

Hampshire and the Isle of Wight



Annual Report 2015 - 2016



Intro

I am pleased to introduce the 2015-16 Multi-Agency Public Protection (MAPPA) Annual Report for Hampshire and the Isle of Wight MAPPA Strategic Management Board.

The purpose of this report is to demonstrate the accountability of MAPPA to the public and to provide reassurance that, under the governance of the Strategic Management Board, MAPPA continues to provide an effective framework for managing the risks to the public posed by sexual and violent offenders. It reflects the important contributions made by all of the agencies involved in MAPPA during the last business year and sets out the Board's future direction for the coming 12 months.

During the past year the Board has continued to develop cohesive joint working in day-to-day MAPPA practice, support and develop our staff and learn from our regular multi-agency quality assurance work. In the coming year all key MAPPA agencies and organisations will continue to work hard together to manage offenders in the community and to safeguard victims.

I am proud of, and extends my thanks to, the staff across all partnership agencies for their dedication in undertaking this complex and demanding work on behalf of the local community.

I commend this report to you.

Sarah Beattie ACO
National Probation Service
Chair of Hampshire and the Isle of Wight
Strategic Management Board

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	1681	301		1982
Level 2	51	33	15	99
Level 3	1	2	4	7
Total	1732	336	19	2087

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	125	98	23	246
Level 3	1	6	3	10
Total	126	104	26	256

RSOs cautioned or convicted for breach of notification requirements	215
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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	136
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	11	39	5	55
Level 3	1	2	1	4
Total	12	41	6	59
Breach of SOPO				
Level 2	3			3
Level 3				
Total	3			3

Total number of Registered Sexual Offenders per 100,000 population	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 23rd 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>

Local page

Key Achievements 2015/2016

Over the past year the Responsible Authorities and Duty to Cooperate agencies have continued to work together and share information to inform and provide robust risk management plans for MAPPA eligible offenders.

Active Risk Management System (ARMS) training has been delivered to National Probation Service offender managers. A working protocol has been introduced to provide a structure for the use of this assessment as part of the ongoing management of sexual offenders. This has further enhanced the joint working between the police and probation services as staff work towards completing joint home visits on newly released offenders.

To enhance multi-agency working a new Police Offender Management Hub has been created. The Hub pulls together the police offender management functions alongside partnerships focusing on Integrated Offender Management (IOM), domestic abuse, safeguarding and stalking behaviour to share information, utilise resources and to coordinate the management of offenders who pose a threat to the communities of Hampshire and the Isle of Wight. Whilst continuing to provide support to district Offender Management teams, the Hub has provided a single point of contact for agencies contributing to MAPPA and focuses the coordination of MAPPA offenders from point of conviction to the termination of their management. The Hub has promoted consistency in processes and streamlined activities in the force.

This year our audit procedures focused on the management of Category 3 offenders, Child Safeguarding and offenders who had been identified with Mental Health needs. These cases highlighted the good work that was delivered by offender managers and

partner agencies when dealing with some very complex cases.

Towards the end of the year we appointed two new Lay Advisor volunteers to bring the voice of the community to the Strategic Management Board. Their role will be invaluable to local arrangements as they provide a challenge to professionals by acting as a “critical friend”. Our Lay Advisors will further strengthen the link between practitioners and strategic leads.

The process for reviewing cases managed at level one by the National Probation Service has been revised and implemented. The new process ensures key areas are considered and enhances consistency in this key task. The new process reinforces the need to gather information from partner agencies to maintain robust risk management plans.

We have hosted Continuing Professional Development (CPD) days in Intelligence, Mental health and Sexual Offending. These days promote learning across MAPPA officers, facilitating access to experts in a variety of fields and recognises the complexity involved in this work. Feedback from participants indicates value in developing a multi-agency approach to these events. Bespoke specialist Minute Taker training was also delivered to both police and probation staff in an event that recognised the importance and uniqueness of this task.

We have continued to fund the delivery of MAPPA Awareness training to both Duty to Cooperate agencies and third-sector agencies. This has included Adult and Children’s Services, Community Mental Health, Safeguarding leads and Housing providers.

Our Goals for the next 12 months

The Board's plan for the coming 12 months are published in detail within the Strategic Management Board (SMB) Annual Business Plan 2016 -17 to meet both national and local objectives.

We will develop Information Sharing Agreements (ISA) for agencies who contribute to MAPPA who are not Duty to Cooperate Agencies. ISAs will assure partners of their role and responsibilities whilst they support and contribute to work to protect the public.

We will review our MAPPA Quality Assurance framework in line with national recommendations to ensure it is fit for purpose and that it is able to develop and support frontline staff. The Quality Assurance framework extends to Duty to Cooperate agencies and other partners and will provide an opportunity for the Strategic Management Board to bench mark the provision of MAPPA in Hampshire and the Isle of Wight.

We will support the effective contribution from our two new Lay Advisors by providing them with the necessary induction, training and guidance. We will work with them to provide opportunities for them to engage in MAPPA including observations of MAPPA meetings, contributing to our audit schedule and through membership of the SMB and its subgroups. Our Lay Advisors will work with the MAPPA Coordinator to influence and challenge local Public Protection arrangements on behalf of the public.

In line with national objectives we will ensure MAPPA has an effective interface with community safety initiatives and safeguarding bodies. Our MAPPA Coordinator will work with child and adult safeguarding boards to share learning and promote engagement in MAPPA. Hampshire Constabulary's offender management Hub complements this objective by providing an opportunity to share practice and learning across IOM, Safeguarding, Domestic Abuse, Stalking and youth transition.

We will continue to review our Serious Case Review processes, focusing on efficiency and transparency. Maximising learning and development will remain a priority with consideration given to how best to disseminate and embed recommendations that are adopted.

Enhanced ViSOR usage within the National Probation Service will be an objective for 2016/17. We will achieve this by engaging with the ViSOR national project to facilitate greater access in the NPS and to increase the number of users of this tool.

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