



Derbyshire

Multi Agency Public Protection Arrangements
Protection through partnership

2014-15

Contents

Introduction	2
What are MAPPA?	3
How MAPPA Work	4
ViSOR, Information Sharing & Risk Management	5
How MAPPA Work in Derbyshire	6
Managing Offenders through MAPPA	8
MAPPA, Victims and Keeping Safe	10
MAPPA – Achieving Safer Communities	12
Statistics	13
Explanation Commentary	15

Introduction

Protecting the public from violent and sexual offenders is a key priority 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 and those close to them and can in turn cause fear in local communities.

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.

Although 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.

We take a tough approach to any increased risk offenders may present, while working hard to rehabilitate them.

MAPPA is a partnership and this report explains how the 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.

Every year we strive to better safeguard the public through MAPPA but we are not complacent and we continually review and update the arrangements in order to afford our communities the highest level of protection.



A handwritten signature in black ink, appearing to read 'Martyn Bates'.

Martyn Bates
Assistant Chief Constable



A handwritten signature in black ink, appearing to read 'Karen Macleod'.

Karen Macleod
Head of Derbyshire
National Probation Service



A handwritten signature in black ink, appearing to read 'Paul Baker'.

Paul Baker
Deputy Director
HM Prison Service

What are MAPPA?

MAPPA (Multi Agency Public Protection Arrangements) are a set of arrangements established under the provisions of Section 325 - 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 have been in place since 2001. They 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 to 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 Care Services, Health Trusts and other health service bodies, Jobcentre Plus, Local Housing and Education Authorities and the Immigration and Enforcement arm of the Home Office (formerly the UK Border Agency).

Area arrangements are overseen by a Strategic Management Board (SMB). The Responsible Authority is required to appoint two Lay Advisers to sit on the MAPPA SMB alongside senior representatives from each of the Responsible Authority and Duty to Cooperate agencies.

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 their understanding and perspective of the local community (where they must reside and/or have strong links).

How MAPPA work

MAPPA eligible offenders are identified and information about them can then be shared by the partner agencies in order to inform the risk assessments and the 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 instances 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 set out in Part 2 of the Sexual Offences Act 2003, sometimes known as the ‘sex offender register’

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

Category 3 – other offenders who do not 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 Multi Agency Public Protection Arrangements in Derby and Derbyshire comprises Derbyshire Constabulary, HM Prison Service (Public Sector Prisons, East Midlands and East of England) and the National Probation Service Midlands Division, acting jointly. During 2014 the National Probation Service assumed the responsibilities for MAPPA previously exercised by Derbyshire Probation Trust.

Probation Changes

In June 2014 probation and rehabilitation services in England and Wales underwent a major change. The previous structure of local Probation Trusts was replaced by a public sector National Probation Service (NPS) organised into six English Divisions and Wales working alongside 21 privately owned Community Rehabilitation Companies (CRCs).

The probation providers for Derbyshire are now the NPS Midlands Division and the Derbyshire, Leicestershire, Nottinghamshire and Rutland CRC.

Under this model all MAPPA eligible offenders, other high risk offenders, foreign national prisoners due for deportation and certain other public interest cases are assigned to the NPS. In the course of supervising these offenders the NPS will be purchasing a range of rehabilitative services from the CRCs.

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 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 eight Derbyshire Borough and District Housing Services along with 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 additional statutory services or independent sector organisations which provide services for victims or offenders may be engaged as well.

MAPPA is not itself a body but a set of arrangements which operates through partnership. The arrangements do not direct what each agency should do. Bringing services together allows each to discharge their individual responsibilities in planned cooperation with the others. This provides for better public protection and rehabilitation of offenders.

A Strategic Management Board on which all the main agencies are represented oversees the arrangements. The board is responsible for ensuring compliance with legislation and guidance, reviewing performance and directing any changes that may be necessary.

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 Central ViSOR Unit at Derbyshire Constabulary HQ.

Managing offenders through MAPPA

The courts decide what the proper sentence is for a sexual or violent offence. This can range from discharges and community disposals through a range of custodial sentences to Life Imprisonment in the most serious cases.

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 specified violent offences either to a year or more in custody or made subject to a Hospital or Guardianship Order are included within the MAPPA framework, without exception.

Courts have no discretion over which sexual offenders become subject to registration requirements, or the length of the registration period. The violent offences that bring an offender within scope are wide ranging – from assaults, robbery and aggravated burglary through to offences under the terrorism acts and crimes against humanity. The small number of other offenders who become included under MAPPA will have had a previous disposal which shows they have caused harm and there are current concerns they might do so.

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. There is now a mechanism for indefinitely registered offenders to apply for removal of the requirements fifteen years after first registration if they can show they do not present a continuing risk. Violent offenders remain within MAPPA until the end date of the sentence imposed, including the period served in the community on licence or post sentence supervision. Other offenders only remain within MAPPA for as long as active multi agency management continues.

Except where an offender has been given a sentence under which they can only be released once the Parole Board has assessed that any risks are manageable in the community, all imprisoned offenders must be released at a set point in their sentence, regardless of any risk they may pose. For offenders detained under the Mental Health Acts, discharge into the community is decided by the Responsible Clinician, often with the approval of the Secretary of State or as directed by a first-tier Mental Health Tribunal.

Following a court sentence or other criminal justice disposal it is the responsibility of the police, probation, youth offending and mental health services to identify all eligible MAPPA offenders and patients. Where an offender has been sentenced to detention or custody, or has been given a Hospital Order the prison service or mental health unit should also record that the prisoner or patient falls within MAPPA. Relevant information can then be shared to assess the risks an offender may pose, in what circumstances and who may be vulnerable to being harmed should there be further offending. Accredited risk assessment tools assist this process.

During time in prison or mental health unit most eligible offenders will take part in education, training and offending behaviour or treatment programmes. As the time for release approaches plans will then be drawn up to address any continuing risks through a community management plan that combines a mix of measures:

- Restrictive interventions which put in place controls or prohibitions to limit and reduce opportunities for harmful behaviour
- Rehabilitative interventions, directed towards building an offenders ability to manage their own behaviour by changing their thinking about offending, recognise the effect of offending on victims and address issues commonly linked to crime like social relationships, drug or alcohol misuse, educational or employment skills and stable housing
- Protective factors such as positive personal or community ties, steady employment and constructive use of time, which together with being motivated not to re-offend support an offender to desist from harmful criminal behaviour and sustain a better life
- Victim safety planning to minimise the chances of repeated harm to previous victims or persons who might be at risk in future

Such measures can be put in place at all level of MAPPA management. Where assessments highlight that doing so requires an actively coordinated approach the MAPPA partnership agencies come together at MAPP Level 2 or 3 meetings to formulate the joint steps for public protection. If an offender is serving a prison sentence this will normally start several months ahead of release or before the expected date of a Parole Board hearing, if release into the community is in prospect.

MAPP meetings take place at Derbyshire Constabulary HQ and at other locations across Derbyshire.

MAPPA, Victims and Keeping Safe

The safety of victims or of any child or adult at possible risk of harm is a first consideration when planning the management of a MAPPA offender.

There are a number of services available to support victims at different stages of the criminal justice process. Where an offender is sent to prison for a year or more or receives a Hospital Order all personal victims of the offences for which they have been convicted are offered a service through the National Probation Service's Victim Liaison Officers who work separately from Offender Managers.

This service can provide:

- a point of contact through which a victim is able to express any concerns about the offender
- general information about the sentence being served, including expected timescales for the offenders 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 for eventual release
- an entitlement to convey information on the offender's conditions of release
- information about any release conditions that directly affect them and any later charges

Victims can also choose to submit their views directly to those responsible for making decisions about an offender's release – the Parole Board, for example. This brings their immediate experience and concerns to bear on the decision making, not for the purpose of deciding whether the offender should be released but to shape the conditions under which they might be.

Many victims and survivors will previously have known the person who offended against them, perhaps as a trusted or powerful figure in their life. Sometimes a victim will not have known the offender. In all instances their views can be reflected into MAPP meetings through Victim Liaison Officers, Independent Domestic or Sexual Violence Advocates or other professionals. A victim's insights can add significantly to understanding an offender's risk. Management plans can take this knowledge into account. Extra licence or restrictive order conditions might forbid contact or prohibit the offender from entering areas where the victim lives or works.

While victims are entitled to particular information about an offender there is no general public right to access the details of individual sexual or violent offenders. The management of offenders, including information about an offender, happens in accordance with the law. But this does provide that where an offender has committed a sexual offence against a child (i.e. a person aged under 18 years) the managing agencies must consider whether specific information about the offender should be shared in order to prevent harm. For practical purposes this has been extended to other serious offenders too.

Disclosure may include information and advice being given to partners, families, employers, 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 (‘Sarah’s Law’) members of the public have a ‘right to ask’ for information from the police if they have concerns that someone who has access to children may be a child sex offender. While anyone – including a friend, neighbour or relative – can register a concern, information is only given 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 apply in cases of domestic abuse and violence under the Domestic Violence Disclosure Scheme (‘Claire’s Law’).

Details of the CSODS and DVDS can be found on the Derbyshire Constabulary website.

MAPPA – Achieving Safer Communities

The purpose of MAPPA is to reduce the risk of serious harm and the effect on victims and communities.

Reducing risk means assessing both the likelihood of something happening, the probable consequences if it does, and putting measures to reduce or mitigate them in place. But risk involves uncertainty. Further offending and harm cannot always be anticipated or averted, despite all that may be done. And there will always be individuals without previous or major convictions who commit a serious harmful crime which could not have been foreseen. The final responsibility for any offence is the offender's own.

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

More information about MAPPA in Derby and Derbyshire can be obtained from the MAPPA Coordination Unit at Derbyshire Constabulary Headquarters.

or online at: www.derbyshire.police.uk/safety-advice-personal-safety/mappa

MAPPA statistics

Derbyshire

MAPPA-eligible offenders on 31 March 2015

	Category 1: Registered Sex Offenders	Category 2: Violent Offender	Category 3: Other Dangerous Offenders	Total
Level 1	1046	322	-	1368
Level 2	9	3	3	15
Level 3	0	1	0	1
Total	1055	326	3	1384

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	21	21	16	58
Level 3	7	4	2	13
Total	28	25	18	71

RSOs cautioned or convicted for breach of notification requirements	14
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Restrictive Orders for Category 1 Offenders

SOPOs, NOs & FTOs imposed by the courts

SOPOs	75
NOs	2
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	7	4	1	12
Level 3	1	0	1	2
Total	8	4	2	14

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

***116**

**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.*

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 (98.8% 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
- (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 will be subject to a licence with conditions (under probation or youth offending service 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. SOPO’s were replaced in March 2015 by Sexual Harm Prevention Orders, which have a similar practical effect.

- (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 commentary : Derbyshire MAPPA

- i The total number of MAPPA eligible offenders being managed in the community across Derby and Derbyshire has risen 9.75% over the past year.

Compared with 5 years ago, there has been a 33.6% increase. Whilst there will always be variations over time between the numbers and relative proportion of offenders in each category there is an underlying upward trend because of sentencing patterns for the most serious offences and because sex offender registration numbers are cumulative.

- ii In the course of the 12 months from 1 April 2014 to 31 March 2015 the number of registered sexual offenders (MAPPA Category 1) grew by 8%. Around 2 in 5 newly registering sexual offenders have been convicted for online offences.

The pattern over the past five years has been:

Year	Total	Annual Increase	RSO/100,000
2014/15	1055	8.0%	116
2013/14	977	7.6%	107
2012/13	908	6.3%	100
2011/12	848	13.2%	94
2010/11	749	4.2%	83

The Derbyshire figure for RSOs per 100,000 population remains ahead of the England and Wales average.

- iii Over the year there has been a 18.5% increase in the number of eligible violent offenders and 'other sexual' offenders (MAPPAs Category 2); this follows a substantial increase during 2013/14. Adult violent offenders are managed on Licence by the National Probation Service whilst those under 18 years are supervised by the Derby City or Derbyshire County Youth Offending Services. A small number of Category 2 cases are subject to social supervision by Derbyshire Healthcare Foundation NHS Trust (Mental Health Services)
- iv By contrast there has been a reduction in the small number of 'other' (Category 3) offenders. Some of these offenders had previously been managed under one of the other two categories
- v Within a rising total the number and proportion of cases managed at Level 2 and 3 has continued to reduce, although during the past 12 months there was a small increase in those subject to active multi agency management
- vi Derbyshire Constabulary's approach to obtaining SOPOs as an additional risk management measure has seen numbers rise this year to 72 compared with 31 in 2013/14
- vii The number dealt with for breach of sexual offender notification requirements saw a further reduction whilst the number of Level 2 or 3 managed offenders recalled to custody doubled

The Ministry of Justice publishes further information about MAPPAs in England and Wales including total offender numbers and statistics about Serious Further Offences charged against eligible offenders whilst under probation supervision.

The England and Wales MAPPAs 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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