

# Teesside Multi-Agency Public Protection Arrangements (MAPPA)



Annual Report 2015 - 2016





# Foreword

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Detective Chief Superintendent Peter McPhillips from Cleveland Police and Chair of the MAPPA Strategic Management Board



As Chair of the MAPPA Strategic Management Board in Cleveland, I would like to welcome you to the Teesside MAPPA Annual Report for 2015-16 and to the work of those organisations involved in MAPPA.

The MAPPA process works by agencies joining together and sharing information to protect members of the public by monitoring offenders within the community. This is my second year as MAPPA Chair and I have been able to see first-hand the outstanding partnership work taking place and the innovative methods being used to keep our communities safe.

This report sends a clear and consistent message to the public that there are a number of measures in place to increase protection and offer reassurance that we are doing all that we can to prevent offenders from re-offending. Where offenders have been found in breach of any of their restrictions, action has been taken swiftly and has resulted in some offenders being returned to custody.

I hope this annual report is an informative and useful tool about Teesside MAPPA and that it provides reassurance that well-established structures exist to monitor offenders in the community. I look forward to continuing our excellent partnership working for another year in order to keep the public safe.



# Introduction

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## **Protecting Communities Through Sharing Knowledge**

The Teesside MAPPA annual report 2015-16 covers the successful management of public protection issues in Hartlepool, Middlesbrough, Redcar and Cleveland, and Stockton.

There is an established partnership between the three responsible authorities - the prison, police and probation services - which has continued to grow since MAPPA was introduced on Teesside in 1997. The report also highlights the role of the duty to co-operate agencies and it is the sharing of knowledge between all these organisations which enables the effective management of offenders who pose the highest risk of harm in our communities.

## **MAPPA Strategic Management Board**

The MAPPA Strategic Management Board (SMB) reviews reports on levels of MAPPA activity and monitors trends in numbers of offenders and levels of meetings held. Each meeting also receives an anonymous case study, which highlights lessons to be learnt as well as examples of best practice that need to be shared and built upon.

## **Key Achievements 2015-2016**

There have been a number of achievements in the last year, most notably:

- All MAPPA cases reviewed within required timescales
- Excellent inter-agency working at all levels
- Good links between the SMB and local safeguarding boards
- Ongoing engagement with Cleveland's Police and Crime Commissioner
- Close working with Durham Strategic Management Board
- Recruitment of a second Lay Adviser

## **Priorities 2016 – 17**

The priorities for Teesside MAPPA for 2016 – 2017 are:

- Keeping the public safe from risks posed by violent and / or sexual offenders,
- Building on professional practice through identification and implementation of learning locally and nationally,
- Identifying and managing any emerging gaps in service provision as a result of efficiency savings,
- Improving third sector engagement and support,
- Recruiting a further Lay Adviser to the 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 in Teesside

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## **About MAPPA in Teesside**

In Teesside, a joint Police and Probation Public Protection Unit exists which promotes the joined up working between agencies that makes MAPPA a success.

The Unit is recognised as an example of good practice by other police and probation areas across the country.

Along with Cleveland Police and National Probation Service, HMP Holme House and HMP Kirklevington Grange make up the responsible authorities and the organisations work closely together to manage risk.

On 1st June 2014 Durham Tees Valley Probation Trust was replaced by the creation of a new National Probation Service (NPS) and the Durham Tees Valley Community Rehabilitation Company Limited (DTVCR).

The NPS now has responsibility for the supervision of all high risk and very high risk offenders as well as the completion of all initial assessments and provision of information to sentencers, whilst the CRC retains responsibility for managing low and medium risk of harm offenders along with the provision of accredited programmes and the resettlement of prisoners.

Both organisations are represented on the Strategic Management Board and continue to work collaboratively with all community partners to ensure that risk is effectively managed.

Duty to co-operate agencies also have a valuable part to play in the process of managing offenders, they are the local authority social care services, youth offending teams, health services including mental health, local education authorities, Jobcentre Plus, local housing authorities, electronic monitoring providers and registered social landlords.

The priority will always be the safety of the public, and by working in partnership with other agencies under MAPPA, the arrangements continue to ensure that offenders living in this area are managed effectively.

The level of risk to communities from dangerous offenders remains small, and the objective of this report is to reassure the public of the commitment to keeping neighbourhoods safe.

The Child Sex Offender Disclosure Scheme continues to provide an extra layer of protection where parents, carers and guardians can apply for information about whether individuals who have regular contact with their children are registered sex offenders.

Under the scheme, a number of disclosures have been made and safeguarding action taken to protect children and the Protecting Vulnerable People team has received national recognition for its work on the scheme.

# Public Protection – A Priority

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## National Probation Service – North East Division

2015/2016 has been another year of change for the National Probation Service. Public Protection has continued to be delivered through the very strong, positive partnership work guided by the MAPPA Strategic Management Boards in all north east areas in the division.

- National developments are coming to fruition through the dynamic process embedded within the NPS of E3 - Excellence Efficiency and Effectiveness. E3 is a national programme of organisational change to ensure consistent processes and service delivery throughout England and Wales and is led by the seven deputy directors in England and Wales and the deputy director responsible for business development.
- Changes will include improvements in approved premises which will see the introduction of Psychologically Informed Enabling Environments along with dedicated key workers for all residents who will work in partnership with probation officers in the community.
- The MAPPA website is now fully developed and in use and used regularly. Practitioners can also join the MAPPA community to share ideas with each other to help manage some of the most challenging offenders in society.
- Other developments in MAPPA which will conclude going forward is a revision of MAPPA Guidance, MAPPA eligibility and a review of ViSOR which will focus on a consistent business model for NPS in the future which will maximise the use of ViSOR wherever possible.
- NPS has also introduced the Active Risk Management System in partnership with police colleagues.
- NPS north east has provided staff with guidance on dealing with Child Sexual Exploitation (CSE) and this is a priority area of work for us all in identifying perpetrators and victims.
- We have also provided more training in Risk Management and will now focus training on ways of working with those convicted of sexual offences who are subject to community supervision. This will be carried out alongside the move to a Divisional Sex Offender Treatment Programme Team who will deliver all court orders for sex offender treatment.
- In the next 12 months activity will continue to build on the E3 organisational model ensuring Excellence Efficiency and Effectiveness.

Lucia Saiger-Burns  
Head of Public Protection  
NPS NE Division



# Lay Adviser

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The Ministry of Justice requires each MAPPA SMB to appoint lay advisers to serve for a minimum period of three or four years. They are recruited locally and undergo national training and local induction. Lay advisers act as 'critical friends' of the MAPPA process.



Leanne Bain is Teesside MAPPA's newly recruited Lay Adviser, who joins the area's first Lay Adviser, Brian Footitt, in providing constructive feedback to the Strategic Management Board (SMB) on the ongoing partnership work.

Leanne provided this insight into why she became a Lay Advisor for Teesside MAPPA.

"I see the purpose of the Lay Adviser as that of an independent 'critical friend' who is able to listen to, observe and question the MAPPA process. As a newly appointed Lay Adviser I hope my background in a wide variety of roles within the public and voluntary sector will enable me to carry out this responsibility effectively.

Since joining the MAPPA SMB I have, as part of an ongoing induction, been able to visit and witness the practice of different agencies involved in managing MAPPA eligible offenders. This has allowed me to gain a greater understanding of issues and challenges associated with this work.

I also attend some Level 2 and Level 3 panel meetings to inform discussions at the MAPPA SMB and I have been wholly impressed with the dedication and integrity of the agencies and professionals working hard to manage risks and safeguard the community. Whilst there are many challenges in carrying out these duties, it is reassuring that I have so far observed that members of the SMB are willing to question other members and their own agencies' practices.

I very much look forward to being a part of this process alongside Brian Footitt, and that my independence from any of the represented agencies brings a greater level of scrutiny and a lay perspective."

# 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	669	307	-	976
Level 2	4	4	5	13
Level 3	1	0	0	1
Total	674	311	5	990

<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	16	9	21	46
Level 3	2	0	0	2
Total	18	9	21	48

<b>RSOs cautioned or convicted for breach of notification requirements</b>	22
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<b>Restrictive orders for Category 1 offenders</b>	
<b>SOPOs, NOs &amp; FTOs imposed by the courts</b>	
SOPOs	76
NOs	1
FTOs	0

<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	1	5	1	7
Level 3	2	0	0	2
Total	3	5	1	9
<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>	137
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This figure has been calculated using the Mid-2014 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 25 June 2015, 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>

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National  
Probation  
Service

