



Derbyshire

Multi Agency Public Protection Arrangements
Protection through partnership

Protection through partnership

2013-14

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Introduction

Safeguarding the public from violent and sexual crime continues to be one of the highest priorities for agencies across Derbyshire.

Working together through Multi-Agency Public Protection Arrangements (MAPPA) to manage offenders convicted of such crimes is vitally important.

The crimes these offenders are responsible for greatly affect the lives of victims, their friends and families and can in turn cause fear in local communities.

MAPPA is a partnership and this report explains how different agencies involved work together, how the arrangements operate in Derbyshire and what actions are taken to improve their effectiveness.

It also contains statistical information about the number of offenders managed under the arrangements and illustrates how the arrangements work in practice.

We recognise the public's concern about people who may present a risk of causing significant harm and we believe that MAPPA provides the best possible framework for these people.

While it is never possible to eliminate that risk entirely, MAPPA aims to ensure that all reasonable steps are taken to reduce the risk of further serious harm to the public.

A tough approach is taken to any increased risk offenders may present, while working hard to rehabilitate them.

Every year we strive to improve public protection through MAPPA and we continually review and update these arrangements in order to provide the highest level of protection to the communities of Derbyshire.



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What are MAPPA?

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

The arrangements bring together the police, probation and prison services in each of the 42 Areas of England and Wales into what is known as the MAPPA 'Responsible Authority'. Local MAPPA areas correspond with those of police services.

A number of other agencies are under a Duty to Cooperate (DtC) with the Responsible Authority: these include Youth Offending Services, Social Services, Health Trusts, Jobcentre Plus, Local Housing and Education Authorities; and the Immigration Enforcement arm of the Home Office (formerly the UK Border Agency).

The Responsible Authority is required to appoint two Lay Advisers to sit on each MAPPA Area Strategic Management Board (SMB). Lay Advisers are members of the public with no direct links to the business of managing offenders; they act as informed observers who are able to pose questions which the professionals involved might not think of asking. They also bring to the SMB an understanding and perspective from the local community (where they must reside and have strong links).

How MAPPA work

MAPPA eligible offenders are identified – usually by the police, probation, youth offending or mental health services – and information about them is shared by the partnership agencies in order to inform the risk assessment 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 and managers.

There are three categories of MAPPA eligible offender:

Category 1 – registered sexual offenders subject to the notification requirements of Part 2 of the Sexual Offences Act 2003, sometimes known as the ‘sex offender register’

Category 2 – violent offenders either sentenced to imprisonment for 12 months or more or made subject to a Hospital or Guardianship Order under the Mental Health Act 1983. This category also includes a number of offenders whose sexual offences do not bring them within the scope of notification requirements.

Category 3 – other offenders who do not legally qualify under Categories 1 or 2 but who currently pose a risk of harm calling for active multi agency management

No other persons can lawfully be included under MAPPA

There are three management levels intended to ensure that agency resources are focused upon the cases where they are most needed; this is generally those involving a higher risk of serious harm or where there are community concerns.

Level 1 –

involves ordinary agency management (i.e. no regular MAPPA meetings or extra resources apart from the sharing of necessary information)

Level 2 – where the active involvement and resources of more than one agency is required to manage the offender or assure the safety of victims, but the risk management plans do not require a senior level of attendance for the commitment of resources

Level 3 – where senior oversight of the risk management plan and significant additional resources or scrutiny are required.

ViSOR: Information sharing and risk management

MAPPA are supported by ViSOR a national IT system and database for the management of MAPPA eligible offenders and persons who may pose a serious risk of harm to the public. Police services have been using ViSOR since 2005 but since June 2008 ViSOR has been fully operational, allowing key staff from the police, probation and prison services to work on the same system, thereby improving the quality and timeliness of information sharing, risk assessments and of interventions to prevent offending.

The combined use of ViSOR increases the ability to share intelligence across organisations and enables the safe transfer of information if high risk offenders move between areas of the country, thereby enhancing public protection measures.

For the police ViSOR can also aid crime investigations.



How MAPPA work in Derbyshire

The Responsible Authority for MAPPA in Derby and Derbyshire comprises Derbyshire Constabulary, HM Prison Service (East Midlands and East of England) and – until May 2014, Derbyshire Probation Trust. Under a major restructuring programme the probation element is being provided from June 2014 by the National Probation Service (Midlands Division), part of the National Offender Management Service, an Executive Agency of the Ministry of Justice.

Managing offenders, protecting victims or vulnerable persons and keeping individuals and communities safe cannot be achieved by criminal justice services on their own. Sometimes other agencies need to be actively involved too. So the arrangements also bring together:

- Derby City and Derbyshire County Youth Offending Services
- Derby City and Derbyshire County Council Childrens Social Care and local education services
- Derby City and Derbyshire County Adult Social Care Services
- Derbyshire Healthcare Foundation NHS Trust and other local NHS Services
- NHS Hardwick Clinical Commissioning Group (for all the Derbyshire CCG's)
- Derby City and the Derbyshire District Councils Housing Services, and a number of social housing providers
- Jobcentre Plus (Department for Work and Pensions)
- Electronic Monitoring Services (Capita)
- The Immigration Enforcement section of the Home Office

From time to time other statutory services or independent sector organisations providing services for victims or offenders may be engaged as well.

MAPPA is not itself a body but a partnership. It does not operate by directing what each agency should do. By bringing services together the arrangements enable them to discharge their individual responsibilities collaboratively. Working together provides for better public protection and rehabilitation of offenders.

A Strategic Management Board oversees the arrangements. All the main agencies are represented. A community viewpoint is added by Lay Advisers appointed by the Secretary of State for Justice.

Support for the work of the SMB and the operational arrangements in Derbyshire is provided by a jointly financed MAPPA Coordination Unit based alongside the Police's Central ViSOR Unit at Derbyshire Constabulary HQ.

Managing offenders through MAPPA

The Courts decide what the right sentence is for a violent or sexual offence.

Every offender dealt with for a sexual offence which brings them within sexual offender notification requirements (the 'sex offender register') and all offenders sentenced for a specified violent offence to either a year or more in custody or a Hospital or Guardianship Order are included within the MAPPA framework, without exception.

Registered Sexual Offenders remain MAPPA eligible until the expiry of the registration period set by law. As almost half of all sexual offenders are subject to indefinite registration this may be for a lifetime. Violent offenders remain within MAPPA until the end date of the sentence imposed, including the period under supervision on Licence in the community.

Except where an offender is given the type of sentence which means they will not be released unless the Parole Board has assessed that any risks are manageable in the community, all imprisoned offenders must be released at a fixed point in the sentence, irrespective of any risk they may pose. Most offenders will reach a point when they either must or can be released.

Once an offender has been dealt with by the courts or through other criminal justice processes it is the responsibility of the police, probation, youth offending and mental health services to identify all MAPPA eligible offenders and patients. Where the offender has been sentenced to detention or custody, or been given a Hospital Order the prison service or secure mental health unit must also identify that the prisoner or patient falls within MAPPA. Information about MAPPA offenders can then be shared to assess what risks the offender may pose and who may be at risk or vulnerable to harm should there be further offending. Accredited risk assessment tools assist this process. Plans will then be drawn up to manage, contain and – wherever possible – reduce the known risks through applying a mix of measures.

Where assessments highlight that an actively coordinated approach is called for the MAPPA partnership agencies come together at MAPP Level 2 or 3 meetings to formulate the measures to be taken for public protection. If the offender is serving a prison sentence a referral should be made six months ahead of release or before the expected date of a Parole Board hearing if release into the community is a possibility.



Chaired by probation or police managers MAPP meetings are held regularly throughout Derby and Derbyshire. The level of management is guided by the assessed likelihood of re-offending and of serious harm if that happens but is determined by the extent to which a jointly coordinated approach between the agencies is thought necessary. The management level will often reduce over time once the agreed measures have been applied. Likewise the management level can be raised if new information or concerns emerge.

Risk management usually combines a mix of:

- Restrictive interventions, which put in place controls or prohibitions to limit and reduce opportunities for harmful behaviour
- Rehabilitative interventions, directed at building an offender's ability to manage their own behaviour, recognise the effect of offending on victims and constructively address issues commonly linked to crime such as drug or alcohol misuse, educational attainment, employment skills and stable housing
- Protective factors such as positive personal relationships, steady employment, and constructive use of time which support an offender to desist from offending and sustain a better life
- Victim safety planning to minimise the chances of further harm to previous victims or other persons who might be at risk in future.

Standard Licence Conditions:

- Keep in touch with supervising officer as instructed
- Receive visits, if required
- Reside or stay only where approved
- Undertake only work that has been approved
- Not to travel outside the UK, unless authorised
- To be well behaved, not commit any offence or do anything to undermine the purpose of supervision

Extra conditions might include:

- Attend psychological or psychiatric appointments
- Submit to drug testing
- Not to work with or stay in a household with persons under a specified age
- Not to use a computer, internet enabled mobile phone or similar device without prior approval and allow such devices to be examined
- Not to approach or communicate with specified persons
- Being confined to a particular address between specified hours
- Not to enter or approach a specified area or type of facility (e.g. play area)
- Provide vehicle details
- Notify developing personal relationships
- Not to associate with certain other persons
- To reside at Approved Premises (Probation Hostel)

Breach of Licence conditions can result in a warning or recall to prison**Sex Offender Registration:**

- Notify basic details (name, date of birth. etc) to the police within 3 days of conviction (or of release, if detained)
- Provide details of main address
- Notify any address stayed at for 7 days or more in any 12 month period
- Notify weekly if 'of no fixed abode'
- Notify in advance the details of any foreign travel
- Notify if living in a household with a child under 18 years of age
- Notify any residence or stay of 12 hours or more in a household or private place where a child under 18 resides or stays
- Notify passport, credit card and bank account details
- Provide National Insurance number
- Notify any change of name or address within 3 days
- Confirm registered details every 12 months

MAPPA, victims and keeping safe

The safety of victims or any child or adult at possible risk of harm is paramount when planning the management of an offender.

Where a violent or sexual offender is sent to prison for a year or more, or receives a Hospital Order all personal victims of the offences for which the offender has been convicted are offered a service through Probation Service Victim Liaison Officers which can provide:

- a point of contact through which they are able to express any concerns about the offender
- general information about the custodial sentence, included expected timescales for release on Licence or Temporary Licence
- an opportunity to be kept informed at significant stages in the sentence, such as a move to open prison conditions or consideration of a community work placement in preparation of eventual release
- an entitlement to convey a view on the offenders conditions of release
- a means of notifying the victim of any release conditions that directly affect them, and any later changes

Many victims will previously have known the offender in some capacity, perhaps as a trusted or powerful figure in their lives. In some instances the victim will not have known the offender. Whatever the individual circumstances a victim's views can be reflected into MAPP meetings through Victim Liaison Officers. Risk management plans can then take those views into account. Extra Licence conditions might forbid contact with the victim, or prohibit the offender from going into areas where they live or work.

Victims are also entitled to submit their views directly to those responsible for making decisions about an offenders release – the Parole Board, for example. This brings

the immediate experience and concerns of the victim to notice, not for the purpose of determining whether the offender should be released, but to shape the conditions of release, if that is to happen.

The details of individual sexual or violent offenders cannot be made openly available. The management of offenders, including information about an offender takes place in accordance with the law. But legislation does provide that where an offender has committed a sexual offence against a child the managing agencies must consider whether particular information about the offender should be shared in order to prevent harm. In practice this has been extended to other serious offenders too.

Disclosure may include information about an offender's risk being given – with accompanying advice – to partners, families, community and faith groups, leisure or retail centres, other (non-MAPPA) agencies and to persons who are either themselves thought to be at risk or are in a position to protect someone – such as a child or vulnerable adult - who may be. This can be described as a 'right to know'.

Under the Child Sex Offender Disclosure Scheme members of the public have a 'right to ask' for information from the police if they have concerns that a person may be a child sex offender. Whilst anyone – including a neighbour, friend or relative – can register a concern, information is given only to a person who is in a position to safeguard a child: usually this will be the child's parent, carer or guardian.

Similar provisions now apply in cases of domestic abuse and violence. Details of the Child Sex Offender Disclosure Scheme and the Domestic Violence Disclosure Scheme can be found on the Derbyshire Constabulary web-site.

MAPPA – for safer communities

Risk means uncertainty. Further offending and harm cannot always be predicted or prevented, despite all that may be planned or put in place to prevent it. And there will always be persons with no previous or major convictions who carry out a serious crime which could not have been foreseen. The final responsibility for any offence sits with each individual offender.

Through MAPPA and through the work of the agencies who together comprise the arrangements the aim is to ensure that all that reasonably can be done within the means available is done so that fewer people are harmed or fear being harmed and communities are safer for everyone.

More information about MAPPA in Derby and Derbyshire can be obtained from the MAPPA Coordination Unit at Derbyshire Constabulary HQ or online at:
www.derbyshire.police.uk/safety-advice-personal-safety/mappa.aspx

MAPPA statistics

Derbyshire

MAPPA-eligible offenders on 31 March 2014

	Category 1: Registered Sex Offenders	Category 2: Violent Offender	Category 3: Other Dangerous Offenders	Total
Level 1	968	271	-	1,239
Level 2	9	4	9	22
Level 3	0	0	0	0
Total	977	275	9	1,261

MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total)

	Category 1: Registered Sex Offenders	Category 2: Violent Offender	Category 3: Other Dangerous Offenders	Total
Level 2	19	15	16	50
Level 3	8	3	2	13
Total	27	18	18	63

RSOs cautioned or convicted for breach of notification requirements	21
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Restrictive Orders for Category 1 Offenders

SOPOs, NOs & FTOs imposed by the courts

SOPOs	31
NOs	0
FTOs	0

Level 2 and 3 Offenders Returned to Custody

Breach of Licence

	Category 1: Registered Sex Offenders	Category 2: Violent Offender	Category 3: Other Dangerous Offenders	Total
Level 2	1	2	2	5
Level 3	1	0	1	2
Total	2	2	3	7

Breach of SOPO

	Category 1: Registered Sex Offenders	Category 2: Violent Offender	Category 3: Other Dangerous Offenders	Total
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

Total number of Registered Sexual Offenders per 100,000 population

107*

*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 June 2014, excluding those aged less than ten years of age.

Explanatory 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 (98.25% 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 behaviour 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, her can be taken 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

Additional explanation: Derbyshire MAPPA

- The total number of offenders being managed in the community under the MAPPA framework in Derbyshire rose by 10.6% during the year
- Over the 12 month period from 1 April 2013 to 31 March 2014 registered sexual offender numbers grew by 7.6% whilst the rise for violent offenders was 23.3%. The number of ‘other’ serious offenders remained the same
- The number of registered sexual offenders on 31 March 2014 represents 107 per 100,000 population, an increase of 7 on the previous year; this remains above the England and Wales average
- Variations in the number and proportion of the three different categories can be expected over time, though the underlying trend will be for the total number to increase because of sentencing patterns for the most serious offences and because sex offender registration numbers are cumulative
- Within the rising total there has continued to be a reduction in both the number and proportion managed at MAPP Levels 2 and 3. Over the year there were as many ‘other’ serious offenders as violent offenders managed at these higher levels. Registered sexual offenders formed the single largest number

- Derbyshire Constabulary continue with a targeted approach to obtaining SOPOs, with numbers this year being similar to 2012/13
- The number dealt with for breach of registration requirements saw a reduction whilst there was a very small increase in the numbers recalled to custody

Further information about MAPPA in England and Wales, including the total numbers included within the arrangements, and statistics about Serious Further Offences charged against eligible offenders whilst under probation supervision is published by the Ministry of Justice.

The England and Wales Report is published online at:

<https://www.gov.uk/government/organisations/ministry-of-justice/series/multi-agency-public-protection-arrangements-mappa-annual-reports>

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