

# North Wales



## Annual Report 2015-2016



# Introduction



Welcome to the MAPP Annual report for 2015/16. This report is intended to provide an overview into the Multi Agency Public Protection Arrangements (MAPP) in North Wales.

Making our communities safer is the highest priority for NOMS in Wales, and the work undertaken through MAPP is of critical importance to achieving this. It is never possible to eliminate risk entirely, however, what is expected is that all reasonable steps are taken to reduce the risk of serious harm to the public from known offenders. No single agency can do this alone and it is of vital importance that agencies continue to support and inform the MAPP process. NOMS in Wales works together with partner agencies to exchange information, expertise and resources under MAPP, which enables us to identify, assess and manage those violent and sexual offenders who pose the greatest risk to our local communities.

The work of the MAPP within North Wales is overseen by a Strategic Management Board (SMB) whose members consists of senior managers from all the agencies routinely involved in MAPP meetings. The SMB is fully committed to the principle that our agencies can protect the public more effectively if we work together.

The publication of this annual report offers an opportunity for MAPP to be accountable to the local community whilst providing information on what actions are being taken to improve the effectiveness of MAPP. I hope you find this Annual Report informative and helpful in understanding how agencies across Wales are working together effectively to better protect the public.



A handwritten signature in blue ink, consisting of a stylized 'S' followed by a horizontal line.

**Simon Boddis**  
Director of NOMS in Wales

# What is MAPPA?

## MAPPA background

- (a) MAPPA (Multi-Agency Public Protection Arrangements) is 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



<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	703	332	0	1035
Level 2	22	55	8	85
Level 3	3	0	2	5
Total	728	387	10	1125

<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	14	26	6	46
Level 3	3	1	2	6
Total	17	27	8	52

<b>RSOs cautioned or convicted for breach of notification requirements</b>	8
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<b>RSOs who have had their life time notification revoked on application</b>	3
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## Restrictive orders for Category 1 offenders

### SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts

SHPO 108

SHPO with foreign 0

travel restriction

NOs 0

<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	7	28	0	35
Level 3	0	1	0	1
Total	7	29	0	36
<b>Breach of SOPO</b>				
Level 2	0	0	0	0
Level 3	1	0	0	1
Total	1	0	0	1

<b>Total number of Registered Sexual Offenders per 100,000 population</b>	118
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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 on 23/06/2016 by the Office for National Statistics, 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 (92% 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>

## Andrew McAllister - EMS Targeted Curfews

Curfews controlled by existing electronic monitoring technology, if used appropriately, can help bring much-needed stability, structure and supervision, whilst still serving as a method of punishment for those who have broken the law.

Most people tend to think of curfews as a standard 7pm - 7am requirement. In fact, 75% of curfews monitored by EMS are in force at night for 7 nights of the week, spanning a 12-hour period. However, curfews can and should be used far more creatively to help break offending patterns and behaviours, or support other requirements.

Curfew hours and days can be broken up in any way to target offending behaviour and protect the public. By varying the times, days and length of the curfew, it is possible to establish a more effective way of addressing the offender's behaviour. And manage his or her whereabouts during certain times.

The examples below briefly detail cases where electronically monitored curfews have been used in a targeted way.

### Supporting Other Requirements

- A curfew the night before an unpaid work session or rehabilitation programme can aid compliance. It ensures the offender is at home throughout the night, so is more likely to get a good night's sleep and attend the session the next day.

### Protecting Victims

- In a harassment case, Marc was curfewed between 8am and 10am, between 11.30am and 1.30pm and again from 4pm until 6pm. This gave his victim some respite and allowed her to get to work, have her lunch and get home safely without being bothered by him.

### Disrupting Offending

- As a prolific shoplifter, Karen's curfew order reduced her opportunity to steal, but still allowed her to fulfil her family commitments. She was given two curfew periods of 9am - 2pm and 4pm - 9pm. This kept her away from the shops, but gave her time to take her children to and from school.

- For his football offences, Lee was given a curfew that was only in operation on match days and at weekends.

### Multiple Addresses

- 14-year-old Jake was given a curfew at two addresses on alternative weekdays and weekends to fit around his parents' custody arrangements.

### Continuation of Employment or Study Commitments

- Pete is a shift worker. Before subjecting him to a curfew requirement, magistrates looked at his shift pattern and varied the days and hours of his curfew accordingly so that Pete could continue to work throughout his sentence.
- Stacy was working, but also attended night school twice a week. Magistrates tailored her curfew so that, on these two nights, her curfew started at 10pm instead of 7pm, thereby allowing her to continue her studies.

Curfews can serve as an effective punishment, while helping to bring about change in a subject's life. Through careful targeting of the curfew hours, and by varying the times, days and length, curfews can have an even greater impact.

## Rhiannon Lloyd

### Section Manager – Conwy Children's Services

The process of MAPP allows for formal multi agency partnership working together to share information and develop a management plan to work with offenders or particularly in situations when families require safeguarding.

The MAPP process in one particular case has allowed for three Local Authorities to work together across boundaries when the contribution of each individual agency is relevant. The MAPP ensured that all agencies involved knew what the others were doing and the information shared accordingly and in a timely way. The MAPP process in this case prevented decisions being made in isolation and facilitated effective communication. This has been a fundamental element in managing the risk in this case due to the early identified complexities.



## DS Dave Brennan NW Police

There continues to be good working relationships within MAPPA. The Four Pillars approach has been adopted globally for all offenders focussing on supervision, monitoring and control, interventions and victim safety. This has created better risk management plans (RMPs).

Another positive development is the closer working relationships that have continued to mature between probation colleagues and police responsible for the monitoring of sex offenders in general. The joint ARMS assessments conducted have provided a far greater insight into offenders' current thinking around lifestyle and likelihood of re offending.

An example of a police led risk management case relates to an individual assessed as posing a high risk of serious harm who was released from prison on his sentence expiry date. He had developed female contacts across the UK during his time in prison, many of whom had access to children. The MAPPA process allowed liaison with several other Police forces and relevant disclosures being made to responsible adults who can safeguard those children. A SOPO was obtained to assist in controlling his behaviour. Disclosures with made to libraries, leisure centres and educational facilities across the area to monitor his activities.

Another example within the last 12 months was an RSO who was due to attend Approved Premises on release, MAPPA identified victims had moved near this area and due to this his placement was changed to an alternative Approved Premises. Evidence of good communication between Police SAVOU teams as well as NPS teams in both areas led to permanent relocation of subject (further from the victim) with an appropriate RMP in place. Also providing good continuity between areas, the MAPPA Coordinator chaired both meetings so was fully aware of circumstances.

The case of 'Mr. A' highlights an example of how the MAPPA Process ensured a robust RMP was implemented which was only been possible due to the coordination of a number of agencies. 'Mr. A' is both probation and Police led being a RSO and on Licence who is at risk of harm. Numerous issues have been faced with his introduction back into the community and good working relationships between police and partner agencies have ensured that the ongoing risk management plan is regularly updated and clear areas of responsibility has been allocated.

## Lynsey Roberts Offender Manager – Community Rehabilitation Company

I was working with a young man, 'Mr. B', on a weekly basis. 'Mr. B' presented one day displaying concerning behaviours and making threats to harm himself and/or others. His presentation that day was very different from his normal state so I encouraged him to present at the local Accident and Emergency with a view to being seen by psychiatric liaison. Mental health services did interview him but he did not present as requiring detention under the Mental Health Act when they saw him. He was advised to see his GP. 'Mr. B' became frustrated with their assessment he proceeded to threaten to assault them and returned to see me at Probation.

When I saw 'Mr. B' that afternoon he was extremely emotional, begging for help and for the voices to stop. He was also telling me that he was going to kill someone and himself. I took these to be real threats as he appeared to be in great distress.

I dialled 999 and he was arrested within an hour. 'Mr. B' has been incarcerated since this time - and is now sectioned at a Medium Secure Unit. This was achieved by completing comprehensive progress reports for the local Courts outlining the concerns and explaining the risks this individual presents should he be released.

I was so worried about the his ability to do serious harm to others and or himself I approached a Team Manager to risk escalate over to the NPS as I was of the view this case needed to be referred to MAPPA and have access to Approved Premises.

The case was accepted by NPS and it was referred to MAPPA Level 3. I volunteered to attend these meeting with the NPS Offender Manager as I held all the prior knowledge on the case and witnessed his deterioration. I also had information with regards to the 'Mr. B's' son who was at the same time being removed from the family. I had also worked with 'Mr. B's' ex-partner and an individual he was making threats to harm.

I attended for two of these meetings and then withdrew as I felt that I shared all the information I held on this case.

I found whole the process rewarding having previously held MAPPA cases and I felt I was able to support my NPS colleague in achieving the right outcomes for the cases well-being whilst protecting the public.

All MAPPA reports from England and Wales are published online at:  
[www.gov.uk](http://www.gov.uk)

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