



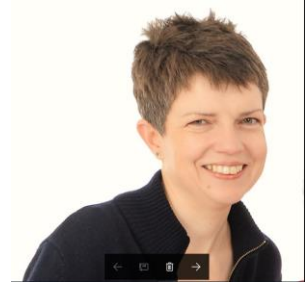
MAPPA CLEVELAND



Annual Report 2017/2018

Introduction

Ann Powell
Chair of Cleveland MAPPA
Strategic Management Board



I am very pleased to be introducing the 2017 – 2018 Cleveland MAPPA annual report.

I became Chair of the Strategic Management Board in April 2018 and since then I have been hugely impressed by the commitment and dedication of the people I have met – especially our wonderful Lay Advisors Paul McGrath and Leanne Bain, bringing helpful insights from a community perspective.

Much of the MAPPA process happens in the background but it is an essential part of keeping people who visit or live in Cleveland safe. There is a high level of commitment across Cleveland to the principles of partnership working and information sharing to best manage risk in a multi-disciplinary way. Agencies work together to share information about people assessed as most likely to reoffend in a harmful manner. They make plans to manage risk, for people in the community and those getting released from prison.

The priorities for 2017-2018 outlined in last years annual report included

- ✓ identifying and managing any emerging gaps in service provision as a result of efficiency savings and
- ✓ improving third sector engagement and support.

As a result our MAPPA Co-ordinator Kirsty Murphy has taken steps to improve links with third sector agencies and we hope to build on those new relationships in 2019. We are also pleased to see that Durham And Tees Valley Community Rehabilitation Company are providing additional services for MAPPA offenders being released from prison. Our MAPPA Co-ordinator has also taken up a place on the national MAPPA Improvement Group, where changes to legislation and MAPPA process , good practice and lessons learnt are shared with a view to dissemination across the country.

I am grateful to my police colleague DCI Wendy Tinkler for chairing the MAPPA Strategic Management Board performance sub group this year and making sure that we are working to a new national MAPPA quality assurance framework through regular audits of practice.

Looking forward, Cleveland MAPPA SMB priorities for 2018 -2019 include:

- ✓ To fully embed the use of the MAPPA quality assurance framework tool and address issues which are raised.
- ✓ To support MAPPA continuous improvement using comprehensive training across all agencies.
- ✓ To continue to increase the use of Visor in Her Majesty's Prison and Probation Service

We do this to ensure that we are working effectively together to reduce crime and prevent there being more victims of crime.

For more information about MAPPA in Cleveland
or for compliments, comments or complaints
please contact us at
Nenps.teesvalley.MAPPA@justice.gov.uk

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 Duty To Co-operate 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

Victims' Voices

Max Lanfranchi, North East Lead for Her Majesty's Prison and Probation Service Victim Liaison Service

The Victim's Charter, published by the Home Office in 1990, was the first formal step in acknowledging the role and rights of victims in the Criminal Justice process. The Charter set out certain standards which victims could expect to receive from Criminal Justice agencies, and also what victims could do if they felt that they had not received the treatment they felt they were entitled to. The Charter has been regularly updated, amended and developed since this time, and all Criminal Justice agencies (Police, Witness Services, CPS, Courts, Witness Care Units, National Probation Service) who now have dealings with victims and witnesses are governed by the Victim Code of Practice. The most recent draft of this document was published in late 2015 and is available online and it sets out the statutory roles and responsibilities of each agency.

As part of the National Probation Service, the Victim Contact Service (VCS) provides information to victims of offenders who have committed a specified serious violent or sexual offence, for which the offender has been sentenced to 12 months or more in custody– or where the offender has been detained under the Mental Health Act 1983, with or without restrictions.

Victims in such cases are entitled to contact from a Victim Liaison Officer (VLO). Victims

who choose to participate in the VCS may make representations about the offender's license or discharge conditions, and receive certain information about key stages of the offender's sentence. They may also be eligible to submit a Victim Personal Statement (VPS) during the Parole and/or Recall process.

We can provide information to victims of crime and to the parents, guardians or carers of child victims. Where an offence has resulted in the death of a victim, information is provided to their next of kin. We are not a support, counselling or advocacy service, but we can refer and signpost to agencies who provide such services.



We aim to be as flexible as possible so as to provide as tailored a service as possible. Dependent on the victim's wants or needs, we can provide information in writing, on the phone, by email, or in person. A victim can opt in or out of the service as they choose, but is always entitled to receive information from the VCS throughout the course of the offender's sentence.

Find out more about the support available to victims at this link [victims code leaflet](#)

LOOKING FORWARD:

A new Ministry of Justice Victims Strategy September 2018 will further develop victims services

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	807	335		1142
Level 2	7	3	5	15
Level 3	0	0	0	0
Total	814	338	5	1157

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	15	20	24	59
Level 3	0	0	0	0
Total	15	20	24	59

RSOs cautioned or convicted for breach of notification requirements	62
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RSOs who have had their life time notification revoked on application	0
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	125
SHPO with foreign travel restriction	0
NOs	1

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	4	5	5	14
Level 3	0	0	0	0
Total	4	5	5	14
Breach of SOPO				
Level 2	2			2
Level 3	0	0	0	0
Total	2			2

Total number of Registered Sexual Offenders per 100,000 population	164
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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>

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National
Probation
Service

