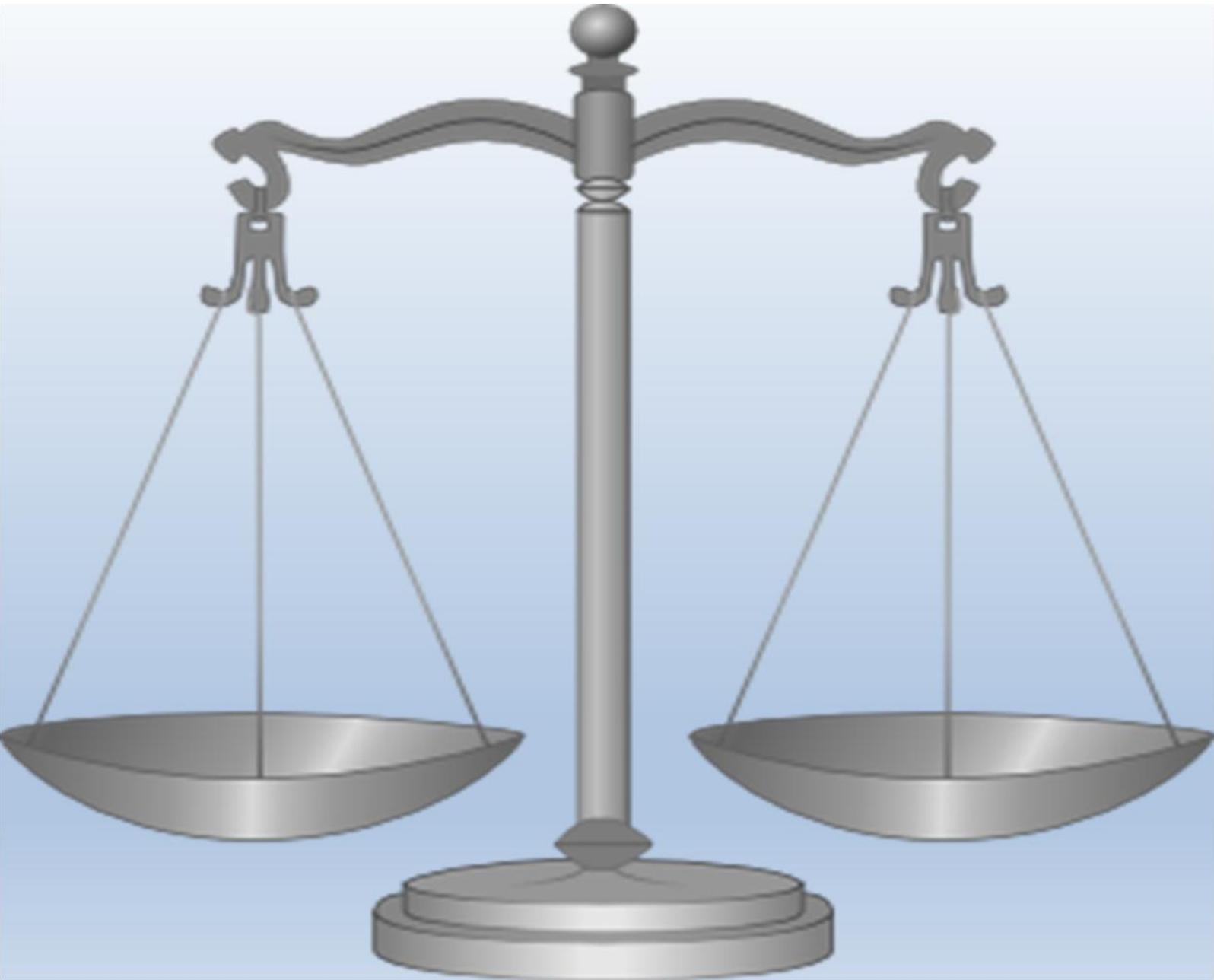




# AVON AND SOMERSET



# Annual Report 2016-17



# Introduction

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## Working Together to Keep Our Communities Safer

We are pleased to introduce our Multi Agency Public Protection Arrangements Annual Report for 2016–2017. We hope that it provides an informative and reassuring record of our achievements and hard work to protect the public over the last business year. In Avon and Somerset the key agencies and organisations have been working hard together to put in place plans to manage offenders in the community and safeguard victims.

## Our Key Priorities

The Responsible Authorities in MAPPA, Police, National Probation Service and Prisons, continue to focus on the key priority of protecting the public from harm. These authorities are assisted by organisations which have a 'duty to cooperate' with MAPPA. Always central to the work of MAPPA is the safeguarding of children and vulnerable adults. The protection of victims and potential victims of crime is the key focus and the key safeguarding agencies play an integral role in the MAPPA process. In addition we put in place comprehensive risk management plans for individual offenders who are coming out of prison or who are being supervised in the community to ensure the appropriate approach is taken in their management and rehabilitation.

Good communication is critical, as well as learning from each other and responding to feedback from the community and from partner agencies.

## Accountability

We continue to work with the Health Services, Commissioning Groups, Safeguarding Boards and the Department of Work and Pensions, as well as Local Authorities to achieve the joined up work required to manage people who present a risk to the public.

We have two Lay Advisers, who are volunteers and critical friends to the Management Board. They can attend MAPPA level 2 and 3 meetings and feed back to the MAPPA Chairs, the MAPPA Coordinator as well as the Board. Our Lay Advisers particularly highlight the complex nature of the business and the level of assessment, care and thought which characterize the MAPPA process.

## Responsible Authorities

### Avon & Somerset Constabulary



A handwritten signature in black ink, appearing to read 'Stephen Cullen'.

**Stephen Cullen**  
Assistant Chief Constable  
Avon and Somerset Constabulary

### HM Prison Service



A handwritten signature in black ink, appearing to read 'Paul Cowell'.

**Paul Cowell**  
Prison Governor

### National Probation Service



A handwritten signature in black ink, appearing to read 'Liz Spencer'.

**Liz Spencer**  
Assistant Chief Officer  
National Probation Service



# What is MAPPA?

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## MAPPA background

MAPPA (Multi-Agency Public Protection Arrangements) are a set of arrangements to manage the risk posed by the most serious sexual and violent offenders (MAPPA-eligible offenders) under the provisions of sections 325 to 327B of the Criminal Justice Act 2003.

They bring together the Police, Probation and Prison Services in each of the 42 Areas in England and Wales into what is known as the MAPPA Responsible Authority.

A number of other agencies are under a Duty to Co-operate (DTC) with the Responsible Authority. These include Social Services, Health Services, Youth Offending Teams, Jobcentre Plus and Local Housing and Education Authorities.

The Responsible Authority is required to appoint two Lay Advisers to sit on each MAPPA area Strategic Management Board (SMB) alongside senior representatives from each of the Responsible Authority and DTC agencies.

Lay Advisers are members of the public appointed by the Minister with no links to the business of managing MAPPA offenders who act as independent, yet informed, observers; able to pose questions which the professionals closely involved in the work might not think of asking. They also bring to the SMB their understanding and perspective of the local community (where they must reside and have strong links).

## How MAPPA works

MAPPA-eligible offenders are identified and information about them is shared between agencies to inform the risk assessments and risk management plans of those managing or supervising them. That is as far as MAPPA extend in the majority of cases, but some cases require structured multi-agency

management. In such cases there will be regular MAPPA meetings attended by relevant agency practitioners.

There are 3 categories of MAPPA-eligible offender:

- **Category 1** - registered sexual offenders;
- **Category 2** – mainly violent offenders sentenced to 12 months or more imprisonment or a hospital order; and
- **Category 3** – offenders who do not qualify under categories 1 or 2 but who currently pose a risk of serious harm.

There are three levels of management to ensure that resources are focused where they are most needed; generally those involving the higher risks of serious harm.

- **Level 1** involves ordinary agency management (i.e. managed by the lead agency with no MAPPA formal meetings);
- **Level 2** is where the active involvement of more than one agency is required to manage the offender.
- **Level 3** is where risk management plans require the attendance and commitment of resources at a senior level.

MAPPA are supported by ViSOR. This is a national IT system to assist in the management of offenders who pose a serious risk of harm to the public. The use of ViSOR increases the ability to share intelligence across organisations and enable the safe transfer of key information when high risk offenders move, enhancing public protection measures. ViSOR allows staff from the Police, Probation and Prison Services to work on the same IT system for the first time, improving the quality and timeliness of risk assessments and interventions to prevent offending. All MAPPA reports from England and Wales are published online at: [www.gov.uk](http://www.gov.uk)

# MAPPA Statistics

<b>MAPPA-eligible offenders on 31 March 2017</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	1417	449	-	1866
Level 2	26	8	8	42
Level 3	0	2	0	2
Total	1443	459	8	1910

<b>MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total)</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	44	41	47	132
Level 3	1	3	0	4
Total	45	44	47	136

<b>RSOs cautioned or convicted for breach of notification requirements</b>	79
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<b>RSOs who have had their life time notification revoked on application</b>	9
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<b>Restrictive orders for Category 1 offenders</b>	
<b>SHPOs, SHPOs with foreign travel restriction &amp; NOs imposed by the courts</b>	
SHPO	130
SHPO with foreign travel restriction	0
NOs	3

<b>Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)</b>	1
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<b>Level 2 and 3 offenders returned to custody</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
<b>Breach of licence</b>				

Level 2	35	7	5	47
Level 3	1	2	2	5
Total	36	9	7	52

**Breach of SOPO**

Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

**Total number of Registered Sexual Offenders per 100,000 population**

97

This figure has been calculated using the Mid-2016 Population Estimates: Single year of age and sex for Police Areas in England and Wales; estimated resident population, published by the Office for National Statistics, excluding those aged less than ten years of age.

# Explanation commentary on statistical tables

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## MAPPA background

The totals of MAPPA-eligible offenders, broken down by category, reflect the picture on 31 March 2017 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2016 to 31 March 2017.

**(a) MAPPA-eligible offenders** – there are a number of offenders defined in law as eligible for MAPPA management, because they have committed specified sexual and violent offences or they currently pose a risk of serious harm, although the majority are actually managed under ordinary agency (Level 1) arrangements rather than via MAPPA meetings. These figures only include those MAPPA eligible offenders living in the community. They do not include those in prison or detained under the Mental Health Act.

**(b) Registered Sexual Offenders (RSOs)** – those who are required to notify the police of their name, address and other personal details and to notify of any subsequent changes (this is known as the “notification requirement.”) Failure to comply with the notification requirement is a criminal offence that carries a maximum penalty of 5 years imprisonment.

**(c) Violent Offenders** – this category includes violent offenders sentenced to imprisonment or detention for 12 months or more, or detained under a hospital order. It also includes a small number of sexual offenders who do not qualify for registration.

**(d) Other Dangerous Offenders** – offenders who do not qualify under the other two MAPPA-eligible categories, but who currently pose a risk of serious harm which requires management via MAPPA meetings.

**(e) Breach of licence** – offenders released into the community following a period of imprisonment will be subject to a licence with conditions (under probation supervision). If these conditions are not complied with, breach action will be taken and the offender may be recalled to prison.

**(f) Sexual Harm Prevention Order (SHPO) (including any additional foreign travel restriction).**

Sexual Harm Prevention Orders (SHPOs) and interim SHPOs replaced Sexual Offence Prevention Orders. They are intended to protect the public from offenders convicted of a sexual or violent offence who pose a risk of sexual harm to the public by placing restrictions on their behaviour. It requires the offender to notify their details to the police (as set out in Part 2 of the 2003 Act) for the duration of the order.

The court must be satisfied that an order is necessary to protect the public (or any particular members of the public) in the UK, or children or vulnerable adults (or any particular children or vulnerable adults) abroad, from sexual harm from the offender. In the case of an order made on a free standing application by a chief officer or the National Crime Agency (NCA), the chief officer/NCA must be able to show that the offender has acted in such a way since their conviction as to make the order necessary.

The minimum duration for a full order is five years. The lower age limit is 10, which is the age of criminal responsibility, but where the defendant is under the age of 18 an application for an order should only be considered exceptionally.

**(g) Notification Order** – this requires sexual offenders who have been convicted overseas to register with the police, in order to protect the public in the UK from the risks that they pose. The police may apply to the court for a notification order in relation to offenders who are already in the UK or are intending to come to the UK.

**(h) Sexual Risk Order (including any additional foreign travel restriction)**

The Sexual Risk Order (SRO) replaced the Risk of Sexual Harm Order (RoSHO) and may be made in relation to a person without a conviction for a sexual or violent offence (or any other offence), but who poses a risk of sexual harm.

The SRO may be made at the magistrates’ court on application by the police or NCA where an individual has done an act of a sexual nature and the court is satisfied that the person poses a risk of harm to the public in the UK or children or vulnerable adults overseas.

A SRO may prohibit the person from doing anything described in it, including travel overseas. Any prohibition must be necessary to protect the public in the UK from sexual harm or, in relation to foreign travel, protecting children or vulnerable adults from sexual harm.

An individual subject to an SRO is required to notify the police of their name and home address within three days of the order being made and also to notify any changes to this information within three days.

A SRO can last for a minimum of two years and has no maximum duration, with the exception of any foreign travel restrictions which, if applicable, last for a maximum of five years (but may be renewed).

The criminal standard of proof continues to apply. The person concerned is able to appeal against the making of the order and the police or the person concerned are able to apply for the order to be varied, renewed or discharged.

Individuals subject to indefinite notification will only become eligible to seek a review once they have been subject to indefinite notification requirements for a period of at least 15 years for adults and 8 years for juveniles. This applies from 1 September 2012 for adult offenders.

On 21 April 2010, in the case of *R (on the application of F and Angus Aubrey Thompson) v Secretary of State for the Home Department [2010] UKSC 17*, the Supreme Court upheld an earlier decision of the Court of Appeal and made a declaration of incompatibility under s. 4 of the Human Rights Act 1998 in respect of notification requirements for an indefinite period under section 82 of the Sexual Offences Act 2003.

This has been remedied by virtue of the Sexual Offences Act 2003 (Remedial) Order 2012 which has introduced the opportunity for offenders subject to indefinite notification to seek a review; this was enacted on 30th July 2012.

Persons will not come off the register automatically. Qualifying offenders will be required to submit an application to the police seeking a review of their indefinite notification requirements. This will only be once they have completed a minimum period of time subject to the notification requirements (15 years from the point of first notification following release from custody for the index offence for adults and 8 years for juveniles).

Those who continue to pose a significant risk will remain on the register for life, if necessary. In the event that an offender is subject to a Sexual Offences Prevention Order (SOPO)/Sexual Harm Prevention Order (SHPO) the order must be discharged under section 108 of the Sexual Offences Act 2003 prior to an application for a review of their indefinite notification requirements.

For more information, see the Home Office section of the gov.uk website:

<https://www.gov.uk/government/publications/sexual-offences-act-2003-remedial-order-2012>

A breach of a SRO is a criminal offence punishable by a maximum of five years' imprisonment. Where an individual breaches their SRO, they will become subject to full notification requirements.

Individuals made subject of a SRO are now recorded on VISOR as a Potentially Dangerous Person (PDP).

#### **(i) Lifetime notification requirements revoked on application**

A legal challenge in 2010 and a corresponding legislative response means there is now a mechanism in place that allows qualifying sex offenders to apply for a review of their notification requirements.

# Local page- MAPPA in Avon and Somerset

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## WHAT WE DO

Multi Agency Public Protection Arrangements (MAPPA), were introduced in 2003. These are statutory arrangements implemented to ensure the effective management of violent and/or sex offenders in the community. MAPPA is not responsible for the operational management of offenders. It exists to bring relevant agencies together and ensure that they share information and communicate effectively with each other to make certain effective risk management plans are in place to manage the risk of serious harm.

## WHY WE DO IT

Most offenders are eligible to be considered for release on licence half-way through their sentence. Due to the nature of their offending, MAPPA eligible offenders may still pose a risk to the public and in particular to children, vulnerable adults, and victims of the original crime. Offenders, who may themselves be vulnerable, may also be at risk on release. If an offender is released at the end of his sentence then, in most cases, no conditions can be imposed on him.

Release on licence has the advantage that MAPPA-eligible offenders can be managed in the community. Over the period of their licence which runs to the end of the original sentence they can be supervised and have conditions imposed on them. The agencies primarily involved in this will be the Police, the National Probation Service and the Prison Service but other agencies also involved with the individual, for example the health/mental health services, the Department of Work and Pensions, Victim Support, and local authorities will also be directly involved. Representatives of these agencies meet to share information, assess the risk posed by the offender, and help the lead agency's offender manager develop a bespoke risk-management plan. This will include licence conditions for the offender. MAPPA may be involved in sharing information with relevant agencies to develop appropriate move-on plans, for example future housing arrangements or potential for employment with a view to integrating the offender back into society.

For the risk-management plan, their considerations include the location of former and potential victims and the circumstances that might trigger further offending. They will consider, for example, alcohol and drug use, health and mental health issues and an offender's housing needs.

Bespoke licence conditions might include a phased introduction into normal public life by requiring an offender to live in a particular area, perhaps in Approved Premises managed by the Probation Service - and/or comply with restrictions on where and when they can travel. Licence conditions might also require the individual to submit to drug or alcohol testing, report to their offender manager at fixed intervals, keep their offender manager informed about new relationships, availability of vehicles, computers or mobile phones, and a range of other matters.

If an offender complies with his licence conditions, conditions can be relaxed or removed. But if there is a serious breach of licence conditions, an individual can be recalled to prison.

## HOW WE DO IT

Each MAPPA-eligible offender (this is explained earlier in this Annual Report) is initially allocated to one of three levels of management. Where feasible this classification takes place six months before an individual's due date for release on licence or immediately on the imposition of a Community Order. Broadly, Level 1 indicates that the risk of serious harm is being appropriately managed by a single agency. Levels 2 and 3 generally carry a greater risk of serious harm and/or are more complex cases that require the involvement of more than one agency. Individuals may be moved to a higher or lower Level over the course of MAPPA involvement, depending on the circumstances and the offender's pre-release behaviour in prison and, post release, compliance with his licence conditions.

Avon and Somerset MAPPA has an average of 12 new Level 2 and 3 case referrals every month. These are initially considered by a weekly multi-agency screening panel, attended by representatives of the police, mental health services, and the Probation Service, to decide which MAPPA Level is appropriate for each case. The panel considers the level of risk posed by each offender and whether a multi-agency approach is necessary and would add value to the risk-management process. In all cases where a referral is made, the relevant information will be entered into the Police information systems.

In addition to the weekly screening panel meetings, there are 9 Level 2 meetings every month, each considering an average of 5 cases. These Level 2

meetings are held in Bristol, Bridgwater, Weston-Super-Mare, Bath, South Gloucestershire and Yeovil. There are also Level 3 meetings held every six weeks at Police Headquarters in Portishead considering on average 5 cases.

Each Level 2 meeting is chaired by a Detective Inspector from Avon and Somerset Constabulary and a Senior Probation officer from the National Probation Service. Panel representatives from Children's Social Care, Adult Social Care and Mental Health Services and, if an offender is still in custody, a prison officer will attend in person or on the telephone or via a written report. Others who may attend the meetings include offender managers, Victim Support, housing representatives or those from a variety of other agencies relevant to a particular offender.

Each Level 3 meeting is chaired by a Detective Superintendent and an Assistant Chief Officer from the National Probation Service. Again, there will typically be a wide range of other agencies represented at the meeting. All the meetings are run by a team of experienced MAPPA administrators, who can also provide advice on the MAPPA processes. Lay Advisers, who represent the community, will attend a range of Level 2 and Level 3 meetings over the course of each year.

Level 2 and 3 meetings follow a fixed agenda, designed to ensure that the key issues are considered. These include information sharing between the relevant agencies, risk management, safeguarding, victim safety and who in the wider community needs to be informed about the offender and his whereabouts. This may include not only previous victims and partners, but also local schools, beat officers, and others who may find themselves dealing with the offender. A recent addition to the agenda is the inclusion of a section known as 'The Voice of the Child', which deals with the risk posed by the offender from a child's perspective, whether the child is a previous victim, a potential victim, or a relative.

The length of time any individual spends within Level 2 or 3 depends on the particular circumstances of each case. Level 2 and 3 cases continue to be discussed at MAPPA meetings until an effective risk-management

plan has been put in place and is seen to be working. Once this has happened the case is moved to MAPPA Level 1. At this stage there are no longer any formal meetings, but the relevant agencies are still required to share information, and may, if they think an individual's risk profile has increased such that a multi-agency approach is again needed, make a new Level 2 or 3 referral. In addition an annual review of all cases is made in case any need to be returned to Level 2 or 3.

For a case to be moved to Level 1 the following criteria need to have been met:

- Engagement of all relevant agencies, a full risk management plan in place and agreement that a further meeting would not further enhance that risk management plan;
- Appropriate safeguarding plans are in place for victims and potential victims;
- Clear information sharing in place and confirmation that the MAPPA Chairs consider that information sharing will continue without the need for formal meetings;
- If Professional meetings have been or can be convened to ensure that necessary information sharing and planning takes place on an ongoing basis;
- If a meeting has not resulted in further development of the risk management plan and the Chairs consider that the meeting has mainly focused on updates of the current situation, rather than identification of new or different risks or enhancement of the risk management plan;
- If following release from prison of a recalled Level 2 case a comprehensive risk management plan is already in place.

MAPPA processes are necessarily complex and demand significant time and resources from the agencies involved. However, the effective sharing of information and the production of detailed risk management plans make a significant contribution to the management of the offender and the protection of the public.

All MAPPA reports from England and Wales are published online at:  
[www.gov.uk](http://www.gov.uk)

National  
Probation  
Service

