

West Midlands



Annual Report 2014 – 2015



Working together for safer communities

This Annual Report for 2014 – 2015 highlights a number of changes and developments across the field of Criminal Justice relevant to the management of MAPPA offenders. These changes bring reform and also enhance the opportunities for staff to manage this group of offenders.

New Structures

The proposed changes to how Probation Services are delivered outlined last year -became effective from 1st June 2014. This saw the creation of a new National Probation Service to manage all MAPPA eligible offenders and other high risk offenders. The NPS is also responsible for all Court reports and the allocation of offenders to either the new National Probation Service or the Staffordshire & West Midlands Community Rehabilitation Company. This year has seen the continued bedding in of new processes and systems to enable both organisations to work effectively together with the shared goal of reducing overall reoffending rates and protecting the public. Where an offender is considered to be increasing in risk there is a mechanism in place to allow for the case management to be transferred from the CRC to the National Probation Service.

New Legislation

February 2015 saw the introduction of the Offender Rehabilitation Act – One of the key elements of this Act was to extend statutory supervision for released prisoners. Prior to this Act any offender over 21 who was sentenced to imprisonment of less than 12 months would be released at the half way stage without any formal supervision under licence. The change introduced a two stage process with offenders still being released at the half way point of their sentence but serving the second half under licence. This is then followed by a period of Post Sentence

Supervision aimed at supporting rehabilitation. These arrangements apply to offenders serving fixed term prison sentences of less than two years ensuring that they are supervised in the community for at least 12 months.

New Orders to Manage Sex Offenders

In March 2015 the Sexual Harm Prevention Order and the Foreign Travel Order (reported as statistics in this report) were replaced by the introduction of the Sexual Harm Prevention Order. In addition the civil order that can be imposed on an adult thought to pose a Risk of Sexual Harm, where the person has no conviction for a sexual or violent offence (or any offence) has been replaced by the Sexual Risk Order. The grounds on which these two orders can be made are wider than the previous orders and foreign travel restrictions can be imposed as part of the order. This provides the Police with a more flexible approach to protecting the public.

New Risk Assessment Tool for Police and Probation Staff

During 2015 training has been rolled out to Police and probation staff in the use of the Active Risk Management System (ARMS) This provides a framework for identifying the level of activity that needs to be in place to effectively manage individual sex offender in the community – enhancing the opportunity for resources to be directed to where there is greatest benefit. Over the coming year the introduction of this supplementary tool to existing risk assessment techniques will enhance the opportunities for joint working between the two services.

Accommodation

We have previously reported on accommodation as a key issue as it is a good starting point for helping offenders on their journey from criminal activity to desistance. This is even more significant for MAPPA offenders. They need housing that is sustainable, appropriate in terms

of type and location and linked to support that compliment the effective supervision and public protection of that person in the community.

The SMB is grateful for the continued support from both voluntary and local authority providers of accommodation for this group of offenders but also recognises that this does remain an area of concern as pressure grows on housing allocation policies. Over the coming year the MAPPAs Coordinator will continue to work with partners to ensure that appropriate support is provided to them and ensure that wherever possible suitable accommodation to meet the needs of both the offender and public protection concerns is achieved.

Polygraph



In last year's report we discussed the planned introduction of Polygraph testing for relevant sex offenders supervised by the NPS. Colloquially known as a "lie detector" The West Midlands Strategic MAPPAs Management Board had a live demonstration of the equipment on a willing volunteer and support its use as an additional aid for staff.

Polygraph testing allows scope to test out an offender's reliability of response to questions pertinent to how they are managing their own risk.

Introduced in the second half of the year, the facility is anticipated to provide a useful additional licence requirement for the management of relevant offenders. It is too early

to quantify its impact but a further update will be provided for the next report.

Safeguarding

One of the key areas for partnership work within MAPPAs is activity to promote child safeguarding. The SMB committed to a piece of regional work in 2006 to promote improved interagency working and the production of a manual. It was initiated in response to the document 'Guidance on Offences Against Children', itself generated by a national multi-agency working group responsible for reviewing Schedule One arrangements. The Schedule One arrangements had originated with the Children and Young Persons Act 1933. 'Guidance on Offences Against Children' suggested that the term 'Schedule One' be replaced with a new term: 'a person identified as presenting a risk, or potential risk, to children'. The manual was revised in 2009 and during this year there have been discussions about a further revision. However over recent years there has been an increased focus by agencies in working together and local authority areas are developing Multi Agency Safeguarding Hubs (MASH) with the involvement of key partner agencies. The commitment of agencies to this approach is to be welcomed and provides a real opportunity for ensuring that communications are joined up and where necessary information is shared to promote safeguarding aims. Over the coming year the SMB will work with Local Safeguarding Board Leads to assist in the review of the PPRC arrangements to ensure they fit within the developing MASH agenda.

Serious violent and sexual offending make up a relatively small proportion of all recorded crime. Yet, by their nature, they cause the greatest concern for the community. MAPPAs cannot entirely remove the risk of harm that offenders present. However, constructive sharing of information, and collaborative approaches to working, mean the agencies operating within MAPPAs can - and do - contribute to reducing that risk through the successful management of complex and challenging offenders in our community.

***Nigel Byford
Chair, West Midlands MAPPAs
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 focussed 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 2015				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	2807	1536	-	4343
Level 2	12	18	10	40
Level 3	3	2	6	11
Total	2822	1556	16	4394

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	40	121	20	181
Level 3	12	16	15	43
Total	52	137	35	224

RSOs cautioned or convicted for breach of notification requirements	35
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Restrictive orders for Category 1 offenders	
SOPOs, NOs & FTOs imposed by the courts	
SOPOs	146
NOs	3
FTOs	0

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	17	15	3	35
Level 3	2	1	6	9
Total	19	16	9	44
Breach of SOPO				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

Total number of Registered Sexual Offenders per 100,000 population	117
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This figure has been calculated using the Mid-2014 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 25 June 2015, 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 2015 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2014 to 31 March 2015.

(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 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, 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.

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