

ANNUAL REPORT

2017/18



**CUMBRIA MULTI-AGENCY
PUBLIC PROTECTION
ARRANGEMENTS**

CONTENTS

INTRODUCTION	PAGE 1
WHAT IS MAPPA	PAGE 2
MAPPA IN CUMBRIA	PAGE 3 - 4
NATIONAL PROBATION SERVICE & CASE STUDIES	PAGE 5 - 6
LAY ADVISER - MAPPA	PAGE 7
FOUR PILLARS OF RISK MANAGEMENT	PAGE 8 - 9
ACTIVE RISK MANAGEMENT SYSTEM (ARMS)	PAGE 10
VISOR	PAGE 11
MANAGEMENT OF MAPPA IN CUSTODY	PAGE 12 - 13
YOUTH OFFENDING SERVICE	PAGE 14
INTEGRATED OFFENDER MANAGEMENT	PAGE 15
ELECTRONIC MONITORING EQUIPMENT	PAGE 16
SEXUAL HARM PREVENTION ORDERS	PAGE 17
MAPPA STATISTICS	PAGE 18
EXPLANATORY COMMENTARY ON STATISTICS TABLE	PAGE 19 - 20



INTRODUCTION

PROTECTING PEOPLE IN CUMBRIA FROM SEXUAL AND VIOLENT OFFENDERS

Welcome to the 2018 annual report on Cumbria's Multi-Agency Public Protection Arrangements (MAPPA).

MAPPA continues to provide a framework for managing the risks to the public presented by sexual and violent offenders.

The number of sexual and violent crimes committed represent a small proportion of the total recorded crime in Cumbria, but for the victims and their families they inevitably cause a great deal of fear and concern.

It is with this in mind that protecting the public from offenders who carry out these crimes, and meeting the needs of victims, remain high priorities in Cumbria for the Police, Probation and Prison Services.

Public protection continues to receive high profile coverage nationally and remains a challenging issue for Cumbria MAPPA. We accept that the public expect us to do everything within our powers to reduce the risks presented by sexual and violent offenders, whilst at the same time recognising that we must make the most efficient use of our finite resources.

By embracing joint working within MAPPA we can communicate more effectively, reduce duplication and ensure a strong corporate response. No single agency can tackle these challenges alone and it is vitally important that agencies continue to support and inform the MAPPA process. This way, together, we believe we are able to offer the best protection for the public of Cumbria.

The working arrangements with partners in Cumbria make a vital difference to the success of MAPPA.

This Annual Report reflects the contributions made by all of the agencies involved in MAPPA across Cumbria, and sets out our commitment to you, to continue to develop strong partnerships and explore new ways of working to face the challenges of protecting the public from serious offenders. We hope you will find the report informative and that it helps answer some key questions about community safety and public protection arrangements in Cumbria.



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 formal MAPPA 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 ANNUAL REPORT



MAPPA IN CUMBRIA

WHO IS IN CUMBRIA MAPPA?

Within Cumbria, the responsibility for chairing the MAPPA Strategic Management Board (SMB) is shared between the three Responsible Authorities (RA's).

The current MAPPA SMB Chair is the Head of Cumbria from the National Probation Service.

The following agencies are represented on the Cumbria MAPPA SMB:

Cumbria Constabulary

Her Majesty's Prison and Probation Service (HMPPS)

Cumbria County Council Children's Services

NSPCC

Lay Advisers

NHS Cumbria

Cumbria Health & Care Services

Cumbria Youth Offending Service

Cumbria Partnership NHS Foundation Trust (Mental Health Services)

Carlisle City Council Housing

Electronic Monitoring Service (EMS)

Department for Work and Pensions

Cumbria Fire & Rescue Service

Copeland Borough Council

Greater Manchester West NHS Foundation Trust

NATIONAL PROBATION SERVICE

The National Probation Service (NPS) is one of the three statutory responsible authorities who lead MAPPA at a strategic and operational level alongside our partners in Cumbria Constabulary and HM Prison Service. The NPS is the lead agency for all MAPPA cases subject to statutory supervision or licence and this equates to over 80% of our caseload in Cumbria. This means that NPS staff take the responsibility for managing the MAPPA eligible cases and liaising with other involved agencies to ensure any risk to the public is minimised. Where the cases meet the criteria for management at Level 2 or 3, the NPS Chair these MAPPA meetings to bring the relevant managers from partnership agencies together to collectively manage the risks posed and protect the victims from future harm.

NPS staff have access to VISOR, which is the shared IT system between the Police, Prison Service and NPS and actively utilise this tool to aid information sharing in between formal meetings. This informs risk assessments that are jointly completed with the Police and inform how often an offender is seen when they are in the community and considers what level of restrictions need to be imposed.

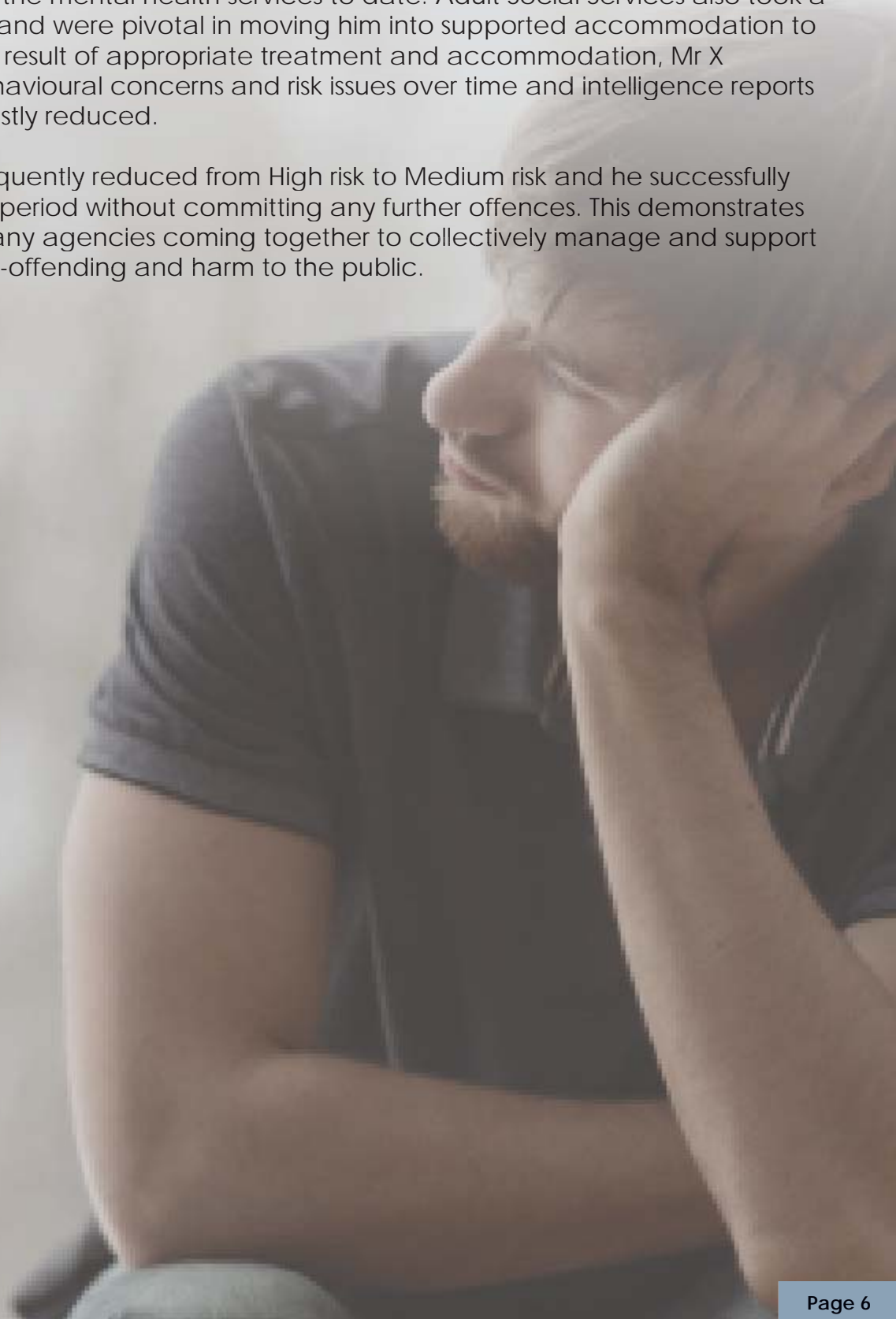
The NPS also operate a Victim Liaison Service which contributes eligible victims' views into the process to ensure their voice is heard and this enables appropriate safety planning measures to be put in place, where necessary.

Probation Case Study 1

The below case study gives an example of how the MAPPA arrangements work to protect the public and support the offender to prevent further offending.

Mr X had undiagnosed mental health difficulties that made it difficult for the relevant services to be involved in his management as his presentation was inconsistently reported. Following successful referral in to MAPPA Level 2, all relevant services became involved and as a result he was successfully diagnosed and entered appropriate treatment and he remains engaged with the mental health services to date. Adult Social Services also took a role in supporting Mr X and were pivotal in moving him into supported accommodation to support his needs. As a result of appropriate treatment and accommodation, Mr X presented with less behavioural concerns and risk issues over time and intelligence reports relating to him were vastly reduced.

His risk level was consequently reduced from High risk to Medium risk and he successfully completed his licence period without committing any further offences. This demonstrates the effectiveness of many agencies coming together to collectively manage and support offenders to prevent re-offending and harm to the public.



LAY ADVISER – MAPPA

A UNIQUE OPPORTUNITY TO SERVE THE RESIDENTS OF CUMBRIA

It is well over a year since we started our role as Lay Advisers and this past year has been busy both in terms of supporting the work of MAPPA, but also continuing to take the time to build our experience and knowledge.

As Lay Advisers we have been privileged to meet many of the agencies that work with the prime purpose of helping people in need and ensuring the general public are protected from potential risks.

Mark one of the three advisers said “it’s important that we keep up to date with changing legislation and being able to join in the training events delivered to many of the agency staff has been invaluable in understanding the challenges of new legislation and how staff work to make sure they are ready to take on new requirements and in some cases take on new statutory duties” .

Broadening our contacts beyond Cumbria has been actively encouraged by the Cumbrian MAPPA team and has played a key theme this year as we consolidate our training in the first year and become more engaged with MAPPA and the Partner Agencies.

This has led to the Cumbrian Advisers attending a Regional Conference, which helped strengthen our experience and we were able to share challenges that are common across many of the North West Counties.

Stephen highlighted “it helps us to know we all face common issues and by taking the time to share how these problems or concerns are dealt with in different areas; we can learn and be more effective in our roles” .

The structure of MAPPA is built upon layers of support, either at a County, Regional and also National level. The Ministry Of Justice provide the “glue” for MAPPA via the National Team, which develops common policies and practices.

We had a unique opportunity this year, as the National MAPPA Team sponsored a one day conference. This brought many MAPPA advisors from around the country into the room, with the primary focus to get an insight into ongoing new initiatives and developments, and more importantly to express our views as Advisors on the issues we face.

David said “this conference was carefully thought out, as it was an opportunity for the National Team to hear first-hand the issues, successes and of course to provide constructive feedback on some of the guidance and practices which are being promoted by the National Team” .

David went onto say, “this year has given us a clear insight and confidence that whatever level – County – Regional – National, the focus is on safer communities” .

This year we have stepped outside the boundary of Cumbria in broadening our understanding of the workings of MAPPA.

As Lay Advisers we remain focused on Cumbria and continue to both support and scrutinise our local arrangements in representing Cumbrian Residents. We are confident that our voice is heard and this is testament to all those partners which make up MAPPA.



FOUR PILLARS OF RISK MANAGEMENT

WHAT IS THE FOUR PILLARS APPROACH?

The MAPPA Four Pillars approach is currently being used across the MAPPA meetings in Cumbria.

The Four Pillars approach is designed to build supportive networks for offenders and enhance protective factors to minimise the risk of re-offending. It is a way of managing and assessing risk in a proportionate, transparent and balanced way.

HOW DOES IT WORK?

The Four Pillars approach has four key activities;

1. Supervision – includes structured and focused contact with the offender by all involved MAPPA agencies, contact corresponding to the level of risk, supervised accommodation, protective factors and a focus on compliance and motivation to non-offending.
2. Monitoring and Control - includes all agencies in 'watching and warning', agreeing and monitoring trigger signs, and can involve the use of electronic tagging, additional licence conditions etc.
3. Interventions and Treatment – includes planned interventions, appropriate programmes, and where relevant medication etc.
4. Victim Safety Planning – includes information on known and potential victims, exclusion zones, and safety plans etc.

And the activity is also;

- Sufficient to manage the risk
- Applicable to the offender's situation
- Relevant to risk factors
- Evidence based
- Least restrictive as necessary

In this way, MAPPA management is confirmed as the route to 'add value' to the lead agency's existing Risk Management Plan. The meeting will ensure that all attendees are aware of the early warning signs of risk escalation and how to report these back to the lead agency. It will also promote key messages about the offender's management and will provide a contingency plan should critical protective factors break down i.e. loss of accommodation or the MAPPA offender goes missing.

It is critically important for all agencies working with the MAPPA offender that his/her motivation to change is promoted and that the Risk Management Plan provides them with an incentive, however small, to work towards this change i.e. relaxation in daytime 'signing in' at approved premises in response to agreed and sustained compliance with sentence planning.

WHERE DID IT COME FROM?

In 2011 Her Majesty's Inspectorate of Probation & Her Majesty's Inspectorate of Constabularies carried out a joint inspection on MAPPA. This inspection was called 'putting the pieces together' an inspection of multi-agency public protection arrangements. In this inspection there were a number of recommendations made, including improvements to risk management planning and risk assessment.

In 2012 Leicester & Rutland MAPPA Strategic Management Board undertook a project to improve this area of work, using Professor Hazel Kemshall's Four Pillars model to risk management in MAPPA. She is currently Professor of Community & Criminal Justice at De Montfort University with extensive research interests in risk assessment and management, MAPPA and effective practice with high risk offenders.

More recently Prof Kemshall has developed a new approach to risk management planning and this is now being utilised by a number of MAPPA Strategic Management Boards across England & Wales in their MAPPA meetings.

Cumbria MAPPA Strategic Management Board has also been interested in this practice development and subsequently invited Professor Kemshall to present on this approach at the Cumbria MAPPA Seminar held in October 2013.

Dyfed & Powys MAPPA have also led in the pilot of the Four Pillars approach and assisted Cumbria significantly with our implementation. Since the initial implementation of the Four Pillars approach in Carlisle, this process is used across all MAPPA meetings within Cumbria.



Active Risk Management System (ARMS)

The dynamic risk assessment tool used in conjunction with 'Risk Matrix 2000' (RM2K) is now fully embedded by Cumbria police and Probation. All Registered Sexual Offenders (RSO's) on licence or supervision now have ARMS assessments completed by NPS in conjunction with police and police then continue with ARMS and review as necessary on completion of licence or supervision.

All eligible Registered Sexual Offenders managed by the Police now have an ARMS assessment completed.

NPS and Police are working together in the use of ARMS which shows a real commitment towards continued multi-agency working and protection of the public in Cumbria.



ViSOR

Cumbria Constabulary and Her Majesty's Prison and Probation Service (HMPPS) have worked towards the National Police Chiefs Council Memorandum of understanding for the sharing of information held on Police systems for Category 2 level 1 MAPPA offenders (Violent offenders). The conduit for sharing information is agreed to be the national ViSOR system in accordance with National ViSOR standards. The agreement sets out minimum standards of data sharing. These are:

- crime/non crime incident
- Domestic Violence incident
- Incident with a child present
- Incident with a vulnerable person present

This information will be provided to HMPSS for consideration of further action e.g. recall.

Police Integrated Offender Managers (IOM) have now been trained in the use of ViSOR. They are partnered into HMPSS Mappa Cat 2 level 1 offenders as the identified Police point of contact. Each IOM officer is allocated around 30 offenders. They have responsibility for sharing the identified information and anything they feel will be relevant to the offenders continued risk management. This facilitates the exchange of risk related information, to ensure HMPPS are in a position to ensure accurate risk assessment, leading to robust and defensible risk management plans which will enhance public protection.

MANAGEMENT OF MAPPA IN CUSTODY

THE ROLE OF THE OFFENDER SUPERVISOR

HMP Haverigg is a Category C prison located on the site of an old RAF training centre in Cumbria. The establishment holds prisoners serving a range of sentences up to and including Indeterminate and Life Sentences. Offenders are not received directly from the courts but are transferred, following security categorisation, from 'local' prisons or other Category C establishments.

Some of these offenders will be managed in custody under Multi Agency Public Protection Arrangements (MAPPA). Within 24 hours of arriving at Haverigg all prisoners are allocated to an Offender Supervisor whose role it is to co-ordinate the sentence of the court whilst the offender is in custody. Offender Supervisors include Probation Officer grade staff and Prison Service Band 4 Officers. The Offender Management team includes a wealth of experience, skills and knowledge ensuring that the risks that offenders present are managed at the appropriate level.

It is recognised that key to the effective management of offenders is the development of a positive and effective working relationship with the Offender Supervisor. Offender Supervisors are required to be pro-social role models who are able to demonstrate a genuine interest in the offender, balancing a supportive approach with the requirement for authority. In taking this approach they ensure that the offender understands the expectations of their sentence, including the consequences of failing to comply. The custodial environment provides an opportunity for a level of assessment, monitoring and engagement with offenders, which is not available to Offender Managers in the community.

Offender Supervisors at Haverigg enable offenders to access appropriate interventions such as the accredited 'Challenge to Change' course (targeting those offenders assessed as Medium or High Risk of Serious Harm), Restorative Justice, and engagement with Substance Misuse Services all of which are designed to address risk factors. Resettlement services, such as Shelter, are also based in the prison and can assist prisoners to address practical problems related to debt, benefits and accommodation prior to or upon release. The National Careers Service also provides an input in terms of employment brokerage to prisoners. Effective liaison between Offender Supervisors and resettlement staff is key to identifying and making referrals to these services. In line with national guidelines, MAPPA offenders, who are among those assessed as presenting the highest risk of harm are prioritised for interventions ensuring that resources follow risk.

As a MAPPA Responsible Authority prison establishments are required to attend Level 2 and 3 MAPPA meetings whenever possible and on every occasion provide an intelligence report (MAPPA F Report). The Offender Supervisor is tasked with compiling intelligence for the report, sourcing information from a range of departments and information gained from the IDRMM. Throughout the custodial period a range of monitoring measures will be in place that will inform the IDRMM and subsequent MAPPA meetings regarding the risk of harm including correspondence and phone monitoring. Correspondence and telephone monitoring can be an effective tool in measuring compliance with Harassment and Child Protection Orders. The Offender Supervisor closely monitors any information relating to breaches in this area ensuring that they are challenged and dealt with through disciplinary procedures or referred to the Police.

When making assessments, of particular interest to the Offender Supervisor, is behaviour that parallels offending behaviour. This may include involvement in drug or gang culture, affiliation or interest in racist or extremist organisations that continues in custody, evidenced by observation and reporting of associations, with like-minded people. Similarly the monitoring and reporting of interactions with female staff, particularly those in a position of authority, present opportunities for information gathering where there is a history of harassment or domestic violence or abuse.

The Offender Supervisor role is complex and can be contradictory as they balance the need to engage positively with the offender with the requirement to monitor, challenge and supervise. At Haverigg protecting the public is our key priority. We recognise the critical role that all of our staff and especially Offender Supervisors have in ensuring that objective is met. The management of offenders subject to MAPPA is one very important part of this.



YOUTH OFFENDING SERVICE

Cumbria Youth Offending Service (YOS) is a partnership, created by the Crime and Disorder Act 1998, and made up of a range of partners, in particular our statutory partners:

- Cumbria County Council
- National Probation Service
- Cumbria Constabulary
- Cumbria Partnership Foundation Trust

The young people we supervise are aged from 10 to 17 years old, the majority of which are young men, aged 16-17 years old.

A small number of these young people present a risk of serious harm to the public and some of whom also present a level of risk that requires referral to, and oversight by, Cumbria MAPPA.

All young people supervised by YOS are assessed both in relation to criminogenic needs, but also in relation to any safeguarding risks they face and, any risks they pose to others. A comprehensive intervention plan accounting for risks and needs is formulated and, for those presenting risk to self or others will typically involve input and/or oversight by a qualified member of staff such as a social worker, probation officer, or YOS officer. There will also be input from specialist staff including Health Workers, Education Workers and Restorative Justice Workers. All supervision is tailored to address the level of risk posed and the frequency/content of supervision will reflect this.

We will ensure we work with the young person to maximise the opportunities to make more positive choices, such as through education training or employment, but also to minimise risks posed. This will include referral and risk management oversight through MAPPA if they meet the threshold for such intervention.

For those that present the highest risk of reoffending, supervision can entail a range of restrictions such as 25 hours per week monitored activities, electronically monitored curfews, and/or unpaid work.



INTEGRATED OFFENDER MANAGEMENT

The Integrated Offender Management scheme was introduced in 2008 by the Ministry of Justice. Integrated Offender Management in Cumbria is available to any individual, whose needs would be better supported, using a multi-agency approach, with the aim of reducing re-offending and the prevention of harm to others.

All agencies within the IOM approach, have a commitment to share and coordinate resources, in order to facilitate the delivery of a strategy for each individual offender referred to IOM. This strategy will be devised jointly with the intention of reducing the individuals' pattern(s) of offending and the risk they present.

At each monthly Joint Agency Group (JAG) meeting, which are held in each of the three Police divisions in Cumbria a decision will be taken as to whether the IOM approach is appropriate for anyone nominated by any agency. This follows an initial screening of the nomination form by three panel members, Police, National Probation Service and Cumbria and Lancashire Rehabilitation Company. If the initial application is rejected by the screening panel, clear reasons for the decisions will be recorded and an alternative approach identified and suggested by the three panel members.

If accepted a clear strategy will be devised indicating the measurable outcomes that are intended to be achieved. Actions will subsequently be identified and allocated to the most appropriate agency. A lead agency will be nominated to deliver the strategy and coordinate the actions of the other partners within the IOM group. This would be either the agency with a statutory responsibility for the individual or the nominating agency. The strategy and actions will be reviewed at each monthly meeting.

IOM Key Principles

- i) All partners tackle offenders together, not as isolated providers of specific services, often overlapping the work done by other agencies
- ii) IOM will focus on delivering a local response to local problems, by targeting the main causes and tailoring responses based on joint decision-making, using local resources.
- iii) Bringing offenders to either face their responsibilities, or face the consequences, balancing motivating them to reform against an alternative of targeted interventions to disrupt their future criminal behaviour and activity.
- iv) Making best use of local skills, partner resources, best practice and lessons learned from previous partnership working.
- v) All persons at 'high risk' of offending or re-offending are within IOM scope for consideration, with assessment being based on the assessment of threat, risk and harm instead of an individual's position as a statutory or non-statutory client with the criminal justice system
- vi) Ensuring that targeted offenders do not fall through 'gaps' between existing programmes or approaches, and thereby ensure that risks or problems associated with such individuals are considered and addressed

The Strategic 'reducing re offending Group' will ensure the delivery of the IOM strategy and that the representative agency lead are held to account. Cumbria Constabulary, Community Rehabilitation Company (CRC), the National Probation Service (NPS), NHS (UNITY substance misuse service) and Youth Offending Service (YOS) are the 5 key agencies responsible for the delivery of this strategy and will have lead professionals who will identify progress and address any barriers to this IOM arrangement within their portfolio.

The Reducing Reoffending Board will also ensure that priorities in their Action Plan are aligned to this strategy and relevant issues reported to Cumbria Constabulary and the Safer Cumbria Delivery Board.

The strategic oversight of this board includes key integrated Offender management including MAPPA, IOM, YOS and Restorative Justice options. This will better facilitate discussion around resourcing, linking up with offenders, identification of good practice and reducing the barriers to integrated offender management across the County.

ELECTRONIC MONITORING EQUIPMENT

Cumbria Police, with funding from MAPPA, have piloted the use of Buddi Electronic Monitoring Equipment. The Buddi Smart Tag is a permanently worn device that is a fully active tracking system. The tag is fitted to the user, on a voluntary basis and provides a GPS tracking capability.

The use of the device is monitored via Web access software. If required this provides real time locations of users . The software will also produce a map of the users movements, over any given time. If the user is subject to exclusion zones these areas can be created on a map. If the exclusion zone is entered, this will trigger an alarm and inform the allocated offender manager and the police control room. Ensuring a timely Police response to any suspect's breach. The software will also alert the allocated offender manager and the control room if the device is tampered with or removed. A matter that can then be addressed by the Police.

The benefits of the system are real time knowledge of the users location. Increased knowledge on the users daily movement for both crime prevention and intelligence purposes. The tags also provide increased reassurance to victims of crime.

Feedback from a previous user was that the tag was very much a deterrent and an added preventative measure to assist with his desistance from future offending. The user did not reoffend during the period that he was wearing the Buddi tag.

What does the future hold? The use of Electronic Monitoring Equipment is to be incorporated into Sexual Harm Prevention Orders or/and licence conditions of suitable offenders. To provide enforceable usage, that if breached, could result in prosecution or recall on licence to prison. The whole aim is to continue to work together to protect vulnerable people, communities and manage offenders.



Sexual Harm Prevention Order

Sexual Harm Prevention Orders (SHPO) and Sexual Risk Orders (SRO) were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014. They replaced the previous Sexual Offences Prevention Orders (SOPO), Foreign Travel Orders (FTO) and Risk of Sexual Harm orders (RSHO) which were introduced by the Sexual Offences Act 2003.

These orders are intended to protect the public from the risks posed by sex offenders by placing restrictions on their behaviour. Sexual Harm Prevention Orders can be applied to anyone convicted or cautioned for a sexual or violent offence, including offences committed overseas.

The SHPO also makes the offender subject to notification requirements as set out in Part 2 of the Sexual Offences Act 2003.

A SHPO may impose any restriction the court deems necessary for the purpose of protecting the public from sexual harm, and makes the offender subject to the notification requirements for the duration of the order. SHPOs are available to the court at the time of sentencing for a relevant offence, or on free-standing application to the magistrates' court by the police or National Crime Agency.

An order may prohibit the offender from doing anything specified within it and can include a prohibition on foreign travel. The prohibitions must be necessary 'for the purpose of protecting the public or any particular members of the public from serious harm by the defendant'.

The period of the order must be specified and last for a minimum period of five years. It is a criminal offence to breach a SHPO or interim SHPO, punishable by a fine and/or imprisonment.

Since the implementation in March 2015 Cumbria Police have had many SHPO's issued by the court on conviction and others imposed on a standalone basis.

Also under Anti-Social Behaviour, Crime and Policing Act 2014 which came into practice in March 2015 the Act closes a gap in relation to violent offender orders (VOOs), which can be used by the police to impose restrictions on offenders convicted of a specified offence who pose a risk of serious violent harm to the public. VOOs are designed to protect the public from serious violent harm and also impose restrictions on an offender by prohibiting their access to certain places, premises, events or people to whom they pose the highest risk.

Section 98 of the Criminal Justice and Immigration Act 2008 (the 2008 Act) deals with violent offender orders (VOOs) and was amended in May 2014 to include murder as a 'specified offence'. This includes where the offence of murder was committed overseas.

The Act now also allows the Secretary of State to amend the list of specified offences in section 98(3) of the 2008 Act and to make consequential amendments to section 98(4) which deals with 'relevant service offences'.

MAPPA CUMBRIA: STATISTICS

MAPPA-ELIGIBLE OFFENDERS ON 31 MARCH 2018				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	555	164	-	719
Level 2	4	3	2	9
Level 3	0	1	0	1
Total	559	168	2	729

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	5	4	2	11
Level 3	1	1	0	2
Total	6	5	2	13

RSOS CAUTIONED OR CONVICTED FOR BREACH OF NOTIFICATION REQUIREMENTS	14
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RSOs WHO HAVE HAD THEIR LIFE TIME NOTIFICATION REVOKED ON APPLICATION	4
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RESTRICTIVE ORDERS FOR CATEGORY 1 OFFENDERS SHPOs, SHPOs WITH FOREIGN TRAVEL RESTRICTION & NOs IMPOSED BY THE COURTS	
SOPOs	83
SHPO with foreign travel restrictions	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	2	0	0	2
Level 3	0	0	0	0
Total	2	0	0	2
Breach of SOPO				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

TOTAL NUMBER OF REGISTERED SEXUAL OFFENDERS PER 100,000 POPULATION	125
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This figure has been calculated using the Mid-2017 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

EXPLANATORY COMMENTARY ON STATISTICAL TABLES

The totals of MAPPA-eligible offenders, broken down by category, reflect the picture on 31 March 2018 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2017 to 31 March 2018.

- 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 (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, 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>



HM Prison &
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