



THAMES VALLEY



Annual Report 2016/2017

Introduction by Strategic Management Board Chair



Welcome to my third annual report as chair of the Strategic Management Board for the Multi-Agency Public Protection Arrangements. I am pleased to be able to report a successful year in the management of high and very high risk sexual and violent offenders in our area.

The purpose of this report is to demonstrate the accountability of MAPPA to the Public of Thames Valley and to provide reassurance on the multi-agency management of violent and sexual offenders.

As lead for the Responsible Authorities I am also head of the Crime Directorate for Thames Valley Police and am acutely aware that successful Public Protection relies heavily on active management by partner agencies. You will note that no Serious Case reviews have had to take place this calendar year. It is also worth mentioning however that each and every case in MAPPA carries a level of risk and that contrary to some media opinion there is no such thing as 24 hour supervision of offenders in the Community.

Many MAPPA cases at the higher end of multi agency management impact on the vulnerable in our community, whether through domestic abuse, mental health or modern day slavery and the MAPPA gives agencies somewhere to go to construct a meaningful and Proactive Risk Management Plan.

My Co-Chair is Nicola Webb an Assistant Chief Officer in National Probation Service. Strong core groups along with the involvement of NPS and Neighbourhood Policing staff, along with locally based agencies in Social Care, Housing and Health, Youth offending provide the greatest opportunity of protecting our communities from serious harm. Indeed there is a statutory requirement to do so. I commend, through the SMB our colleagues in other agencies in providing strong core groups which facilitate such planning.

The following pages indicate how we follow a process but what is important is not the process but the outcome; protecting the Public from serious harm and that is where the importance of MAPPA lies.

Gilbert Houalla

Detective Chief Superintendent, Chair of Strategic Management Board



What is MAPPA?

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, Jobcentre 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

MAPPA Statistics

MAPPA-eligible offenders on 31 March 2017				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	1693	446	NA	2139
Level 2	32	27	8	67
Level 3	1	0	2	3
Total	1726	473	10	2209

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	80	33	28	141
Level 3	5	3	5	13
Total	85	36	33	154

RSOs cautioned or convicted for breach of notification requirements	20
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RSOs who have had their life time notification revoked on application	23
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	220
SHPO with foreign travel restriction	0
NOs	17

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	10	0	16
Level 3	1	0	0	1
Total	7	10	0	17
Breach of SOPO				
Level 2	1	NA	NA	1
Level 3	0	NA	NA	0
Total	1	NA	NA	1

Total number of Registered Sexual Offenders per 100,000 population	84
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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.

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 may 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.

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>

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

Risk Management of some of the most dangerous offenders is not something achievable by one agency in isolation. It requires a “buy in” to the whole Multi-Agency process by agencies with a Duty to Cooperate across Thames Valley. This has been emphasized to all agencies by the Chair of the Strategic Management Board.

Although the process of MAPPA detailed above can appear complex the important thing for all agencies is that we are there to protect the public from serious harm, everything done needs to provide reassurance that is what we are doing.

There are three levels of risk management but it is important to recognise that no risk does not mean no risk and our audit process ensures that cases receive the required amount of inter-agency management and that cases can and should go up and down between the levels.

Although further offences will inevitably result from such a large cohort. It is important to recognise that offences involving serious harm are at a low level. No mandatory serious case reviews were required in this year.

Following recommendations from Her Majesty’s Inspectorate of Constabulary greater emphasis is now placed on neighborhood and local Policing involvement in the management of high risk offenders. This has resulted in a considerable change to the Police Chairing of level 2 meetings, now being conducted by local Police Inspectors along with Senior Probation colleagues.

Strong locally based core groups of duty to cooperate-social care, health, mental health, YOT, Job centre and housing all help in achieving meaningful risk management of offenders and reassurance for victims and the wider public. Attendance at these meetings is closely monitored as part of our local performance indicators.

In addition a thresholding panel, this includes single representation from all the responsible authorities. Meets bi-weekly to make an assessment of all level 2 and 3 cases. This will include all cases with safeguarding, child sexual exploitation and any domestic or terrorism threat.

Greater integration of Police Integrated Offender Management Units will happen in the coming year and I hope to comment on progress in next years report. HMPPS (NPS) manage cat 2 offenders but it is hoped that IOM assistance will provide further targeted resource.

There is a continuing emphasis on the expansion of the ViSOR IT system to link intelligence on MAPPA nominals amongst the three main agencies, which will shortly include IOM. Continuing emphasis on greater use and facility under the HMPPS E3 model.

I attach below a brief report from one of our two lay advisors”-who we are fortunate to have and contribute strongly as a “critical friend”. They work with the MAPPA Coordinator to influence and challenge Public Protection, we are fortunate to have them.

Robert Stirling

MAPPA Coordinator

Lay Advisors – Thames Valley.

We have two lay advisors volunteer that cover the Thames Valley Police region. They are both from completely different business disciplines. They have cultural diversity. One volunteer commands a senior position in business and has a wide experience. The other is an early retiree, whose background is from the ‘creative industries ‘and is widely travelled and has much experience of life. Neither has previously worked for the government or in any branch of law enforcement.

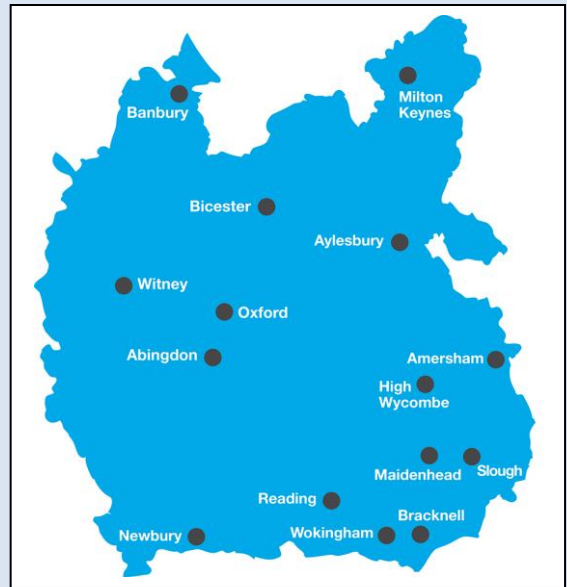
They between them form a function which goes beyond ‘just attending MAPPA meeting’ as required. Between them they cover our TVP region attending approximately six MAPPA meetings in a typical quarter as well as attending any requested central administrative meetings.

They produce reports which are well received and can also informally report (when so requested to do so) on the implementation any areas of change of personnel positions or procedures. This can be a highly useful monitor. They have been helping TVP for two years and 4 years respectively.

Their contribution is much appreciated by other as they bring two completely different perspective's to enhance and widen the spectrum of the MAPPAs meetings, which we believe helps with our core task of protecting the public

Iain Helstrip

Lay Advisor to Thames Valley MAPPAs.



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

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