

Thames Valley
MAPPA

(Multi-Agency Public Protection Arrangements)

ANNUAL REPORT
2015-2016



Annual Report

Intro



This is my second year as Chair of the Strategic Management Board of MAPPAs in the Thames Valley Area. The main purpose will always be to protect the Public from high risk Sexual and Violent offenders.

The use of MAPPAs is as a professional forum to jointly manage such offenders. It is a proven and effective resource. This always presents a challenge in an area with three Counties, Unitary authorities and departments- strong representation at a senior level on the Board is essential to ensure that all have their eye on ball in protecting the public and to speedily resolve any barriers or difficulties.

During this year we have contributed to the National Review of eligibility criteria and potential revisions to Mental Health Guidance. I am pleased to see that the criteria is likely to remain unchanged as being fit for purpose.

In Thames Valley we have four medium secure and one high security hospital and I am pleased with the continuing degree of cooperation we get from consultants and Forensic Staff, in relation to those patients who have been through the Criminal Justice system.

Complex needs, which may revolve around capacity and Mental Health seem to be a growing area in the MAPPAs arena. A serious case review this year highlighted the balance needed between support for a vulnerable individual and necessary

protective factors to protect the Public. In the SMB audit for the year ahead we will be concentrating on a number of similar cases to ensure the right balance is being achieved. There is a move nationally to strengthen information sharing, which is a common theme in homicide reviews and MAPPAs SCR's. The legislation is firmly in place under section 325 of the Criminal Justice Act 2003. Fortunately, within Thames Valley, agencies have the confidence to share appropriately to mitigate risk.

The National Probation Service is now firmly embedded following the "Transforming Rehabilitation" agenda and I am pleased to have Sue Cooke, an Assistant Chief Officer as my co-chair. Increasing use of the ViSOR IT system by Probation colleagues strengthens already good working relations.

We are also fortunate in having a joint agency Central MAPPAs Unit, based at Police Headquarters but with both Police and Probation staff. Other areas are moving towards this model, which is recognised as being best practice.

In Policing terms we are engaging MAPPAs on an increasingly local basis, both with Local Police Area Staff Chairing meetings and involvement of neighbourhood teams, who are at the heart of their local communities,

Finally I would commend to any with a further interest in what MAPPAs does to protect victims and communities the excellent Ministry Website at:-

mappa.justice.gov.uk

Gilbert Houalla

Detective Chief Superintendent
Force Crime Investigation
(Chair of Strategic Management Board)

What is MAPPA?

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**.

MAPPA is supported by ViSOR. This 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, ViSOR has been fully operational allowing, for the first time, key staff from the Police, Probation and Prison Services to work on the same IT system, thus improving the quality and timeliness of risk assessments and of interventions to prevent 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, enhancing public protection measures. All MAPPA reports from England and Wales are published online at: www.gov.uk

MAPPA Statistics

MAPPA-eligible offenders on 31 March 2016				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	1456	311	NA	1767
Level 2	27	11	5	43
Level 3	0	1	0	1
Total	1483	323	5	1811

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	61	63	32	156
Level 3	10	5	2	17
Total	71	68	34	173

RSOs cautioned or convicted for breach of notification requirements	48
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RSOs who have had their life time notification revoked on application	10
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	175
SHPO with foreign travel restriction	0
NOs	0

Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)	1
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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	4	10	5	19
Level 3	0	0	0	0
Total	4	10	5	19
Breach of SOPO				
Level 2	0	-	-	0
Level 3	0	-	--	0
Total	0	-	-	0

Total number of Registered Sexual Offenders per 100,000 population	73
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This figure has been calculated using the Mid-2015 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 23rd June 2016 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 2016 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2015 to 31 March 2016.

(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 Harm Prevention Order (SHPO) – (replaced Sexual Offence Prevention Orders) including any additional foreign travel restriction.

Sexual Harm Prevention Orders (SHPOs) and interim SHPOs 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 (incl. 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 – **this includes preventing 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 the full notification requirements.

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

(i) Lifetime notification requirements revoked on application

Change in legislation on sexual offenders

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

Individuals subject to indefinite notification will only become eligible to seek a review once they have been subject to the 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) 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>

Local page

Thames Valley 2015/2016

Multi-Agency Public Protection in the Thames Valley remains a keystone in the Protection of the Public from Serious harm. It continues to show success at a local level, this is reflected in a low number of Serious case reviews in this year.

A “thresholding” panel has been in place since 2008, this panel has an overview of all cases within the whole of Thames Valley that are MAPPA eligible. This ensures a consistency of approach in those cases where better Public Protection and protection of victims can be achieved through multi-agency active management. We have added to this panel with Prison representation adding to the existing MAPPA Coordinator, Principal Forensic psychologist, Probation and Police.

What does this mean in practice?

Eligible offenders serving a custodial sentence of 12 months or more should be referred in to MAPPA six months from release. It may be that individual has no housing, no prospect of employment and perhaps mental health issue. If they have children, it may be that there are child safeguarding or domestic abuse issues. There will always be a lead agency often Probation, Police, Mental Health or Youth Offending Teams.

In such cases the MAPPA will seek to add to the lead agency’s risk management plan with a combination of restrictive and rehabilitative interventions. There will be a clear focus on the victim or potential victims with close contact from Probation victims Unit and safety planning, this may also involve Police and housing, increasingly tagging agencies. Although the Multi-Agency approach is proven effective all these cases carry risk and the individuals are either out in the community or preparing for release. So there is a constant review within the 13 MAPPA across Thames Valley every month. There is

no such thing as no risk in the MAPPA environment.

There has been a focus this year on complex needs and adult safeguarding cases, these often have Forensic or Community Mental Health involvement and it is largely offenders who have a range of mental health and social needs. The need for a programme of treatment and intervention is often the best way forward in managing these often challenging cases. An audit this September is looking at some of these most difficult cases- many of which are ongoing.

There was a further inspection of MAPPA by her Majesty’s Inspectorate of Constabulary and Probation in November 2015 and there is a business plan focussing on those issues raised in the report. Without being complacent, Thames Valley had already addressed the majority of those issues. The Strategic Management Board is well represented by all key Duty to Cooperate agencies and although the National requirement is that they meet three times a year, the Thames Valley Board still find value in meeting quarterly. Representation is necessarily limited to key agencies and one of the challenges Thames Valley has in ensuring “buy in” from the many local authority areas across the three Counties, two cities and multiple unitary authorities.

Chairing of this Board remains consistent with Detective Chief Superintendent Houalla, deputised by Probation ACO Sue Cooke. We are trying to forge closer links with LASB (Local Adult Safeguarding Boards) and LSCB (Local Safeguarding Children’s Boards). There are 12 of each across Thames Valley, so this is a challenging environment. We do have Strategic Management Board representation and we are looking to hold a joint conference in this Financial year, following the complex needs audit.

We are expecting a revision to the 2012 MAPPA Guidance this year this will look at

revisions to risk assessment and will probably give further advice on MAPPA's interaction with Mental Health Units.

Our two "lay advisors" Harish Rutti and Iain Helstrip visit 3 MAPPA meetings each a quarter. They provide a valuable sounding board for the Strategic Management Board and the MAPPA Coordinator.

In last years report I commented on the effects of budgetary constraints amongst all agencies, in that respect the environment has not improved and the Strategic Management Board are very aware of the need to appropriately manage those tensions in the continuing aim of protecting the Public from harm.

Robert B Stirling

MAPPA Coordinator Thames Valley



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