

# Protecting Essex



## MAPPA Annual Report 2013 - 2014







## Forward: The MAPP A Responsible Authority

Welcome to the 2013-14 annual report of Essex MAPPA which explains how multi-agency public protection arrangements operate across Essex. It provides information about how we strive to effectively manage violent and sexual offenders in the community and relevant information on MAPPA performance.

One of the distinctive aspects of MAPPA in Essex is that our MAPPA Manager and Deputy Manager chair all level 2 and 3 meetings supported by our experienced MAPPA administrators who provide the commitment, consistency and continuity required for those meetings. However, none of this would ensure effective public protection without the contribution of those agencies who have a duty to cooperate as well as those who do not have a formal duty to do so.

As public services go through continuous reorganisation we have to strive even harder to ensure appropriate representation at all MAPPA meetings. We are very proud of the assessment and planning work that agency representatives undertake in and beyond MAPPA meetings to

protect the public and in particular the measures put in place to prevent re-victimisation.

In the coming year Assistant Director Shirley Kennerson on behalf of the National Probation Service and Detective Chief Superintendent Tracy Hawkings on behalf of Essex Police will take over the joint role of chairing the Essex MAPPA Strategic Management Board which oversees all the multi-agency public protection arrangements.

From June 2014, Essex Probation Trust was replaced by a much smaller National Probation Service managing all registered MAPPA offenders. Since then other offenders, deemed a lower risk, are now managed by an independent Community Rehabilitation Company covering the Essex Area.

Our joint commitment is to continuously strive to achieve a collective approach to manage the risk to victims and the public, to support the right approach, at the right time, in the right place from the best people to manage those risks and protect the public.

**Stephen Kavanagh**  
Chief Constable  
Essex Police



**Helen Carter**  
Governor  
HMP Chelmsford



**Shirley Kennerson**  
Assistant Director  
National Probation



# What is MAPPA?

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## MAPPA background

- (a) 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.
- (b) 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.
- (c) A number of other agencies are under a Duty To Co-operate (DTC) with the Responsible Authority. These include Social Services, Health Trusts, Youth Offending Teams, Jobcentre Plus and Local Housing and Education Authorities.
- (d) 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 duty to co-operate agencies.
- (e) Lay Advisers are members of the public with no links to the business of managing MAPPA offenders and 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).

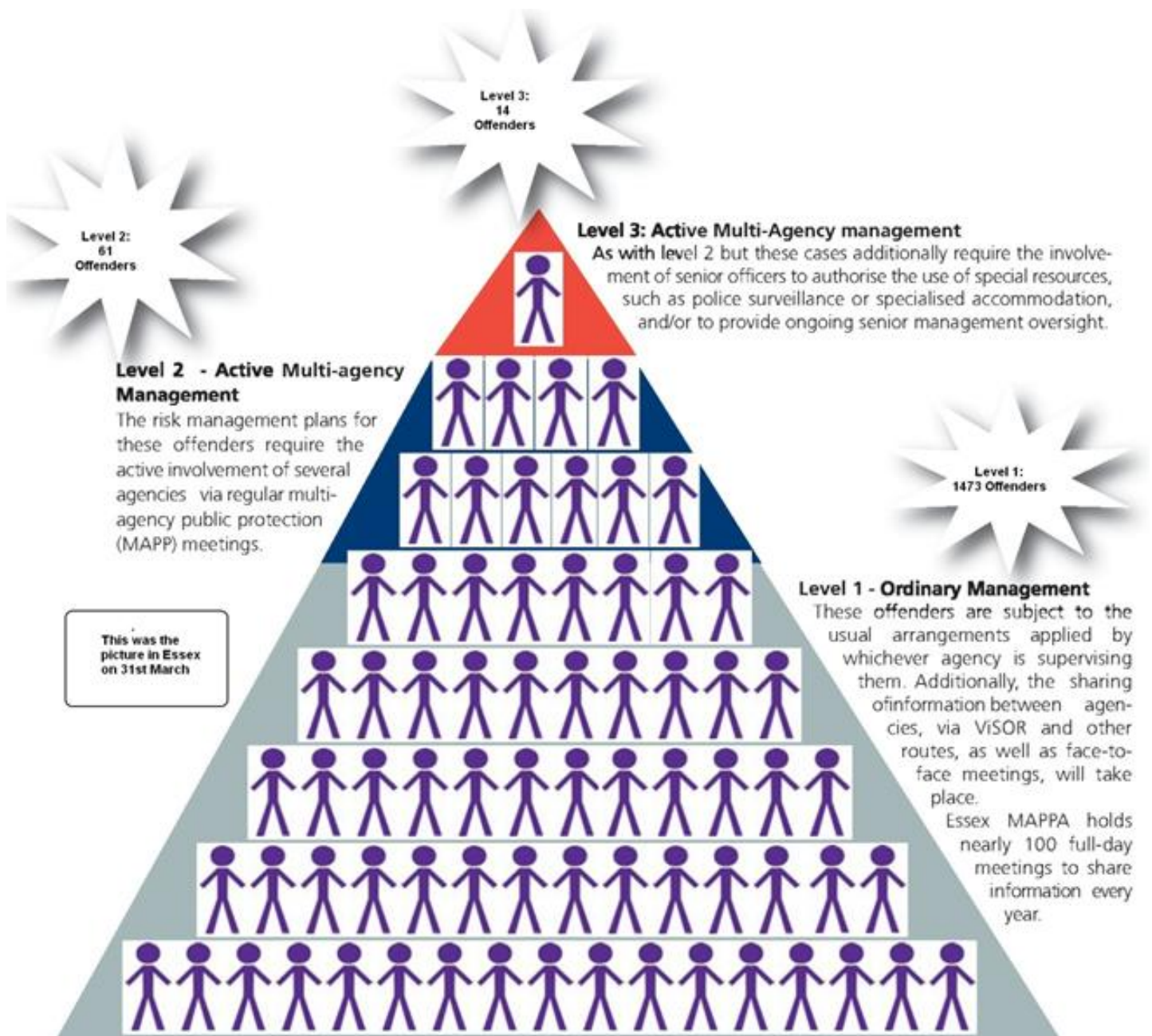
## How MAPPA works

- MAPPA-eligible offenders are identified and information about them is shared by the agencies in order to inform the risk assessments and risk management plans of those managing or supervising them.
- In the majority of cases that is as far as MAPPA extends but in some cases, it is determined that active multi-agency management is required. 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** – (in the main) violent offenders sentenced to imprisonment for 12 months or more; 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 management levels intended to ensure that resources are focused upon the cases where they are most needed; generally those involving the higher risks of serious harm. **Level 1** involves ordinary agency management (i.e. no MAPPA meetings or resources); **Level 2** is where the active involvement of more than one agency is required to manage the offender but the risk management plans do not require the attendance and commitment of resources at a senior level. Where senior oversight is required the case would be managed at **Level 3**.

# The work in Essex this year

<b>MAPPA-eligible offenders on 31 March 2014</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	1062	336	-	1398
Level 2	27	31	3	61
Level 3	7	7	0	14
Total	1096	374	3	1473
<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	81	109	29	219
Level 3	11	11	0	22
Total	92	120	29	241
<b>RSOs cautioned or convicted for breach of notification requirements</b>				128
<b>Restrictive orders for Category 1 offenders</b>				
<b>SOPOs, NOs &amp; FTOs imposed by the courts</b>				
SOPOs				114
NOs				2
FTOs				0
<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	5	10	2	17
Level 3	3	5	0	8
Total	8	15	2	25
<b>Breach of SOPO</b>				
Level 2	2	-	-	2
Level 3	2	-	-	2
Total	4	-	-	4

This figure has been calculated using the Mid-2013 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 on 26<sup>th</sup> June 2014, excluding those aged less than 10 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 2014 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2013 to 31 March 2014

**(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 (x% this year) are actually managed under ordinary agency (Level 1) arrangements rather than via MAPP meetings.

**(b) Registered Sexual Offenders (RSOs)** – those who are required to notify the police of their name, address and other personal details and to notify any changes subsequently (this is known as the “notification requirement.”) Failure to comply with the notification requirement is a criminal offence which 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 and offenders disqualified from working with children.

**(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 MAPP meetings.

**(e) Breach of licence** – offenders released into the community following a period of imprisonment of 12 months or more 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 Offences Prevention Order (SOPO)** – a court may make a SOPO at the time of dealing with certain sexual offenders or when the police make a special application on account of the offender’s behavior in the community. The full order lasts for a minimum of five years, and can last indefinitely. A SOPO will require the subject to register as a sexual offender and can include conditions, for example to prevent the offender loitering near schools or playgrounds. If the offender fails to comply with (i.e. breaches) the requirements of the order, he can be taken back to court and may be liable to up to five years’ imprisonment.

**(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) Foreign Travel Orders** – these prevent offenders with convictions for sexual offences against children from travelling abroad where this is necessary to protect children from the risk of sexual harm.

## MAPPA is supported by ViSOR

ViSOR is a national IT system for the management of people who pose a serious risk of harm to the public. The police have been using ViSOR since 2005 but since June 2008 it has been fully operational allowing key staff from the Police, Probation and Prison Services to work on the same IT system, thus improving the quality and timeliness of information sharing, risk assessment and interventions to prevent re-offending. The combined use of ViSOR increases the ability to share intelligence across organisations and enable the safe transfer of key information when these high risk offenders move from one area to another thus enhancing public protection measures.

# High risk of further violence and due out of prison.

## What can be done?

Offenders' are generally released at the mid-way point of their sentence but the threat of recall if they misbehave in the community provides the authorities with the ability to hold them to account. The alternative, release right at the end of a sentence, leaves them without supervision, with no sanction to keep them in check and so reduces the ability to control and influence an offender's behaviour.

PT was sentenced to a custodial sentence for offences of Threats to Kill and Breach of a restraining order, both offences were committed against his former partner. This behaviour was set against a pattern of similar behaviour which included failing to comply with restrictions placed upon him. At the point of sentence he was assessed as posing a high risk to his partner and in addition high risk of harm to staff, in particular the probation officers who were working with him.

### Pre Release – a lot of planning

PT was sentenced to 20 months imprisonment and therefore due for release after 10 months with the remaining period to be spent on licence in the community. Prior to release he was referred to MAPPA and it was decided that he would need be managed at level three given the nature and level of the concern. PT was to be released subject to licence and therefore a central part of the MAPPA process was the consideration of licence conditions and a risk management plan for his release.

### Referral to National Stalking Clinic

As part of this risk management plan through MAPPA it was agreed that a referral was to be made to the National Stalking clinic to aid the risk assessment of this individual.

Given the level of risk, the concern about reprisal and the exclusion zone requested by the Victim Contact Unit it was decided that PT would be released to an approved premises outside of the Essex area. This release needed careful consideration and multi agency work between prison staff, Essex Police and the police in the area in which PT would reside, the staff at the approved premises, victim contact unit, probation staff

in both Essex and the receiving area and British Transport Police.

### Level 3 MAPPA Meeting

The MAPPA process facilitated a number of meetings where each of these professionals were able to come together and discuss intelligence, concerns and what they were able to contribute to the risk management plan. These meetings enabled a trigger plan to be developed for the release, should PT break any of the conditions that were placed upon him, deciding what immediate actions would be taken. The licence conditions included additional curfews, non contact conditions and exclusion zones. This plan identified specific agency contacts and responsibilities.

### Breached Licence Conditions

Within a week of his release information provided by the police indicated that PT had tried to contact the victim by social media through the victim's daughter. Not only was this a breach of a licence condition but was also a breach of the Restraining Order.

The National Probation Service were able to recall him. The trigger plan was activated and he was safely returned to custody. Additionally he was prosecuted for breaching the Restraining Order and received a further 12 months prison sentence to run consecutive to his original sentence.

When eventually released PT will not be subject of probation licence conditions. However the Restraining Order is in place indefinitely and should he breach it he will again be taken before the court.



## Concerns around future sexual offending against children

DJ is a 35 year old single man who lives with his father. Early In 2013 DJ was given a 3 year Community Order for down loading indecent photographs of children from the internet. One of the conditions of the Community Order was that he attend the Sex Offenders Treatment Program (SOTP). Because of his conviction he will also be on the Sexual Offenders Register for a period of 10 years. DJ had no previous convictions

### Level 1 Management

Although DJ was assessed as posing a risk to children, Agencies were of the view that his risk could be managed at MAPPA Level 1. This meant that there would be ongoing liaison and information sharing between Agencies, particularly probation and police, so that risk could be continuously monitored, assessed and managed appropriately.

### Disclosure Issue

Three months after the commencement of the Community Order the police obtained intelligence that DJ had posted a photograph of himself in a car on a social media network site. Within the car there were a woman and two young children. This clearly raised a number of concerns in relation to potential risk to the children and whether their mother had sufficient information to protect them from harm.

DJ was challenged in a joint meeting with his Probation and Police Monitoring Officer and gave full details of the women and her children. When asked he confirmed that the woman was not aware of his offending or that he was subject to supervision by Probation and Police.

### MAPPA Level 2

Following a Level 2 MAPPA Meeting the following actions were undertaken:

- A full disclosure of DJ's offending and risk was undertaken to the children's mother.
- Essex Children's Services carried out an assessment of any risk to the children.

- DJ was advised that he must advise Probation and Police of any developing relationship so that further disclosures could be considered.

The Police considered whether there was sufficient grounds to apply to the court for a Sexual Offender Prevention Order (SOPO) but it was felt that the application was unlikely to succeed. At that stage instead of a SOPO, DJ agreed to sign up to a written voluntary contract with the police that he would inform them of any developing relationship and would not be in the company of any child under the age of 16 without the parent being aware of his conviction.

Some 6 months later police intelligence indicated that DJ had been babysitting for a different woman. Enquiries established that he hadn't made a disclosure as agreed in the voluntary contract.

As in the first instance there was no evidence that DJ had offended against the children but none the less a disclosure was undertaken to the mother and Children's Services carried out an assessment of risk.

On this occasion the Police made a successful application for a SOPO using evidence from the contact with the children and the previous voluntary contract to support it.

### Further Controls

There is now a SOPO in place with child protection conditions for the next 10 years whereby DJ must not:

- Live in the same household as a child under 16 without advising the police.
- Must not be in the company of a child under 16 unless the parents are aware of his previous offending.

Should DJ break these conditions he could be prosecuted and sent to prison. To date he has complied with all conditions in the SOPO.

## Historical Offences – Future Concerns

GD is a convicted sex offender. Having served 4 years imprisonment for Rape, he was released on Parole in the early 1990's. He completed his Licence period and moved on with his life.

However, in 2010, GD was arrested and convicted for a historical rape offence. This violent sexual assault had taken place several weeks prior to the original sex offence and he had gone undetected for 23 years until the Police, using new DNA testing techniques, were able to make a forensic link to GD.

GD was sentenced to 10 years imprisonment but as his offending was 'historic' he was sentenced under previous legislation and will be eligible for Parole in 2015, with automatic release on Licence in 2016.

### Harassment whilst in Prison

In 2012 the Offender Manager received intelligence from the Prison indicating significant concerns. The nature of this concern was the level of contact GD was pursuing with his ex-partner - Joan. This contact, the volume of letters and frequency of telephone calls made was considered to be obsessive and harassing. For example, he would send several letters per week and, in one month alone, it was recorded that he had called his ex-partner up to 3 times per day for an entire month. Despite the level of contact, over a 3 year period, Joan never once responded but still the harassment continued.

As a MAPPA eligible offender, GD would usually be referred into the MAPPA arena 6 months prior to any consideration of release. Yet under these circumstances an immediate referral was made by the Offender Manager due to the existing concern about his behaviour and implications for his ex-partner.

The case required multi agency input and was therefore heard at Level 2. At MAPPA it was agreed that an approach to Joan could be made to ensure safeguarding

The Probation Victim Contact Unit were requested to make contact and having liaised with her confirmed that she was in real fear for her safety, had been previously abused by GD in their relationship, and was distressed and harassed by his unwelcome pursuit of contact over several years.

### Immediate Safeguards

Following the MAPPA meeting the Prison immediately removed GD's capacity to send letters or make telephone calls to Joan for the duration of his prison sentence.

### And the future.....

When eventually released, GD will be prohibited from contacting her, either directly or indirectly, and will be excluded from the area where she resides. Breach of these conditions could see him returned to custody.

The Probation Victim Unit will remain in contact with Joan and nearer the time there will be liaison with the Police Domestic Abuse Team to consider what other safety measures need to be put in place for her ongoing protection.



## MAPPA Lay Advisor – Could you do it?

The Lay Adviser role is voluntary and part-time. It is expected that Lay Advisers will attend all of the Strategic Management Board meetings in their area, and undertake any familiarization and reading which will enable them to understand and contribute to those meetings. Lay Advisers are not expected to become experts – they are there to act as informed observers and to ask questions which the professionals closely involved in the work might not think of asking. As such they can provide a challenge to the professionals by acting as a "critical friend".

### **Duties of Lay Advisers**

- Assist in the monitoring and evaluation of the operation of MAPPA in their area
- Attend a MAPPA Level 2 and 3 meeting quarterly, in order to assist in their understanding of the process, actions and

decisions, and to enable them to fulfill the task of monitoring and evaluating MAPPA

- Assist the SMB to ensure that it has created effective links with other public protection organizations, for example the Local Criminal Justice Board and the Local Safeguarding Children's Boards
- Assist in the preparation of the MAPPA annual report
- Assist in the review of the SMB business plans and broader community strategy
- Question statistics
- Attend local and regional training events with the agreement of the Responsible Authority
- Have an involvement in operational activity as required by the SMB.

If you are interested in the Lay Adviser Role in Essex please contact the MAPPA Manager on 01245 45276

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[www.justice.gov.uk](http://www.justice.gov.uk)

