



# Gloucestershire

## Annual Report 2015 - 16

# Introduction

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I am pleased to introduce the Gloucestershire Multi Agency Public Protection Arrangement (MAPPA) Annual Report 2015-16. The aim of this report is to provide an insight into the work of MAPPA in our county and to offer reassurance that public protection remains our highest priority. Whilst much of the work of MAPPA takes place out of the public eye, we aim to be as transparent and accountable as possible.

In particular, the publication of the annual report offers an opportunity for MAPPA agencies in Gloucestershire to be accountable to the local community for the management of sexual and violent offenders in our area. Consequently, this report contains statistical information about the number and type of offenders managed under multi-agency public protection arrangements during the last business year. It also contains information about the work that continues locally to ensure that these arrangements are as effective as they can be.

MAPPA in Gloucestershire is overseen by the Strategic Management Board (SMB), which is made up of senior representatives from the Responsible Authority (Police, Probation and Prison Service) and Duty To Co-operate agencies (other organisations who contribute to the management of sexual and violent offenders). There were a number of changes to the SMB membership during 2015-16, but the Board remains committed to the following aims:

- To ensure that victims remain at the centre of local MAPPA arrangements
- To maintain effective multi-agency arrangements to manage the risks posed by sexual and violent offenders
- To ensure that information is shared in order to protect the public
- To make improvements where weaknesses are identified
- To ensure that local MAPPA arrangements are transparent and accountable

The protection of the public from violent and sexual offenders is a difficult and challenging task, making it all the more important that agencies work collaboratively by sharing knowledge, resources and expertise. It is never

possible to eliminate risk entirely, but what can be expected is that all reasonable steps are taken to reduce the risk of serious harm to the public from known offenders.

Multi-agency working is well-established in Gloucestershire where we are fortunate enough to have a culture amongst professionals spanning different agencies that includes openness and approachability. We have good communication networks, collaborative working relationships and a commitment to do the best we can for our communities. I have no doubt that there is still more to be done, and we will continue to analyse and reflect on our practice. However, I remain proud of the work being undertaken locally to keep Gloucestershire's communities safe and hope that this report reflects the efforts involved.

As I embark on my final year as SMB Chair, I wish to thank all those involved in MAPP arrangements in Gloucestershire for their continued commitment and for the excellent work that is being undertaken locally.

**Bernie Kinsella**  
**Detective Chief Superintendent**  
**Chair of Gloucestershire MAPPA SMB**

# 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 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	479	178	-	657
Level 2	1	1	4	6
Level 3	0	0	0	0
Total	480	179	4	663

<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	7	5	8	20
Level 3	1	0	1	2
Total	8	5	9	22

<b>RSOs cautioned or convicted for breach of notification requirements</b>	5
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<b>RSOs who have had their life time notification revoked on application</b>	6
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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	62
SHPO with foreign travel restriction	1
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	0	1	0	1
Level 3	1	0	0	1
Total	1	1	0	2
<b>Breach of SOPO</b>				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

<b>Total number of Registered Sexual Offenders per 100,000 population</b>	<b>88</b>
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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 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 (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) /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

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The 2015-16 business year saw changes in Gloucestershire's MAPPA team and in the wider network of people supporting local arrangements. In October 2015 we said goodbye to Mark Dennison who had been Interim MAPPA Co-ordinator since April 2014. Mark brought with him a wealth of experience, which helped the local team to maintain business as usual throughout a period of change for a number of the Responsible Authority and Duty to Cooperate agencies. Since his departure, Mark has continued to contribute to local public protection arrangements as manager of Ryecroft Approved Premises, and as such remains a familiar face at MAPP meetings.

Apart from the change in MAPPA coordination, we have benefited from continuity in other roles. In particular, we are grateful to Detective Chief Superintendent Bernie Kinsella, who has agreed to continue as Chair of our Strategic Management Board (SMB) for a further year. Also to Richard Bradley representing the Office of the Police and Crime Commissioner, who joined us as a permanent member of the SMB in April 2015 following a period of attendance as a guest. And lastly, to John Henry and Sue Haile, who were reappointed as Lay Advisers in December 2015 for a further three years.

We also welcomed some new faces to the SMB, including representatives from Her Majesty's Prison Service, Electronic Monitoring Services, Health and Job Centre Plus. We very much look forward to working more closely with these members.

Work continued throughout 2015-16 to raise the profile of MAPPA amongst professionals locally, which included briefings to Job Centre Plus, 2gether Trust and the Youth Offending Service. Since then communication has improved and there has been an increase in referrals to MAPPA Level 2 and 3 from Duty to Cooperate agencies. This has resulted in more robust multi-agency working, in particular with young people and individuals with mental health and other social care needs.

We also reviewed local practice in light of a follow-up national inspection of MAPPA carried out jointly by Her Majesty's Inspectorate of Probation and Her Majesty's Inspectorate of Constabulary and were pleased to find that we were already working in line with many of their recommendations. In particular, the quality of referrals

and meeting minutes is considered to be high, actions are accounted for and information is routinely communicated between police and prisons using a shared database. The remaining recommendations have been used to inform the 2016-17 business plan objectives.

2015-16 also saw greater collaboration between Gloucestershire Constabulary's Management of Sexual Offenders and Violent Offenders (MOSOVO) Unit and the National Probation Service through the expansion of the Active Risk Management System. MOSOVO officers had already been applying this system, used to assist in the assessment and management of Registered Sex Offenders, for some time and were able to use their knowledge and experience to assist in the roll-out to probation officers. This collaboration has continued since then with a greater focus on joint working and information-sharing.

The focus of the next business year will be on ensuring that robust multi-agency arrangements remain in place to protect Gloucestershire's many communities, including those individuals who have been victims of crime. We will continue to engage with local partners to keep MAPPA on the agenda and provide training where knowledge gaps are identified. We will also be looking to make ourselves more transparent and accountable by undertaking audits of local processes and performance. Other key areas for development will include reviewing accommodation provision for MAPPA-qualifying offenders, improving information-sharing with GPs and other health professionals, and strengthening our links with other related partnerships.

For all of us involved in MAPPA locally, the key challenge is to ensure that we are keeping victims at the centre of everything we do. We remain committed to this aim and will continue to work in partnership to ensure that public protection continues to be everyone's priority.

**Tessa Broderick**  
**MAPPA Coordinator**



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

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

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