



**GLOUCESTERSHIRE
ANNUAL REPORT
2017-2018**

Introduction

I am pleased to introduce my first annual report as MAPPA Strategic Management Board (SMB) Chair for Gloucestershire, covering the 2017-18 business year.

MAPPA is the process through which the Police, National Probation Service and Prison Service, known collectively as the Responsible Authority, work together with other agencies to manage the risks posed by violent and sexual offenders. MAPPA is not a statutory body, but a mechanism through which agencies can better discharge their statutory responsibilities and protect the public in a co-ordinated manner.

The purpose of this report is to provide information to the public and professionals about the operation of MAPPA in Gloucestershire. We do not reference individual cases nor the actions of specific agencies, but we do provide an overview of how professionals worked collectively under the MAPPA framework over the last twelve months.

MAPPA in Gloucestershire is overseen by the SMB, which includes senior representatives from Gloucestershire Constabulary, Her Majesty's Prison Service and the National Probation Service (the Responsible Authority), as well as Adult Safeguarding, Adult Social Care, Children's Social Care, the Clinical Commissioning Group, the Department for Work & Pensions, Gloucester City Homes, the Local Authority Housing Department, the Office of the Police & Crime Commissioner, the Youth Offending Service and 2gether NHS Foundation Trust (the Duty to Cooperate Agencies). The Board is completed by our MAPPA Coordinator and two Lay Advisers.

The role of the SMB is to manage the quality and effectiveness of MAPPA locally, ensuring that each of the agencies involved discharge their duties to protect the public under the MAPPA framework. The aims of the SMB in Gloucestershire remain unchanged from previous years.

They are:

- To ensure that victims remain at the centre of local MAPPA arrangements
- To maintain effective multi-agency arrangements to manage the risks posed by sexual and violent offenders
- To ensure that information is shared in order that the public are protected
- To make improvements where weaknesses are identified
- To ensure that local MAPPA arrangements are transparent and accountable

To deliver on these aims requires real commitment from partners at both strategic and operational level. As ever, Gloucestershire is fortunate enough to benefit from close working relationships across a range of agencies and a culture where challenge is welcome and continuous improvement is the standard. There will always be more we can do to improve our practice and opportunities to learn when things have gone wrong, but I am reassured by what I have seen in my first year as SMB Chair and have been impressed by the work of those involved in MAPPA locally.

Moving forwards, I am keen that we continue to build on our existing practices, and thank all those involved in the delivery of MAPPA locally for their ongoing efforts.

Helen Ryder

Governor, HMP Leyhill

Chair of Gloucestershire MAPPA SMB

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 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	521	184	-	705
Level 2	0	0	2	2
Level 3	1	0	0	1
Total	522	184	2	708

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	4	13	8	25
Level 3	0	1	1	2
Total	4	14	9	27

RSOs cautioned or convicted for breach of notification requirements	12
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RSOs who have had their life time notification revoked on application	5
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	47
SHPO with foreign travel restriction	0
NOs	2

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	0	2	0	2
Level 3	0	0	0	0
Total	0	2	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	94
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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.

Explanation commentary on statistical tables

MAPPA background

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 (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 page

The nature of the work of MAPPA is such that any business year will inevitably involve complex challenges requiring professionals across a range of disciplines to work together. 2017-18 was no different, but it also featured many examples of excellent collaboration across agencies. This final page aims to provide an overview of the types of work undertaken throughout the year, and sets out our plans for future development.

We started the year by welcoming Helen Ryder, Governor of HMP Leyhill, to the Chair of the Strategic Management Board, bringing with her knowledge and experience of the prison system as well as a fresh set of eyes to MAPPA in Gloucestershire. Many thanks to Helen for her support and contributions to date.

A particularly noteworthy departure, on the other hand, was that of Sue Bradshaw, who had been a staunch supporter of MAPPA for many years in her role as Inspector of the MOSOVO unit (the police team responsible for managing sexual and violent offenders). We remain grateful to Sue for all her hard work in Gloucestershire and for her unwavering commitment to public protection. Fortunately, this commitment continues to be put to good use following her move to the Police Transformation Unit to champion the fight against Modern Slavery.

At strategic level, the 2017-18 year saw improvements in the way we quality assure the work of MAPPA, with the introduction of a new audit framework, supported by our Lay Advisers. To date we have identified a number of areas for development, including better reflecting the offender voice in MAPPA meetings, more meaningfully taking account of equality considerations, and improving our contingency planning.

We also held a multi-agency learning event following a serious further offence committed by a MAPPA offender, the conclusion of which was that *'Overall the MAPPA arrangements were managed well and effectively'*. Whilst this was a reassuring finding, and one that validated the significant amount of hard work that had gone into that particular case, a number of learning points were also noted and an action plan subsequently developed. Amongst other things the learning included the need for better use of ViSOR, a shared system for exchanging information on violent and sexual offenders. This work is ongoing, and now forms part of the SMB business plan.

Whilst we do always seek to learn lessons and encourage a culture of continuous improvement, it is also important that we acknowledge positive outcomes when they do occur. Examples that stand out from 2017-18 include Adult Social Care and Local Authority Housing working with others to avoid a vulnerable yet risky individual becoming street homeless; HMPS and NPS staff going above and beyond to ensure vital risk information was shared ahead of the release of a complex remand prisoner; a particularly proactive Children's Social Worker taking the lead with a difficult-to-engage young person, and the Police working tirelessly to protect the victims of a high risk domestic abuse perpetrator.

There have been countless other instances of professionals working both individually and collectively to protect the public, but it is hoped that these examples provide a gist of the types of work facilitated by the MAPPA framework.

To support staff in the discharge of their duties under MAPPA, further training was also provided, including a briefing to Adult Social Care, specific sessions with the NPS about disclosure, and training to new MAPPA Chairs. Our MAPPA Administrator also developed a quarterly newsletter for professionals.

Despite the positive outcomes and continuing efforts of those involved, we remain realistic about the challenges faced by many of our partners and know that there will always be more to do. With this in mind we have refined our business plan to focus on the following areas going forwards: Working Together, Continuous Improvement, Robust Case Management, Offender Engagement, ViSOR and Housing. In relation to housing, we are particularly keen to develop closer relationships with Local Authority colleagues and work together to find solutions where gaps are identified.

Finally, our two existing Lay Advisers are fast approaching the end of their second terms in post, and as such we will shortly be looking to recruit two new ones to support the work of the SMB. Further information about Lay Advisers can be found on the MAPPA website using the following link: <https://mappa.justice.gov.uk/connect.ti/MAPPA/view?objectId=9422228#9422228>

Tessa Broderick
MAPPA Coordinator

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