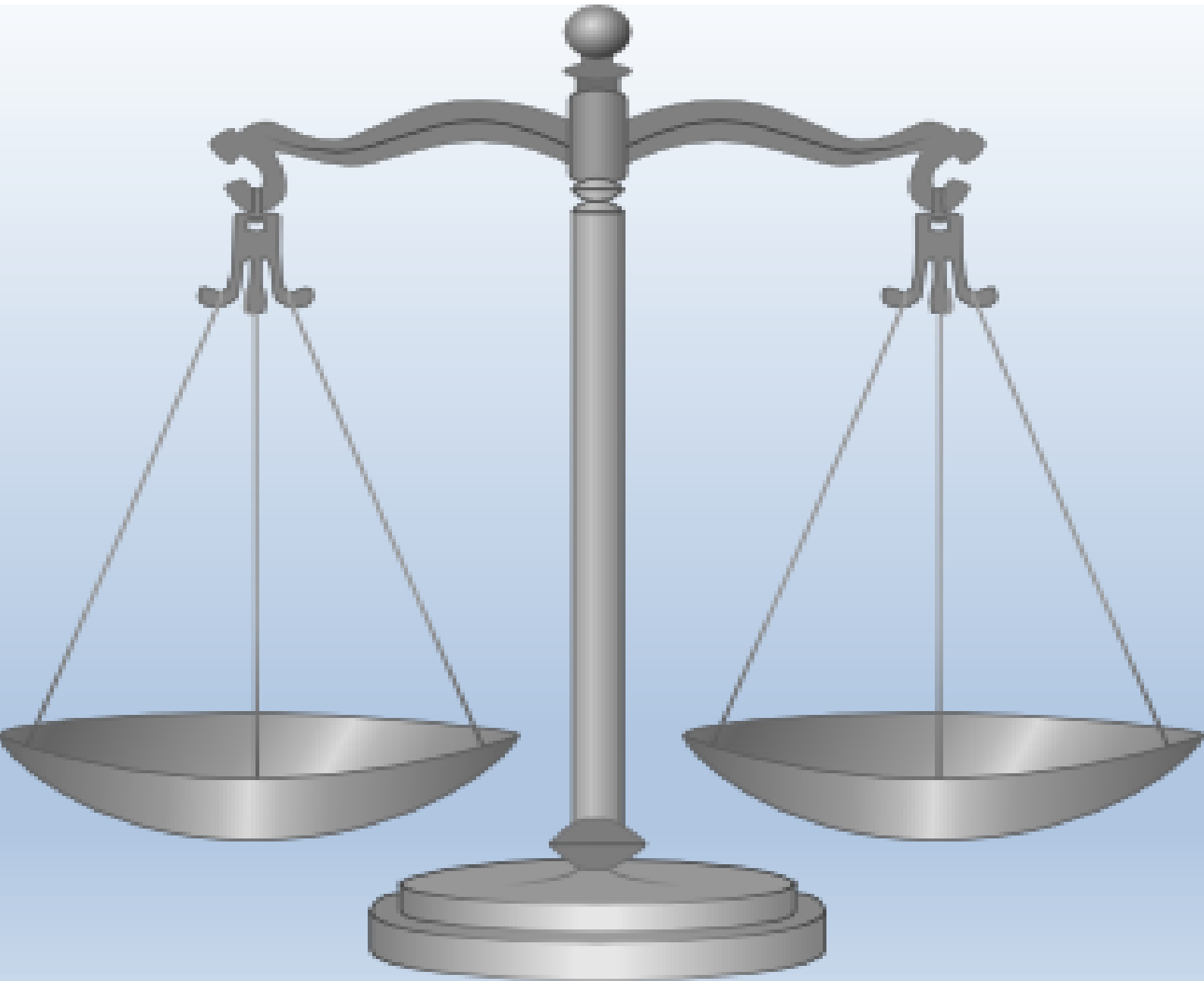




# NORFOLK



# Annual Report



# Intro

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## Welcome to this year's Annual Report

MAPPA is a set of arrangements for managing people who have been convicted of a violent or a sexual offence. By adopting a collective approach to risk management and information sharing in a structured and accountable way, MAPPA as a forum is able to offer increased protection of harm to the public. Both statutory and voluntary organisations are represented at the local risk management meetings and also take their place on the Strategic Management Board. Whilst it should be recognised risk can never be entirely eliminated, the robust structure of MAPPA and the commitment of the participating agencies allow for increased safety and protection measures to be put in place. The agencies that are actively involved in the co-ordination process are as follows:-

- Norfolk Constabulary
- National Probation Service
- HM Prison Service
- Norfolk Youth Offending team
- Norfolk Children's Services
- Norfolk Adult Services
- Norfolk Multi-Agency Safeguarding Hub
- Norfolk & Suffolk Foundation Trust
- Job Centre Plus
- Victim Liaison
- Local Housing Authority
- Stonham Homecare
- UK Border Agency
- Electronic Monitoring Services
- Church of England Safeguarding

## It's Not Just The Meetings !

Aside from the structured Level 2 & 3 MAPP meetings that bring agencies to the table there are a number of other strands that Norfolk MAPP is involved in to enhance risk awareness and harm reduction.

**MAPPA Training** – Norfolk MAPPA offers training events twice a year to enhance agencies confidence in the MAPP process, raise awareness and increase knowledge around risk management. These events are open to all agencies that deliver services to or work with 'risky' people. The next scheduled event will be February 2018. The Suffolk MAPPA Manager and myself will be meeting imminently to quality assure the current training package to ensure the most up to date and relevant information is delivered to participants.

**MAPPA Eligibility Framework Meetings** – This is a process that identifies those people who meet the eligibility criteria for MAPP registration. It allows professionals to engage in case discussion with the MAPPA Manager, raising any concerns and establishing which level of MAPP registration would be most appropriate. Traditionally in Norfolk the process was confined to National Probation Service cases but in the last 6 months has been developed largely as a response to SFO and SCR reviews. The process has been introduced to Youth Offending Teams and the intention for next year is to further expand into mental health services in the county.

**VISOR** – VISOR is a national IT system for the management of people who pose a serious risk of harm to the public. To date there have been a limited number of staff within the three Responsible Authorities (Probation, Police, Prison) that have access to VISOR and are able to share essential information. Next year will see a rapid expansion of users within these services which can only enhance the opportunity for increased information sharing leading to more effective risk management.

# What is MAPPA?

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## MAPPA background

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.

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.

A number of other agencies are under a Duty to Co-operate (DTC) with the Responsible Authority. These include Social Services, Health Services, Youth Offending Teams, Job Centre Plus and Local Housing and Education Authorities.

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 DTC agencies.

Lay Advisers are members of the public appointed by the Minister with no links to the business of managing MAPPA offenders who 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 between agencies to inform the risk assessments and risk management plans of those managing or supervising them.

That is as far as MAPPA extend in the majority of cases, but some cases require structured multi-agency management. 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** – mainly violent offenders sentenced to 12 months or more imprisonment or a hospital order; 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 levels of management to ensure that resources are focused where they are most needed; generally those involving the higher risks of serious harm.

- **Level 1** involves ordinary agency management (i.e. managed by the lead agency with no MAPPA formal meetings);
- **Level 2** is where the active involvement of more than one agency is required to manage the offender.
- **Level 3** is where risk management plans require the attendance and commitment of resources at a senior level.

MAPPA are supported by ViSOR. This is a national IT system to assist in the management of offenders who pose a serious risk of harm to the public. The use of ViSOR increases the ability to share intelligence across organisations and enable the safe transfer of key information when high risk offenders move, enhancing public protection measures. ViSOR allows staff from the Police, Probation and Prison Services to work on the same IT system for the first time, improving the quality and timeliness of risk assessments and interventions to prevent offending.

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 2017</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	989	469	–	1458
Level 2	7	11	7	25
Level 3	0	1	1	2
<b>Total</b>	<b>996</b>	<b>481</b>	<b>8</b>	<b>1485</b>

<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	21	10	11	42
Level 3	1	1	2	4
<b>Total</b>	<b>22</b>	<b>11</b>	<b>13</b>	<b>46</b>

<b>RSOs cautioned or convicted for breach of notification requirements</b>	<b>8</b>
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<b>RSOs who have had their life time notification revoked on application</b>	<b>14</b>
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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	139
SHPO with foreign travel restriction	0
NOs	1

<b>Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)</b>	<b>0</b>
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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	3	1	2	6
Level 3	0	0	1	1
Total	3	1	3	7
<b>Breach of SOPO</b>				
Level 2	2	–	–	2
Level 3	0	–	–	0
Total	2	–	–	2

<b>Total number of Registered Sexual Offenders per 100,000 population</b>	<b>25</b>
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This figure has been calculated using the Mid-2016 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, 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 2017 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2016 to 31 March 2017.

**(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 are actually managed under ordinary agency (Level 1) arrangements rather than via MAPPA meetings. These figures only include those MAPPA eligible offenders living in the community. They do not include those in prison or detained under the Mental Health Act.

**(b) Registered Sexual Offenders (RSOs)** – those who are required to notify the police of their name, address and other personal details and to notify of any subsequent changes (this is known as the “notification requirement.”) Failure to comply with the notification requirement is a criminal offence that 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.

**(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 MAPPA meetings.

**(e) Breach of licence** – offenders released into the community following a period of imprisonment 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) (including any additional foreign travel restriction).** Sexual Harm Prevention Orders (SHPOs) and interim SHPOs replaced Sexual Offence Prevention Orders. They 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 (including 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, including 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 full notification requirements.

Individuals made subject of a SRO are now recorded on VISOR as a Potentially Dangerous Person (PDP).

#### **(i) Lifetime notification requirements revoked on application**

A legal challenge in 2010 and a corresponding legislative response means there is now a mechanism in place that allows 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 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 Issues

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I am new in post this year as MAPPA Manager for Norfolk so aside from 'learning the ropes' I have been able to identify where there are gaps in provision and evaluate whether within my role I am able to influence any change. What became startlingly clear almost immediately was the absolute lack of housing provision across all sectors for the majority of MAPPA subjects

The lack of suitable accommodation has a massive impact on all agencies trying to work with risky often vulnerable people against a backdrop of homelessness. The anxiety for those that are homeless interferes with their ability to tackle other issues within their lives such as substance misuse, offending behavior work, participation in sex offender or violence based programmes, training and work opportunities. Yet these are the very things that form a major part of risk management planning.

Traditionally Norfolk has relied heavily on accommodation providers from the voluntary sector offering places in move on hostel type accommodation for many MAPPA subjects. These organisations have been battling to survive against funding cuts and reduced staffing levels. This has had a major impact on the availability of housing for Norfolk MAPP subjects.

One potential solution would be to look to 'sympathetic' private landlords as a source of accommodation provision. I am hoping to develop a forum of private landlords who would be prepared to work alongside statutory agencies and Norfolk MAPP to provide adequate accommodation opportunities for those who are most difficult to house. Whilst this will not be an instant 'fix' it is hoped that in the longer term a project such as this could be beneficial and plug some of the gap in provision. The case study in the next section provides an overview of the difficulties faced by MAPPA managing a subject at threat of street homelessness.

## Case Study

'John' is a 19 year old MAPPA Cat 2 offender who was originally managed at a Level 3 and then reduced to Level 2.

John was referred to Norfolk MAPP by Probation prior to his release from prison. His offences

were extreme violence to siblings when he himself was a minor. There had been additional episodes of violent behavior towards peers within his Children's Home and violent behavior to staff within the residential setting and prison staff. Whilst it was agreed by all agencies involved that John was considered a high risk of harm it was also widely recognised he was vulnerable due to his age and background. On his release from prison he was accommodated by Children's Services but the placement quickly broke down as staff within placement felt they were unable to manage his risky behavior. It was agreed at MAPP that he should be placed in an Approved Premises that would enable increased monitoring and boundaries on his behavior, Approved Premises placements are temporary and designed as a stepping stone to permanent accommodation. The placement offered was 4 months which was extended to 6 and then again to 8.

Despite numerous agencies involvement John fell through the gap of accommodation provision. His years of being in one institution after another, his young age and his anti-social history precluded him from generic hostel places and local authority accommodation. Private rental was not an option as he was in receipt of benefits and could not provide a guarantor. He was no longer in need of the rigid regime of the Approved Premises and there were higher risk offenders that needed accommodating. John had to leave.

Norfolk MAPP were meeting weekly and were in the position of formulating a risk management plan around John being street homeless - daily reporting to Probation, signing at the police station, being provided with sleeping bag, food vouchers, a phone. At the eleventh hour a private landlord was found who agreed to give John chance but there are no guarantees this will happen for the next 'John'.

The commitment of the agencies to the MAPP process undoubtedly afforded the best chance for John and the co-ordinated response of those agencies involved meant that in the event of the worst case scenario there would have been the best possible risk management and public protection in place.

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