigated the make-up of the other residents and how the risk can be managed both to the offender and to the staff. Residence in an out-of-area AP may be most effective in managing risk.

4.10 OMs should ensure they have ongoing dialogue with partnership agencies and intervention services to ensure that they are kept up to date with developing issues and risks.

4.11 In cases where there is a Victim Liaison Officer (VLO) involved, OMs should share relevant information with them. VLOs may be at risk during a home visit to the victim or may need to reconsider what information should be passed on to the victim.

4.12 Risk management will include attention to an offender’s wider network of associates and family as these will impact upon the level of risk he or she presents. If an offender lives in a recognised gang area, special attention should be paid to the impact this may have on his or her offending.

4.13 OMs should take care when visiting known gang members at home. This includes those who have been the victim of gang-related activity. If there are serious safety concerns the OM should contact the police SPOC to ask for a police officer to accompany them.
4.14 Risk management plans may identify a closer level of supervision than would normally be required with control measures such as surveillance and monitoring. These cases are likely to require a greater level of middle and senior management oversight. An example of a risk management for a gang member is attached at Appendix B.

5. Sentence planning with partnership and intervention services

Service responsibilities

5.1 All offenders must have a sentence plan in line with National Standards. The sentence plan should identify short-term milestones to be achieved which are time-bounded and outcome-focused. Sentence plans should link with risk management plans. They should address the dynamic risk factors outlined that directly relate to offending. Reassessment should consider whether progress has been made in reducing any of these risk factors.

Managers’ responsibilities

5.2 Managers must ensure that there are appropriate interventions available to work effectively with gang members, both provided directly by the probation service and through the local community. This may include liaison with mental health services, drug treatment provision and local mentoring schemes.

False Evidence Appearing Real – F.E.A.R.

5.3 The London Probation Area have adopted an acronym for working with gang members, called F.E.A.R. The approach promotes the idea that gang members may appear to be complying with supervision, attending as required and addressing their offending behaviour. This appearance may be false and may mask the fact that a gang member is actively offending. “Good behaviour” from gang members should be evidenced to ensure it does represent real improvement. Managers should stress the importance of OMs confirming information from the police gang SPOC.

5.4 The concept of FEAR is also linked to the concern felt by OMs in managing gang members. OMs may fear they are getting it wrong; they may fear being attacked; and they may fear they are making the wrong judgements. Support from line management is essential to ensure that staff do not feel de-skilled and are supported in doing this work.

Offender managers’ responsibilities

5.5 Recommendations to court should consider both the appropriate sentence for the offender commensurate with the offence and the risks to the offender from rival gangs if certain requirements are imposed.

5.6 OMs must ensure effective communication with partnership agencies and intervention services to ensure they are fully briefed on the risks presented by a gang member and the risks presented to him by other gang members. This is particularly relevant to:

1. Unpaid Work. Unpaid Work (UW) may require an offender to be in a fixed location for a set period of time which can make them more vulnerable and a target for a rival gang. Where an UW requirement is imposed, it should be managed so that the offender is sent to different work sites and different agencies, if this is necessary to manage any risks to the offender.
2. **Accredited Programme.** Offenders should be assessed against the suitability criteria for the relevant accredited programmes. For safety reasons it may not be suitable for the offender to attend the programme locally, and alternative arrangements should be made for them to attend nearby. Otherwise the OM must assess whether the necessary work can be completed on a one-to-one basis in supervision.

3. **Treatment requirements.** Where an offender is assessed as being suitable for a drug treatment requirement, or an alcohol treatment requirement, or a mental health treatment requirement, and they consent, there must be an assessment of the safety implications, and the treatment provider must be made fully aware of any concerns or issues. This should take place before the court hearing.

4. **Restrictive requirements.** Assessments must include the impact on other family members with whom the offender lives. For instance if an electronic curfew requirement is made, how will this impact on the rest of the household and could it increase risks to the family from other gangs?

5. **Specific requirements.** A mentoring scheme can greatly assist gang members to develop interests in other activities such as sport or education. OMs must ensure that a mentor has clear guidelines about their role and any safety implications are considered.

6. **Custody.** OMs must liaise with Offender Management Unit staff in prisons to share information on gang members. Sentence planning in prison should address both the risks to the offender and the identified dynamic risk factors. Parole reports must be prepared with up-to-date information from both police intelligence and prison staff on current gang activity in the area.

### 6. Recommendation and Review

6.1 All areas should ensure that Managers and OMs have access to this guidance and provide relevant training/briefing if required.

6.2 The guidance will be kept under review by the NOMS Public Protection Reference Group.

Shelly Scott

21/05/10

*Acknowledgement and thanks to:*
- Delphine Duff London Probation Service
- Penny Barker Gangs best practice document
- Monica Lloyd NOMS RRPG.*
## APPENDIX A

### RISK GRID for VIOLENT STREET GANG OFFENDERS

*Offender managers should use this risk grid to assist their assessment of risk of an identified gang member – is it stable, increasing or decreasing? The relevant issues should be noted in the OASys risk of harm assessment. These are indicators for further investigations. The evidence to reduce risk column provides general guidance and does not link to specific dynamic risk factors.*

<table>
<thead>
<tr>
<th>Static risk factors</th>
<th>Dynamic risk factors</th>
<th>Evidence / Intervention to reduce risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>Physical / Behavioural indicators</td>
<td>No intelligence from police or other agency on gang-related activity</td>
</tr>
<tr>
<td>Under 25</td>
<td>High level of anger and resentment</td>
<td>Support from drug and alcohol services</td>
</tr>
<tr>
<td>Drug dealing offences</td>
<td>Alienated from main stream society</td>
<td>Evidence of motivation to change and compliance with sentence plan and risk management plan</td>
</tr>
<tr>
<td>Robbery and aggravated burglary offences</td>
<td>Disengagement with statutory services</td>
<td>Evidence of learning from offending behaviour programme or other recognised intervention</td>
</tr>
<tr>
<td>Persistent use of violence</td>
<td>Living with others who may be gang members</td>
<td>Realistic gang exit strategy</td>
</tr>
<tr>
<td>Family connected to local gangs</td>
<td>Socialises with other people known to be involved with gangs who attend probation office</td>
<td>New job or training course</td>
</tr>
<tr>
<td>Previous use of weapons – guns and knives</td>
<td>Immaturity for age</td>
<td>New interests and activities which improve self esteem</td>
</tr>
<tr>
<td>Number of previous prison sentences</td>
<td>Use of illegal drugs and alcohol abuse</td>
<td>Influential and positive role model</td>
</tr>
<tr>
<td>Allegations of domestic abuse and harassment</td>
<td>Multiple partners.</td>
<td>Recognition of their need for a safety management plan</td>
</tr>
<tr>
<td></td>
<td>Lack of self worth with fragile self esteem</td>
<td>Positive family support</td>
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<tr>
<td></td>
<td>Wears recognised gang clothing and displays tattoos and tags</td>
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<tr>
<td></td>
<td>Seen to use special hand gestures and signs and known gang slang</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of juvenile convictions</td>
<td>Unexplained income and possessions with no legitimate source</td>
<td></td>
</tr>
<tr>
<td>Victim of abuse or attack by other gangs</td>
<td>Attitude of superiority towards other ethnic groups</td>
<td></td>
</tr>
<tr>
<td>Old knife or gun shot wounds, unexplained injuries</td>
<td>Changed patterns of behaviour and social group</td>
<td></td>
</tr>
<tr>
<td>Drug related offending</td>
<td>Reluctant to go to certain places and to discuss some people.</td>
<td></td>
</tr>
<tr>
<td>Aggressive / sexualised offending</td>
<td>Excessive anxiety</td>
<td></td>
</tr>
<tr>
<td>Road Traffic offences</td>
<td>Acceptance of pro-criminal life style</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other offenders display signs of fear and intimidation or high level of respect</td>
<td></td>
</tr>
</tbody>
</table>

*A combination of these factors will indicate an increasing risk of gang activity*
1. Other agencies involved – this section should detail the nature and the role of the other agencies involved. For example a plan might include:

- Probation service to enforce and supervise licence.
- Probation service to communicate monthly with police gang SPOC or if there is a change in circumstances.
- Police to monitor and provide surveillance.
- Drug treatment agency to monitor drug use.
- Housing services to assist with identifying accommodation out of the area.

2. Existing support and controls – this section identifies the supports and controls that are already in place for the offender. For example a plan might include:

- Licence conditions for the offender to live in an AP outside of the area.
- Licence condition not to contact named gang members.
- Probation and police home visits to check contacts and associates.
- Support from family or partner who are not gang members.

3. Added measures for specific risks – this section will identify what still needs to be done to contain risk of serious harm. For example a plan might include:

- Specific issues to manage risks in UPW
- Irregular appointment times so that the offender does not form a habit of reporting at the same times.
- Disclosure of gang status to families/employer.
- Exclusion zone to avoid gang territory.

4. Who will undertake the actions and by when – this section identifies specific actions by the agencies and the time frame involved. A plan might include:

- Probation service and police to visit on day on release to reinforce obligations and check on suitability of accommodation.
- Accredited programme to provide a place on a programme by a specified date.
- Drug testing service to commence in the first week of release.
• Housing to link with other areas and provide suitable accommodation by a specified date.

• Victim contact officer to visit victim to advise on licence conditions.

5. **Additional conditions / requirements to manage the specific risks** – this section is concerned in particular with requirements in community orders or additional conditions in licences that relate to specific identified risks. Examples would be:

- Non-contact conditions relating to known associates.
- Condition of residence in an AP outside of the gang area.
- Exclusion zone so that offender cannot enter the gang area.
- Condition to attend drug treatment and undergo regular testing.

6. **Level of Contact** – national standards stipulate minimum contact. Consideration should be given to whether minimum contact is sufficient to contain risk. Further it should detail the contact made by the agencies / interventions. A plan therefore might include:

- OM to see weekly for the first 16 weeks.
- To attend accredited programme.
- Monthly home visits to be made by police and probation service.
- To attend UW at different locations each week.

7. **Contingency planning** – Please ensure you have a contingency plan should the elements of your RMP break down. Within the plan please outline:

- Alternative emergency accommodation out of the area.
- Emergency recall.
- Speedy arrest and return to custody.
- Segregation in custody.
- Actions to protect staff should this be required.

Do not record any information in this plan that might compromise the safety of others, particularly the victim.