

# Kent MAPPA 2015-2016



## Annual Report





# Intro

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We are pleased to present our MAPPA Report for 2015-2016.

Multi-Agency Public Protection Arrangements are recognised as a world-leading approach to the management of high risk offenders.

Kent Police, National Probation Service Kent and Prisons, in conjunction with all the Duty to Co-operate Agencies, have continued to work together over the past year to protect the public, appropriately manage risk and ultimately to save lives. Consistent and focused work has provided a high standard of service to the people of Kent which is reflected in a continued improvement in our practice and effectiveness.

Liaison with other MAPPA areas, nationwide, and regionally has additionally reinforced the efficiency of multi-agency management.



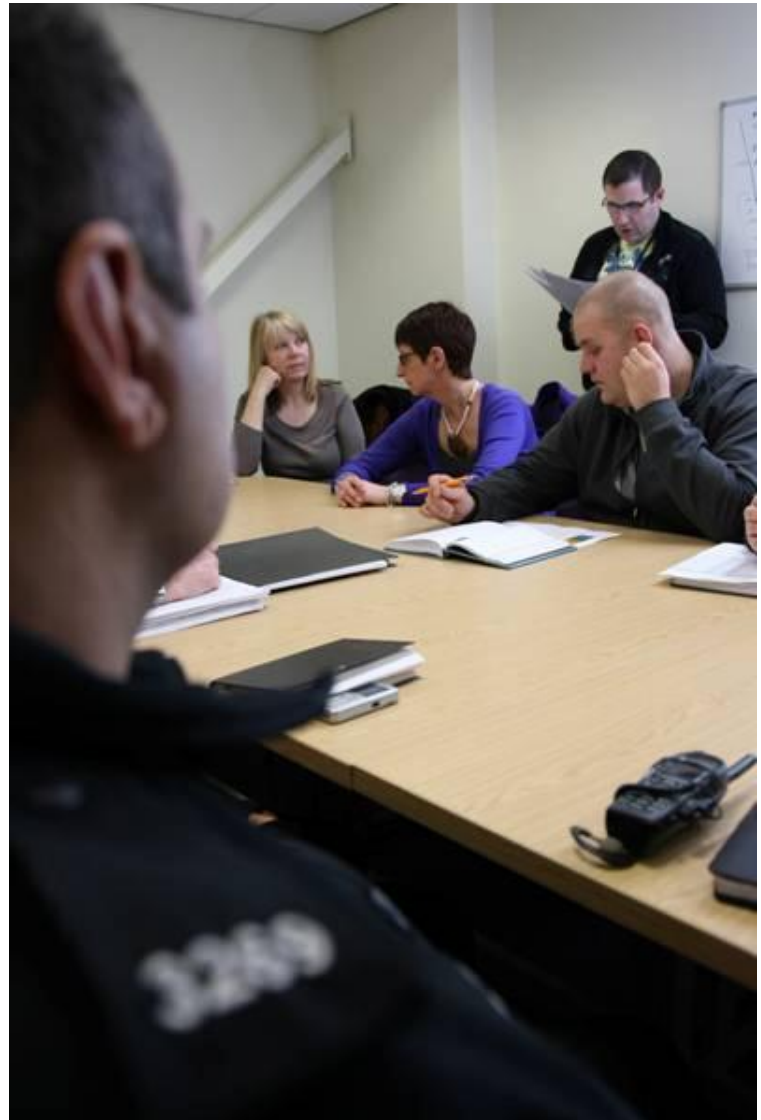
**Stephen O'Connell**  
Deputy Director of Custody,  
Kent & Sussex Prisons



**Alan Pughsley**  
Chief Constable,  
Kent Police



**Tracey Kadir**  
Head of Kent,  
National Probation Service



# 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**.

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](http://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	1581	773	--	2354
Level 2	14	4	4	22
Level 3	0	0	1	1
Total	1595	777	5	2377

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	20	9	8	37
Level 3	1	1	0	2
Total	21	10	8	39

<b>RSOs cautioned or convicted for breach of notification requirements</b>	30
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<b>RSOs who have had their life time notification revoked on application</b>	5
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	160
SHPO with foreign travel restriction	0
NOs	7

<b>Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)</b>	0
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<b>Level 2 and 3 offenders returned to custody</b>				
	<b>Category 1: Registered sex offenders</b>	<b>Category 2: Violent offenders</b>	<b>Category 3: Other dangerous offenders</b>	<b>Total</b>
<b>Breach of licence</b>				
Level 2	3	1	1	5
Level 3	0	0	0	0
Total	3	1	1	5
<b>Breach of SOPO</b>				
Level 2	3	-	-	3
Level 3	0	-	-	0
Total	3	-	-	3

<b>Total number of Registered Sexual Offenders per 100,000 population</b>	101
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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 23 June 2016, excluding those aged less than ten years of age.

# Explanation commentary on statistical tables

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## 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 (99% 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>



# MAPPA WORK in Kent

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The work of Kent MAPPA has continued to provide effective and thorough management of all high risk offenders, during this past year. This has been supported and reinforced by the commitment of the three Responsible Authorities (RAs) and Duty to Cooperate Agencies (DTCs) across the county. Multi-agency liaison and engagement has contributed to robust assessment and management of risk of harm, and thus has contributed to ensuring the safety and protection of the public in Kent.

The numbers of individuals managed at L2 and L3 MAPPA have remained largely consistent with the figures reported in last year's report, with a slight increase against a corresponding increase in the overall numbers of MAPPA eligible offenders in Kent.

A robust and consistent central screening process is applied to all referrals to L2 and L3 MAPPA in Kent. This ensures that the resources of all agencies involved in MAPPA are appropriately focussed on those individuals who pose the greatest risk of harm to the public and require the highest level of multi-agency co-ordination and co-operation.

The Kent ViSOR Referral Unit (VRU) continues to provide a focused approach to the identification of MAPPA offenders. The VRU additionally provides support for the work of MAPPA by the incorporation of central points of contact (CPC) for Prisons, Courts, Approved Premises and Mental Health, further promoting a multi-agency approach to risk management, and facilitating information sharing. This has also been reinforced by offering MAPPA awareness training to all DTC agencies.

A rolling programme of MAPPA awareness training is now established in Kent and all agencies involved in MAPPA are encouraged to

access this training and request more bespoke training, meeting their specific agency needs as appropriate. ViSOR user training is also available for relevant agencies. Attendance at training events by all MAPPA agencies has been good and feedback received about the training has been positive.

In the past year, Kent Police have continued to implement the Active Risk Management System (ARMS). ARMS was introduced in 2015 and was used exclusively by Police Forces. This has evolved and now includes Police and Probation working together to complete the assessments. ARMS is a structured assessment process to assess dynamic risk factors known to be associated with sexual re-offending, and protective factors known to be associated with reduced offending. ARMS provides Police with information to plan the management of convicted sex offenders in the community. It builds on existing risk management tools by providing offender managers with a consistent process to assess and monitor *current* factors and behaviours that are relevant to sex offender management. This is vital in achieving bespoke risk assessments which in turn will aid the effective management of offenders.

The Offender Personality Disorder (OPD) pathway is now in its fourth year. Kent & Medway Partnership Trust (KMPT) Psychologists have been working with Offender Managers in the National Probation Service (NPS) - Kent to support their work with high risk, probable personality disordered clients, most of whom are managed under MAPPA. The strategy has led to other developments such as the delivery of high quality personality disorder awareness training for staff involving service user trainers. The service continues to be well utilised by staff who have given positive feedback. As a result of the success of the community pathway in Kent further funding has been made available for an Intensive Intervention and Risk Management Service (IIRMS) to start in autumn 2016. As a result of this type of working a Level 3 MAPPA and Critical Public Protection Case was successfully resettled into the community, providing learning for the IIRMS team. A Detective Chief Superintendent's Certificate of Merit was awarded to probation for their work with this man.

Circles of Support and Accountability (COSA) have continued to identify and train suitable volunteers to work with core members. COSA are groups of specially selected, trained and supervised volunteers who form a circle around a core member (who has been convicted of a sexual offence) offering advice and support, which is later developed on a more informal approach to offer a higher level of social and supportive opportunities. COSA is very effective at

reducing re-offending and risky behaviours, increasing successful community reintegration, and has provided an additional means of risk management within MAPPA. There are currently 9 active circles with a further 2 pending. COSA now has a pool of 65 trained and active volunteers.

In conjunction with the Divisional Counter Terrorism Lead, the NPS Kent Senior Forensic Psychologist has set up an extremism practitioners forum to support probation staff working with this complex client group. The forum, which is held on a quarterly basis, has been well attended by staff from Kent, Surrey and Sussex and across the South East and Eastern NPS Division. A number of guest speakers, including Special Branch and a NOMS approved Muslim mentor, have attended this year providing expertise and guidance to practitioners involved in this area of work. Several TACT offenders have been successfully resettled into Kent and Medway and have found full time employment.

The Senior Forensic Psychologist from NPS - Kent will again be delivering training to the Kent Police VISOR officers on working with sexual and violent offenders later in the year.

## The Role Of The Strategic Management Board

Senior representatives of each of the agencies involved in MAPPA form a Strategic Management Board (SMB), which meets at least quarterly to monitor the arrangements and direct any necessary improvements. The SMB measures effectiveness against the standards contained within the MAPPA Guidance of 2012, ensuring a common standard of effective public protection arrangements with each of the agencies playing a full part in MAPPA.

Kent's MAPPA SMB membership has continued to strengthen and develop throughout this year, resulting in improved engagement from each of the responsible authorities and agencies with a duty to co-operate in Kent.

The agencies represented at the Kent SMB are:

The three Responsible Authorities:

- National Probation Service
- Kent Police
- HM Prison Service

Duty to Cooperate Agencies:

- Kent County Council (Adult and Children's Services)
- Medway Council (Children's Services)
- Kent and Medway NHS and Social Care Partnership Trust

- Kent Forensic Psychiatry Service
- Kent Integrated Youth Offending Service
- Jobcentre Plus
- Local Housing Authorities
- Kent and Medway Commissioner for Adult Mental Health and Substance Misuse
- Electronic monitoring providers
- Education authorities.
- Immigration Enforcement

Below are some reflections by the SMB representative for Children's Social Care, the service manager for quality assurance and safeguarding, regarding the value and function of the MAPPA SMB:

*"As the representative for Children's Social Care on the MAPPA SMB, and as a duty to co-operate agency, I take my responsibility seriously in working with others to ensure we manage the risks posed by offenders living in the community. As a member of the SMB we can hold each other to account and ensure our agency fulfils its responsibilities, and ultimately protects our communities. I have ensured that Children's Social Care has a single point of contact in our efforts to ensure we are appropriately represented at MAPPA meetings. As a Board member I have attended, as an observer, MAPPA Level 2 and MAPPA Level 3 meetings. In addition I attended an information briefing about MAPPA, led by the MAPPA manager for NPS Kent".*

## Safeguarding Children

MAPPA plays an important role in safeguarding children across Kent and Medway. Agencies work together to decide upon the most appropriate risk management plan, including both restrictive and rehabilitative elements to both Community Orders and Licences, in safely managing those who present a known risk of harm to children.

During the last 12 months the National Probation Service South East and Eastern (NPS SEE) Kent Local Delivery Unit (LDU) has seen the continuance of the Safeguarding Officer role; a Probation Officer, based half time in the Central Referral Unit (CRU) at Kroner House, Ashford. The Safeguarding Officer works in this multi-agency team to champion safeguarding practice across the Kent LDU. The Safeguarding Officer works closely with MAPPA partners within this multi-agency team and this has greatly improved multi-agency working for frontline practice.

In April 2015, the Safeguarding Officer has been joined by a full time NPS Case Administrator (Safeguarding) who has access to Children's Services case recording system and is now able to cross reference information held by Children's Services against the NPS case recording system in order to realise our requirement to undertake safeguarding checks for ALL offenders sentenced through the Court to statutory supervision. The NPS Case Administrator (Safeguarding) is also

able to assist NPS staff in checking cases on their behalf for the purposes of Home Detention Curfew (HDC), Release on Temporary Licence (ROTL) and post-sentence checks against statutory cases to see whether the case is already known to Children's Specialist Services and whether the case is 'open' to a Social Worker or 'closed'.

The Safeguarding Officer and Case Administrator (Safeguarding) have continued to work alongside the Police and Children's Social Care Early Help at CRU in sharing information regarding Domestic Abuse Notifications (DANS) and in information sharing with regard to the Domestic Violence Disclosure Scheme (DVDS) also known as Clare's Law. Improved information sharing amongst agencies is key in protecting the public and reducing re-offending across Kent and Medway.

Some local audit work has recently been undertaken in NPS Kent in relation to Probation Officers' use of the DAN information which has been shared with them in order to determine how that is being used in managing statutory cases within the community. This DANs Audit is currently being analysed. Both the Safeguarding Officer and Case Administrator (Safeguarding) are working to a Safeguarding Work plan for 2016/17 and local audit work is integral to this.

Representatives from Kent MAPPAs have liaised with both Kent and Medway Safeguarding Boards in the last year to increase their knowledge of MAPPAs. Members of the local Safeguarding Children Boards, as well as allocated social workers involved with families, are invited to attend MAPPAs meetings so that concerns regarding the safeguarding of children can be shared and considered at MAPPAs meetings to ensure that the best outcomes can be achieved to safeguard the welfare of children, young people, parents and carers across Kent and Medway.

## Victim Liaison and Lay Advisors

### What do the Lay Advisors do?

The responsible authority is required to appoint 2 Lay Advisors to sit on the Strategic Management Board. The lay advisors 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 or have strong links.

## Lay Advisors

Lay Advisors are full members of the Strategic Management Board (SMB) assisting in the MAPPAs review functions. They are not expected to be experts but informed observers and posers of questions. They act as a 'critical friend' who can provide a challenge to the professionals and bring an understanding and perspective of the local area. The Lay Advisor role is voluntary and unpaid.

Kent currently has one Lay Advisor, who actively assists in Kent MAPPAs review functions. The recruitment process for a second Lay Advisor, following the resignation of our previous Lay Advisor is underway with a successful candidate awaiting appointment by the Secretary of State.

Below are some reflections on the experience so far by our longest serving Lay Advisor:

*"I continue to attend MAPPAs meetings and I remain impressed by the quality of collaborative working across agencies that I see in these meetings.*

*I have been involved in the audit of MAPPAs meeting minutes and with the latest business plan.*

*At a training session for probation volunteers on the subject of the work of MAPPAs I gave details of the Lay Advisor role and some of the work I have done since being recruited into the role.*

*I have valuable support meetings with the MAPPAs Manager and I continue to attend Strategic Management Board meetings"*

## Victim liaison

The Victim Contact Scheme (VCS) requires that the NPS contacts and offers the VCS to victims of offenders who have committed a specified serious violent or sexual offence, for which the offender has been sentenced to 12 months or more in custody or detained under the Mental Health Act 1983, with or without restrictions. Victims who choose to participate in the VCS may make representations about the offender's licence or discharge conditions, and receive certain information about key stages of the offender's sentence from their Probation Victim Liaison Officer (VLO). Victims of serious violent and sexual crime must, as a minimum, be:

- offered contact by the NPS
- assigned a VLO (unless they are the victim of a mentally disordered offender who is subject to a hospital order without restrictions)
- offered the right to make representations about licence conditions

- informed of licence conditions that relate to them
- informed about any other key information about the offender's sentence which it is appropriate to share in all the circumstances of the case
- offered the opportunity to make a Victim Personal Statement (VPS) for the Parole Board, if applicable.

This list is not exhaustive. Victim Liaison Officers attend and contribute to the work of MAPPA. Victim Liaison officers attendance and contribution at MAPPA ensures that the victims views and specific circumstances are considered in the MAPPA process.

The Victim Liaison officer is able to share specific information that may not have been made available and to make representations relating to the victim.



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[MAPPA.justice.gov.uk](https://mappa.justice.gov.uk)

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**Kent  
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