

Suffolk MAPPA



Annual Report



Introduction

Welcome to the Suffolk MAPPA Annual Report 2015-16. Suffolk MAPPA continues to manage the most serious sexual and violent offenders in the County. The success of MAPPA in Suffolk is therefore dependant upon the close working relationships between the agencies that are actively involved in the Co-ordinator process:

- Suffolk Constabulary
- National Probation Service (NPS)
- HM Prison Service
- Suffolk Youth Offending Service
- Suffolk Children and Young Peoples' Services
- Suffolk Adult Care Services
- Suffolk Domestic Abuse Team
- Norfolk & Suffolk Foundation Trust (Mental Healthcare Services)
- Department of Work and Pensions
- Housing Authorities
- Victim Liaison
- UKBA

All agencies share a commitment to keeping the public safe and work towards achieving this through effective communication, joint working and efficient use of resources. The agencies involved in MAPPA recognise that risk can never be entirely eliminated and remain committed to ensuring that all possible measures are put in place to ensure public safety.

“As a County Safeguarding Manager (CYPS) for the Ipswich area, regular attendance to MAPPA means I have access to the management plans of those who may pose a risk to children and who are living in the local community alongside parents, carers and children. The information shared at the meeting enables me to understand the risk factors associated to an offender particularly pertinent where there are connected children and CYPS need to make decisions to safeguard their physical health and wellbeing “ **Alli Hassey, County Safeguarding Manager, MAPPA representative, Suffolk**

Following the departure of the Suffolk MAPPA Co-ordinator in December 2015 there has been a comprehensive review of Norfolk & Suffolk MAPPA arrangements, completed by the Norfolk MAPPA Co-ordinator on behalf of the Strategic Management Boards. This has enabled identification of good working practices across both Counties and identified areas for joint working in the future. A new Co-ordinator will take up post in the Autumn of 2016.

ARMS (Active Risk Management System) is a dynamic risk management framework for Category 1 Offenders. It supports the effective case management of sex offenders and supplements existing sex offender assessment tools such as RM2000. ARMS is a dynamic tool that focuses on an offender's current behaviour and circumstances, enables a risk management plan which focuses on risks and

strengths. ARMS is a mandatory requirement for all adult male sex offender cases subject to Licence or Community Order. ARMS assessments are reviewed to take account of evidence that indicates a significant change that affects the priority rating of one or more ARMS factors.

There should be only one current ARMS assessment in place on an offender at any point in time, and the responsibility for writing that assessment sits with the lead agency. If an offender is subject to a community order, licence or post sentence supervision then the NPS are the lead agency. The police become the lead agency when the period of supervision on licence or community order expires. ARMS assessments are stored on VISOR where police and probation offender managers can share and co-ordinate their action and assessment.

MAPPA Training

All agencies benefit from having access to quality MAPPA training and we have benefited this year from 4 training sessions that have been delivered across the county. The sessions were accessed by staff from CYPS, ACS, YOS, Prisons, Housing and Mental Health. Our MAPPA Co-ordinator has also visited the local Forensic Mental Health Team to deliver a briefing on the MAPPA framework as well as attending a Social Supervisors' Forum to raise the profile of MAPPA locally. As a result of training and briefings there has been an increase in enquiries and an active engagement with MAPPA from a range of local agencies.

The Practitioner's Experience – Alice Upson is a newly qualified Probation Officer, now responsible for managing a caseload of high risk/level 1 and 2 offenders:

Initially I found the MAPPA process daunting given the number of different agencies involved in one case. I soon found that knowing your case and what you wanted to achieve through a multi-agency approach set you in good stead for a successful MAPPA meeting. I now find MAPPA really beneficial - going through the process with one of your cases I always feel enables you to have a better understanding of the case and gives you the opportunity to work effectively with other agencies to jointly manage the risk. I was lucky enough to co-work a MAPPA 3 case soon after qualifying, so have been able to experience how the different meetings work and what is expected from the Probation Officer when managing a MAPPA Level 3 case. Being a Newly Qualified Officer and managing MAPPA cases can be difficult as at times, because you struggle to believe in your own professional judgement when you are surrounded by peers with a lot of experience. I have found the MAPPA process beneficial to my personal development as a Probation Officer and it continues to give me the confidence to manage high risk cases effectively in the community.

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	700	143	0	843
Level 2	17	9	2	28
Level 3	1	0	0	1
Total	718	152	2	872

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	55	67	15	137
Level 3	1	2	3	6
Total	56	69	18	143

RSOs cautioned or convicted for breach of notification requirements	21
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RSOs who have had their life time notification revoked on application	6
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	83
SHPO with foreign travel restriction	0
NOs	0

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	6	18	5	29
Level 3	0	1	1	2
Total	6	19	6	31
Breach of SOPO				
Level 2	0	0	0	0
Level 3	0	0	0	0
Total	0	0	0	0

Total number of Registered Sexual Offenders per 100,000 population	109
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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

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>

Suffolk MAPPA

The role of the MAPPA Lay Adviser

Suffolk Strategic Management Board have now completed a Lay Adviser recruitment exercise and two successful candidates are in the process of being appointed. Their induction into the role will commence in the autumn of 2016.

The Lay Adviser role is voluntary and part-time. Lay Advisers are not expected to become experts – they are there to act as informed observers and to ask questions which the professionals closely involved in the work might not think of asking. They provide a challenge to the professionals by acting as a "critical friend".

Some of the duties of Lay Advisers include:

- Assist in the monitoring and evaluation of the operation of MAPPA in their area
- Assist the SMB to ensure that it has created effective links with other public protection organisations, for example the Local Criminal Justice Board and the Local Safeguarding Children Board
- Assist in the review of the SMB business plans and broader community strategy

The Strategic Management of MAPPA

Senior representatives of each agency involved in MAPPA form a Strategic Management Board (SMB). The SMB meets quarterly in order to monitor the arrangements and direct any necessary improvements. This includes the reviewing of operations for quality and effectiveness and planning how to accommodate any changes arising from legislative revisions, national guidance or wider criminal justice changes.

Information Sharing

Norfolk and Suffolk MAPPA have been working together to develop a joint information sharing protocol. The sharing of information between agencies involved in MAPPA is crucial to successfully protecting the public. The information shared is governed by protocols which ensure that information is handled carefully, legally and proportionately in order to monitor offenders who are managed by MAPPA.

The MAPPA responsible authority and duty to cooperate agencies routinely share information as they manage the risk posed by MAPPA eligible offenders.

MAPPA Quality Assurance

Norfolk and Suffolk MAPPA have been working together to ensure that the work of MAPPA is scrutinised in terms of its quality and effectiveness. A sample of MAPPA cases are regularly checked to make sure that they are being effectively managed in line with MAPPA Guidance (Nationally set expectations). Good practice is shared across all agencies and if practice falls short of the required standards, actions are taken to rectify this.

MAPPA Eligibility Forums

The process of monitoring and evaluating the management of all MAPPA level 1 cases held by the NPS Offender Managers in Suffolk is undertaken using MAPPA Eligibility Forums. The meetings take place on a quarterly basis between the Offender Manager, Line Manager and MAPPA co-ordinator and act as a supervision session where actions and timescales can be set. The process enables the MAPPA Co-ordinator to have regular oversight of all Level 1 cases. It also provides an audit process for the timeliness of OASys and ARMS assessments and ensures that all DELIUS risk flags and registrations are kept up to date. Cases that might require a Level 2 referral can be identified in a timely manner or following discussion the process can assist in alleviating workload pressure by avoiding unnecessary referrals. Feedback from Offender Managers and Line Managers indicates that the process is seen as valuable:

“The MEF process allows an opportunity to talk through cases. This forum ensures that those referrals are identified early enough to be completed in a timely manner. With our current high caseloads, it is likely that without the MEF process more referrals would be completed at short notice, putting extra pressure on MAPPA agendas and AP placements. In addition, the MEF process allow an opportunity to talk through a case and clarify whether a MAPPA referral would be appropriate and to identify how multi agency working could enhance the management of a case. It also clarifies those cases that do not meet the criteria, leading to less time completing referrals that would end up not being accepted.” **(Christina Berry, Offender Manager, Waveney Office)**

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National
Probation
Service



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