

Essex MAPPA



Annual Report



Introduction

The Essex MAPPA Strategic Management Board is pleased to present this Annual Report to the residents of Essex.

This Annual Report offers an opportunity for MAPPA to demonstrate it is accountable to the community in Essex for the management of violent and sexual offenders. It sets out statistics showing the number of offenders managed under MAPPA by category and level. It describes the work that is undertaken by the agencies involved in the Multi-Agency Public Protection Arrangements. This is evidence of the commitment we have to making Essex a safe place to live and work

The number of sexual and violent crimes committed represents a small proportion of the total recorded crime in Essex, but for the victims and their families they inevitably cause a great deal of fear, distress and harm. It is for this reason that protecting the public from offenders that commit these crimes and meeting the needs of victims remains a high priority for the National Probation Service (NPS), Essex Police and Prison Services.

They work alongside other agencies including those who are responsible for Safeguarding arrangements for children and adults and those who may pose a risk from Extremism activities. Together they identify, assess and manage violent and sexual offenders.

The number of registered sex offenders continues to rise year on year due to the fact that many sex offenders are required to register for the rest of their lives. This does not mean that there are many more sex offenders in the community, but that some of those forming part of that number will be counted for the remainder of their lifetime.

Steve Rodford
Governor
HMP Chelmsford

Mark Wheeler
Detective Superintendent
Essex Police

Shirley Kennerson
Head of Probation South Essex
National Probation Service

Sexual offenders cause a great deal of anxiety and the public are understandably concerned about the risk that sex offenders pose in the community. Not all sex offenders pose a risk to the general public and the majority of sexual offences are committed by offenders who are known to their victim either a family member, a friend or acquaintance.

Managing the risk posed by sex offenders is complex and cuts across organisational boundaries of all the authorities concerned. Research suggests that when offenders have stability in their lives and are well integrated into their community, they are less likely to offend. It is therefore important that all agencies work together to achieve this.

One of the most important partners in public protection are members of the public and it is vital that they are aware of their responsibility to protect vulnerable members in our community by having the confidence to report any concerns. Local services will act promptly and appropriately to ensure that the most vulnerable are protected.

It is never possible to eliminate risk entirely; however what can be expected is that all reasonable steps have been taken to reduce the risk of serious harm to the public from known offenders.



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, Job Centre 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	1173	343	-	1516
Level 2	48	25	6	79
Level 3	2	2	0	4
Total	1223	370	6	1599

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	129	98	18	245
Level 3	6	6	0	12
Total	135	104	18	257

RSOs cautioned or convicted for breach of notification requirements	10
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RSOs who have had their life time notification revoked on application	0
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	35
SHPO with foreign travel restriction	0
NOs	1

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	11	21	6	38
Level 3	1	1	0	2
Total	12	22	6	40
Breach of SOPO				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

Total number of Registered Sexual Offenders per 100,000 population	78
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This figure has been calculated using the Mid-2015 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

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>

Essex Local page

Developments

There have been several changes within Essex MAPPA organisations this year.

Essex Police have a new team of MOSOVO Officers (Management of Sexual Offenders and Violent Offenders) whose focus is to manage MAPPA offenders. This is a change, as previously violent and sex offenders were managed by different teams. The MOSOVO teams are based in one of five hubs across Essex and manage offenders locally.

The National Probation Service (NPS) are undergoing a national review called E3. They are working with the National Offender Management team at the Ministry of Justice to look at standardising MAPPA job descriptions and grades across the country. Whilst Essex MAPPA is jointly funded by Essex Police and the NPS, Essex MAPPA will await the outcome of this review to see if there will be an impact locally.

Colleagues from South Essex and North Essex mental health services will be merging. As regular contributors in Essex MAPPA, MAPPA looks forward to their continued participation, insights and experience in enriching the quality of MAPPA meetings.

Thank you

Essex MAPPA was sorry to see the retirement of Allan Taplin (MAPPA Manager) earlier this year. Allan has been at the forefront of Essex MAPPA since the beginnings of MAPPA. Allan served on national MAPPA groups and is well respected and liked by all of his colleagues across the many agencies that Allan worked with. SMB and the MAPPA team would like to take this opportunity to thank Allan for his commitment, dedication and for the significant contributions Allan made to the progression of MAPPA throughout his service. We wish Allan a happy, healthy and well deserved retirement.

Elizabeth Newns

MAPPA Manager

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National
Probation
Service



