

# Avon and Somerset



## Annual Report 2015-16





# Intro

## Working Together to Keep Our Communities Safer

We are pleased to introduce our Multi Agency Public Protection Arrangements Annual Report for 2015–2016. We hope that it provides an informative and reassuring record of our achievements and hard work to protect the public over the last business year. In Avon and Somerset the primary agencies and organisations have been working hard together to put in place plans to manage offenders in the community and safeguard victims.

## Our Key Priorities

The Responsible Authorities in MAPPA, Police, National Probation Service and Prisons, continue to focus on the key priority of protecting the public from harm. These authorities are assisted by organisations which have a 'duty to cooperate' with MAPPA. The safeguarding of children, vulnerable adults and the protection of victims and potential victims is central to the work of MAPPA. The Responsible Authorities and Duty to Cooperate Agencies play an integral role in the MAPPA process. In addition we put in place comprehensive risk management plans for individual offenders who are coming out of prison or who are being supervised in the community to ensure the appropriate approach is taken in their management and rehabilitation.

Good communication is critical, as is sharing learning between agencies and responding to feedback from the community and from partner agencies.

## Accountability

We continue to work with the Health Services, Commissioning Groups and the Department of Work and Pensions, as well as Local Authorities to achieve the joined up work required to manage people who present a risk to the public.

We have two Lay Advisers, who are volunteers and critical friends to the Management Board. They can attend MAPPA level 2 and 3 meetings and feed back to the MAPPA Chairs, the MAPPA Coordinator as well as the Board. Our Lay Advisers particularly highlight the complex nature of the business and the level of assessment, care and thought which characterize the MAPPA process.

## Responsible Authorities

### Avon & Somerset Constabulary



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**Nikki Watson**  
Assistant Chief Constable  
Avon and Somerset Constabulary

### HM Prison Service



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**Prison Governor**

### National Probation Service



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**Liz Spencer**  
Assistant Chief Officer  
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 Child & Adult Services, Health Trusts, Youth Offending Teams, Department of Work and Pensions and Local Housing, registered social landlords, Immigration Enforcement (Home Office) and Electronic Monitoring providers.
- (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

<b>MAPPA-eligible offenders on 31 March 2016</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	1388	422		1810
Level 2	11	13	10	34
Level 3	1	2	1	4
Total	1400	437	11	1848

<b>MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total)</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	60	57	36	153
Level 3	1	2	0	3
Total	61	59	36	156

<b>RSOs cautioned or convicted for breach of notification requirements</b>	26
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<b>RSOs who have had their life time notification revoked on application</b>	7
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<b>Restrictive orders for Category 1 offenders</b>	
<b>SHPOs, SHPOs with foreign travel restriction &amp; NOs imposed by the courts</b>	
SHPO	132
SHPO with foreign travel restriction	0
NOs	3

<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	9	13	4	26
Level 3	1	2	0	3
Total	10	15	4	29
<b>Breach of SOPO</b>				
Level 2	0	-	-	0
Level 3	1	-	-	1
Total	1	-	-	1

<b>Total number of Registered Sexual Offenders per 100,000 population</b>	95
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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<sup>rd</sup> 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 (97% 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) /Sexual Harm Prevention Order (SHPO) 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>



# Avon and Somerset Local Page

## The Structure of MAPPA in Avon and Somerset.

The Avon and Somerset MAPPA Unit is based within Avon and Somerset Constabulary Police Headquarters, but part paid for by both Police and the National Probation Service with a contribution from the National Offender Management Service to represent the Prison Service involvement.

MAPPA Level 2 meetings are held within each Local Authority area and there are five within this Police Force area. These serve local communities, attempting to balance local interests and resources in relation to the reintegration and rehabilitation of offenders.

MAPPA Level 3 meetings are held at Police Headquarters, at Portishead. They are attended by senior managers from the three responsible authorities, Police, Probation and Prisons as well as frontline staff and their managers from all the relevant agencies.

MAPPA Level two meetings are chaired jointly by managers from the Police and Probation service experienced in the management of MAPPA offenders. A comprehensive training package has been developed for MAPPA chairs to support them in the management of often complex and demanding meetings.

## Safeguarding Arrangements and MAPPA

The work of MAPPA is focused on the protection of victims and potential victims and key to this are the arrangements in place for safeguarding children and vulnerable adults. Standing panel members from both Adult Social Care and Children's Social care attend meetings in Avon and Somerset. As well as sharing information on specific cases their role is to provide their insight and professional expertise to all the cases that are being heard. In addition to the panel members the professionals actively working with a particular case will also attend the MAPPA meetings and help formulate and implement the risk management plans. Senior representatives of the Safeguarding services attend the Strategic Management Board and contribute to the drawing up and oversight of the Area Business plan. In the arena of public protection it is vital that all agencies share relevant knowledge and experience. In the last year in Avon and Somerset MAPPA has contributed to this process both in relation MAPPA Serious Case Reviews and by the MAPPA Coordinator attending and contributing to learning days in relation to Children's Social Care and Domestic Homicide Reviews. A key issue for all services is the increasing awareness of the extent of child sexual exploitation in all its forms. In addressing this complex issue a joined

up and inquisitorial approach is required of all agencies. Information sharing is essential to effective MAPPA practice and the potential for preventing child sexual exploitation is considered in assessing all MAPPA referrals and by Chairs at the level 2 and 3 meetings.

## Avon and Somerset MAPPA in practice.

The overriding purpose of MAPPA is to share information in order to develop and implement risk management plans that manage an offender's risk of harm and protect victims and potential victims in the community. The following case demonstrates the nature of the work and in particular the contribution of Children's Social Care to the MAPPA process in Avon and Somerset in 2015-16:

*A was sentenced to 24 months in prison for a serious offence of violence. The victim of this offence was the natural father of his two teenage step daughters. He had previous convictions for violence and had been known to be violent and controlling in previous relationships. A's case was heard at a level two meeting 3 months before he was released from prison. At the initial meeting Children's Social Care( CSC) shared their concerns about A's relationship with his partner and the risk he posed to her two teenage step children living in the home. The risks identified were physical, sexual and emotional violence. It was also shared that previously A had been in a relationship with a teenage girl and was suspected of trying to involve her in sex work. As well as the victim of the offence it was agreed at the meeting that A's current partner, the step daughters, the ex partner and any children she might have were potential victims that required safeguarding arrangements. At subsequent meetings the whereabouts of A's previous partner was identified by CSC and safeguarding measures were put in place for her and her young child. In order to protect A's current partner and the two teenage children A was placed in an Approved Premises on his release with additional 3 hourly reporting conditions. In addition additional licence conditions were imposed which included an exclusion zone and a condition not to have unsupervised contact with anyone under aged 16. Based on the assessment of CSC A's current partner was not deemed appropriate to supervise any contact with children. In addition to the restrictions the risk management plan included details and level of contact each agency would have with the potential victims and how any indications of an increase in risk would be communicated to the professionals involved. The Contingency planning included the involvement of the police and potential recall to prison. Since his release 6 months ago A is not known to have committed further offences.*

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[www.gov.uk](http://www.gov.uk)

National  
Probation  
Service

