



Multi Agency Public Protection Arrangements

SUSSEX



Annual Report

Intro

We are pleased to introduce the Sussex MAPPA Annual Report for 2018-19.

The purpose of this report is to convey to the public in Sussex how MAPPA operates locally and how we are continuing to develop practice in order to manage the riskiest offenders in the community.

Multi Agency Public Protection Arrangements (MAPPA) in Sussex are overseen by the Surrey and Sussex MAPPA Strategic Management Board (SMB). Responsible authorities including the Police, National Probation Service and the Prison Service engage with key partners from Children and Adult Safeguarding, Youth Offending Services, Health, Department of Work and Pensions, Local Authority Housing and Home Office Immigration Enforcement to ensure effective and efficient arrangements are in place to protect the public and to reduce re-offending. The SMB is supported by a Development sub-group which, like the SMB, meets quarterly to deliver against the core areas of business.

In the context of its four business areas of Development, Monitoring and Evaluation, Communication and Partnerships and Training, the Board meets quarterly to review its business plan, and it's aims and objectives to deliver the work of MAPPA, to protect the public from serious harm, reduce re-offending, promote the benefits of joint working and to increase public confidence in the criminal justice system.

I am pleased that this year's MAPPA Quality audit, where a number of MAPPA cases are formally reviewed, has highlighted continued improved practice in how we manage offenders under MAPPA. This is particularly encouraging, given the growing concern around securing appropriate and available housing for offenders released from prison, as well as increased workload and implications around resourcing within our agencies. Some of the positive findings from our recent MAPPA audit are further evidenced in our achievements section contained within this report.

We continue to ensure adherence locally to the MAPPA National Guidance framework and to ensure the effective chairing of MAPPA meetings (through professional development days), where the offenders we manage with some of the most complex issues are formally discussed, and where robust risk management plans to manage the identified risks are developed to address the risk to the public. Where required, case reviews are undertaken by a multi-agency panel to look at any lessons learned, recommendations and clear action plans are implemented to improve outcomes.

In the next year we will be prioritising the impact of the restructuring of the National Probation Service, to incorporate the work conducted by the Community Rehabilitation Company within our areas, and any impact upon resourcing and MAPPA.

Jon Savell
SMB Co-Chair and Assistant Chief Constable,
Surrey Police

Mark Burden
SMB Co-Chair and Head of Sussex
National Probation Service

What is MAPPA?

MAPPA background

MAPPA (Multi-Agency Public Protection Arrangements) is 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 presenting the higher risks of serious harm.

- **Level 1** is where the offender is managed by the lead agency with information exchange and multi-agency support as required but without formal MAPPA meetings;
- **Level 2** is where formal MAPPA meetings are required to manage the offender.
- **Level 3** is where risk management plans require the attendance and commitment of resources at a senior level at MAPPA meetings.

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

MAPPA Statistics

MAPPA-eligible offenders on 31 March 2019				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	1702	298	-	2000
Level 2	5	7	1	13
Level 3	0	0	0	0
Total	1707	305	1	2013

MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total)				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	29	28	11	68
Level 3	1	2	0	3
Total	30	30	11	71

RSOs cautioned or convicted for breach of notification requirements	22
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RSOs who have had their life time notification revoked on application	2
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	150
SHPO with foreign travel restriction	0
NOs	4

Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)	0
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Level 2 and 3 offenders returned to custody				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Breach of licence				
Level 2	2	4	2	8
Level 3	0	0	0	0
Total	2	4	2	8
Breach of SOPO				
Level 2	3	-	-	3
Level 3	0	-	-	0
Total	3	-	-	3

Total number of Registered Sexual Offenders per 100,000 population	112
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This figure has been calculated using the Mid-2018 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

MAPPA background

The totals of MAPPA-eligible offenders, broken down by category, reflect the picture on 31 March 2019 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2018 to 31 March 2019.

(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 at Level 1 without formal 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.”) These offenders are assessed and managed by the police. They may also be managed by probation or health services if they are subject to licence or a hospital order. 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. These offenders are assessed and managed by the National Probation Service, Youth Offending Team or Mental Health Services.

(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. These offenders are assessed and managed by whichever agency has the primary responsibility for them.

(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. They 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 committed 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.

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. Persons do not come off the register automatically. Qualifying offenders may submit an application to the police to review their indefinite notification requirements. The police review the application and decide whether to revoke the notification requirements. This decision is made at the rank of Superintendent. Those who continue to pose a significant risk will remain on the register for life, if necessary.

Individuals 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 applied from 1 September 2012 for adult offenders.

Local page

In the last year, we have:

- Delivered a quality audit of our MAPPA managed cases to ensure adherence to MAPPA Guidance. These audits have highlighted good practice around effective multi-agency working and information sharing, development of robust risk assessment and risk management plans and continued improvement around the chairing of MAPPA meetings, in order to address the risk to the public, known victims and potential victims and defensible decision making in managing the riskiest offenders
- A coordinated training plan, to address any gaps in knowledge around MAPPA for all agencies involved, and for the MAPPA Chairs responsible for chairing complex MAPPA meeting panels
- Ensured victim considerations are at the heart of discussions at MAPPA meetings, so that the needs of victims are central to what MAPPA aims to achieve
- Continued to ensure appropriate accommodation upon release, despite an increased stretch on available housing stock locally
- Commenced work on the Offender Management in Custody (OMIC) model, which places the responsibility for the management of the offenders in custody throughout their sentence, prior to this being transferred into the community. OMIC will be rolled out from October 2019 nationally
- Continued to ensure that, where needed, MAPPA offenders access treatment programmes, such as the Offender Personality Disorder (OPD) pathway programme. This is a jointly commissioned initiative that aims to

provide a pathway of psychologically informed services for a highly complex and challenging offender group who are likely to have a severe personality disorder and who pose a high risk of harm to others, or a high risk of reoffending in a harmful way

- Ensured those relevant offenders who have committed sexual offences receive treatment to reduce their reoffending on the Horizon programme. This is a recently developed programme for men over 18 who have been assessed as medium risk and have been convicted of a sexual offence
- Continued to develop local MAPPA practice in adherence to revised MAPPA National Guidance, so that MAPPA eligible offenders are effectively managed throughout their sentence and when released into the community subject to MAPPA arrangements.

Lay Adviser Report for the Sussex MAPPA Annual Report 2019

Appointed by the Secretary of State in the Ministry of Justice, our voluntary role is to provide independent scrutiny and review of the effectiveness of MAPPA in its work to protect the public. We act as a critical friend to both the Lead and DtC agencies to support the development of robust risk management plans in respect of MAPPA offenders released into the community. During 2018 we were providing Lay Adviser support in Sussex with rather limited coverage across the county. It was with much relief that we were able to advertise for another Lay Adviser earlier this year and we welcomed a new colleague just a month or so ago. Nevertheless, in the last year we have attended as many Level 2 meetings as possible, most Level 3 meetings and all the SMB meetings. We are now optimistic that we will be able to provide

county-wide support in the year to come. We have very much valued the support of our lay adviser colleagues in Surrey.

Many of the issues we have observed in Sussex are the same as we have reported for the last few years. In particular, we continue to face a difficult and worrying problem with securing appropriate housing for MAPPA offenders in the community. Approved premises are under strain and we are struggling to find enough places to meet the demand. Move-on arrangements prove challenging, especially in respect of those convicted of offences against children. We have been particularly concerned about the lack of suitable housing for offenders with mental health issues, physical disabilities, or a history of drug or alcohol addiction. Discussions at many level 2 and 3 meetings have been dominated by the concerns about the dearth of suitable housing and the risks this poses for effective risk management in the community. This problem becomes more acute year on year. We have also noted different approaches between East and West Sussex in respect of their policy and attitude towards contributing funding for specialist and appropriate accommodation for the most challenging offenders.

We think it worth emphasising continuing concerns about the risk management of offenders who are residing outside Sussex when oversight is inevitably at arm's length.

While most DtC agencies in Sussex take their responsibilities seriously we have noted continuing gaps in attendance at Mapp meetings by some of the DtC agencies. We have pointed this out in previous years. This can make it difficult to develop comprehensive risk management plans. In addition, we have witnessed relatively low attendance at some SMB meetings during the year, an issue which the SMB Chairs take very seriously.

We understand that there may be another Lay Advisers' Conference organised by the Ministry of Justice. We welcome this and will appreciate the opportunity to meet with lay advisers from across the country. At the last conference we became aware that expectations about the role of the lay adviser varies across the country. We were concerned

that there did not seem to be a consistent approach to the contributions that lay advisers can make. We very much value opportunities to get together with colleagues and to meet with the national MAPPA team. We hope that lay advisers will be consulted about the issues and topics they would like to discuss and be able to shape the agenda of a future conference.

We feel very privileged to be appointed as lay advisers in Sussex where our role and contribution is valued by everyone involved with MAPPA. We are accepted as integral members of Mapp meetings, able to challenge appropriately as non-specialists, and included in training events organised by the lead agencies. The MAPP meeting Chairs are welcoming and always appreciative of our independent contribution. We are grateful to them for their inclusive approach, one which we understand is not experienced by all lay advisers elsewhere. In addition, we continue to be very impressed by the professionalism, commitment and dedication of the MAPPA lead agencies in Sussex in ensuring that risk management plans are robust and proportionate to the offences and risks posed by individual offenders when they are released into the community. We recognise that some DtC agencies take seriously the critical importance of information-sharing and multi-agency working and are diligent in attending MAPP meetings. This is particularly evident in the East of the county.

We are grateful for the valuable support given to us by the highly efficient MAPPA administrators and, in particular, the MAPPA Manager who ensures that we are well-informed, kept up to date about changes which effect the work of MAPPA, and able to make a worthwhile contribution.

Professor Janet Walker
Andrea Duc
Sussex Lay Advisers
October 2019.

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