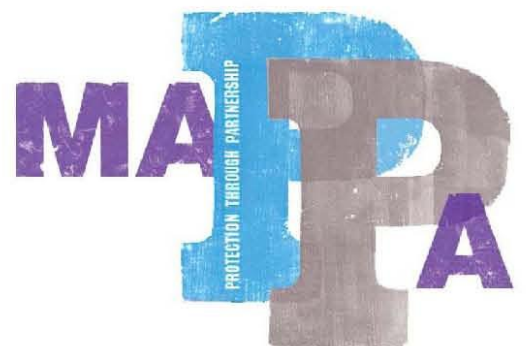


Leicester, Leicestershire and Rutland



Annual Report 2015-2016



Introduction

We are pleased to introduce the 15th annual report of the Multi-Agency Public Protection Arrangements (MAPPA) in Leicester, Leicestershire and Rutland (LLR), which reviews the work we have undertaken to protect the public and make our communities safer.

Protecting the public from serious harm continues to remain one of our highest priorities.

During the year 2015-16, we have continued to work with other agencies to assess and manage the potential risk of MAPPA registered offenders. MAPPA in LLR has continued to incorporate the Four Pillars approach in Level 2 and Level 3 meetings and has offered its support to other areas wishing to adopt the Four Pillars.

In November 2014, LLR was one of the six MAPPA areas inspected by HMIP and HMIC. The report was released in October 2015 and MAPPA in LLR was highlighted as an area of good practice in a number of disciplines. Since the Inspection, steps have been taken to improve on particular areas of work, and in the main, for our region, this has been to encourage and support the Prisons and Probation Service in their use of ViSOR. Please see Local Page on p.8 for further details.

In addition to the positive outcome from the Inspection, we met all but one of our ten KPI's during this period. The target that was not met was due to one absence at the MAPPA Strategic Management Board. This target is set at 100% and therefore it is not difficult to fail.

The majority of offenders continue to be managed at level 1, with the critical few managed at the higher levels, meaning that the resources continue to be focused where the risk is. This is the fifth consecutive year that there has **not** been a MAPPA serious further offence committed by an offender managed at level 2 or 3.

Despite significant financial constraints being imposed upon agencies, the allocation of resources to MAPPA has been maintained. The performance and quality of work undertaken by staff involved in MAPPA has demonstrated that we continue to do a difficult job very well.

The findings of this report reflect the excellent working partnerships that exist locally and illustrates the processes we use and our responsibilities in managing the risks posed by potentially violent and sexual offenders.

The Responsible Authority SMB Members:



Roger Bannister, Deputy Chief Constable,
Leicestershire Police,
SMB Chair

Carolyn Maclean, Head of NPS, Leicester,
Leicestershire and Rutland, SMB Deputy Chair

Hayley Folland, Deputy Governor Leicester Prison, HM
Prison Service

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, 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

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	834	296	-	1130
Level 2	2	0	0	2
Level 3	0	0	0	0
Total	836	296	0	1132

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	13	3	3	19
Level 3	0	0	0	0
Total	13	3	3	19

RSOs cautioned or convicted for breach of notification requirements	32
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RSOs who have had their life time notification revoked on application	4
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	55
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)	0
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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	4	3	0	7
Level 3	0	0	0	0
Total	4	3	0	7
Breach of SOPO				
Level 2	3	-	-	3
Level 3	0	-	-	0
Total	3	-	-	3

Total number of Registered Sexual Offenders per 100,000 population	90
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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 (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)/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>

Local page

Leicester, Leicestershire and Rutland MAPPA had another successful year in 2015-16, helping to protect the public from those who have the potential to cause serious harm.

The joint referral scheme introduced in 2014, working with our local Integrated Offender Management (IOM) Team has been subject to review and continues to be seen as a benefit by staff and partners. This was highlighted in the MAPPA Inspection as an area of good practice and we have been visited by a number of areas to observe how the scheme works in practice. The joint approach with a panel consisting of MAPPA, and Enhanced and Priority IOM staff, enables the best outcome for each case to be considered. All referrals are heard within 10 days, with staff being given a decision on the day of the panel as to the outcome. Our vision for the future is for closer working practices with our local IOM scheme.

Leicestershire Police were at the forefront of introducing ARMs (Active Risk Management System) to improve their working with Registered Sex Offenders. During 2015-16 the Police worked closely with Probation colleagues in assisting Probation Officers' use of this tool and to ensure its effective implementation on jointly managed cases. Further work is being carried out around the use of ARMs by Probation and the Police and it is hoped this work will be of benefit to other areas.

In response to the findings from the MAPPA Inspection, it was agreed by the Probation Service that a ViSOR Administrator post would be funded to improve its use of ViSOR. The benefits and outcomes from this post will be reported in next year's report. In addition, the MAPPA Manager has been working with local prisons to improve their use of ViSOR.

In 2015 our local Children's Services agreed to provide staff to attend the Level 2 meetings as Core Panel Members. Their attendance has made a significant contribution to the management of risk of harm and the safeguarding of children and young people.

MAPPA training continues to be delivered to a variety of agencies who all have a commitment to work under MAPPA. Training is offered to up to 30 staff every 2 months, with the added benefit of trainers from the Police, Mental Health, YOS and Probation delivering the training. In addition bespoke training is offered to individual agencies as required.

Finally, we would like to end this report with a quote from the Inspection which we feel recognises the quality of work that has come from partnership working:

"We did not feel that any arrangement was necessarily inferior to another, although we do commend the quality of MAPPA work that emerged from Leicestershire & Rutland".

Useful links

Leicester, Leicestershire and Rutland MAPPA
0116 248 6606
mappa@leicestershire.pnn.police.uk
www.mappa.justice.gov.uk

Leicestershire Police
101
In an emergency, call 999
www.leics.police.uk

Her Majesty's Prison Service
www.justice.gov.uk

National Probation Service
0300 047 6325
www.gov.uk/government/organisations/national-probation-service

All MAPPA reports from England and Wales are published online at:

www.gov.uk

National
Probation
Service

