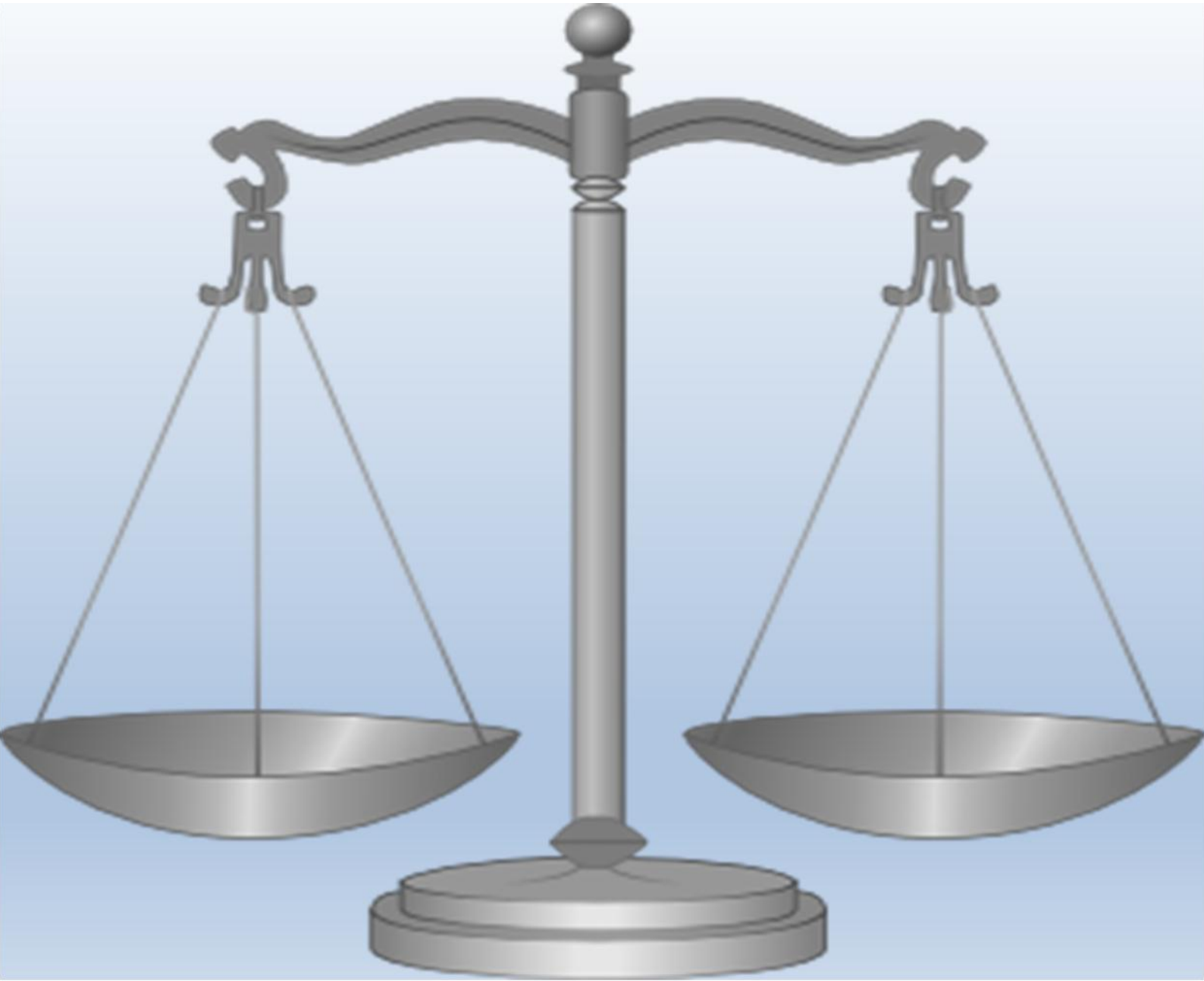




WEST MERCIA



Annual Report

Foreword

On behalf of the Strategic Management Board (SMB) for West Mercia's Multi-Agency Public Protection Arrangements (MAPPA), I am pleased to welcome readers to our annual report for 2017-18.

MAPPA is designed to protect the public, including previous victims of crime, from serious harm by sexual and violent offenders. Through it, our local criminal justice agencies and other bodies within Herefordshire, Shropshire, Telford and Wrekin, and Worcestershire (collectively 'West Mercia') work together in partnership to deal with these offenders. By sharing information and jointly assessing risk, our agencies are in a better position to protect individuals and local communities in a co-ordinated manner.

Three of our local agencies – West Mercia Police, the National Probation Service, and HM Prison Service, have particular duties within MAPPA as the 'Responsible Authority Group' (RAG). Other agencies such as our Local Authorities, the National Health Service and Housing Providers have a 'Duty to Cooperate' (DTC) with the arrangements, through which they help strengthen MAPPA to make defensible decisions about the management of offenders, and have a crucial role in their resettlement and rehabilitation in order to reduce the risk of harm and re-offending.

West Mercia's MAPPA SMB meets quarterly to oversee the operation of MAPPA in our area. The SMB is responsible for the implementation of the national MAPPA guidance in line with local initiatives and priorities. The SMB consists of senior members of the RAG and DTC agencies. The work of the SMB and its sub-groups is supported by Lay Advisers who act on behalf of the local public to reflect their perspective and views.

Whilst it is important through this annual report to reflect on the activity over the last 12 months, it is equally important to look to the future and plan ahead. Over recent years, the focus by local,

national and international law enforcement agencies to identify, locate and prosecute perpetrators of sexual offences has resulted in the consequential increase in demands on MAPPA.

This trend has continued during 2017-2018 and is forecast to rise again in years to come. As all agencies continue to focus on restructuring their services to ensure they are fit for the future, it will become increasingly important for our SMB to ensure that the current high level of commitment and cooperation to MAPPA continues.

It is also a key role of our SMB to ensure that there is a focus on continuous improvement, with the identification of both best practice and areas of learning. This is carried out in a range of ways, including case file audits and monitoring of MAPPA meetings. During the last 12 months our MAPPA SMB also commissioned a Serious Case Review (SCR) into one specific case.

In drawing this foreword to conclusion, I would like to recognise the hard work of our dedicated MAPPA team, the members of our SMB and its sub-groups, and the agency representatives at MAPPA meetings and thank them for their hard work, dedication and professionalism throughout the last year. I would particularly like to thank our Lay Advisers, who have voluntarily given up so much of their time to support the arrangements.

ACC Martin Evans
Chair of West Mercia MAPPA 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 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	1305	241	Not Applicable	1546
Level 2	8	2	4	14
Level 3	2	0	1	3
Total	1315	243	5	1563

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	49	36	48	133
Level 3	7	0	7	14
Total	56	36	55	147

RSOs cautioned or convicted for breach of notification requirements

30

RSOs who have had their life time notification revoked on application

14

Restrictive orders for Category 1 offenders

SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts

SHPO	133
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

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	6	4	16
Level 3	0	0	0	0
Total	6	6	4	16
Breach of SOPO				
Level 2	0	N/A	N/A	N/A
Level 3	0	N/A	N/A	N/A
Total	0	N/A	N/A	N/A

Total number of Registered Sexual Offenders per 100,000 population	116
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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>

MAPPA Lay Adviser Report

This year I have begun my second three year term as Lay Adviser to West Mercia MAPPA.

I have continued to participate in the Strategic Management Board meetings and have attended Level 2 and Level 3 meetings at various locations in West Mercia. I have provided feedback in the 'critical friend' role to professionals. As a member of the Performance and Standards Subgroup I have met quarterly and at one session spent a day auditing MAPPA cases with colleagues. This process gave a robust review of a variety of cases and the audit of individual MAPPA meetings will continue. As Lay Adviser, I am able to bring a different perspective. In addition I have visited HMP Stafford, which accommodates exclusively sex offenders, and saw the on-going work in custody with inmates.

I have been a member of the Serious Case Review panel which examined in forensic detail the history and management of the offender in the MAPPA process. It provided detailed learning points. Most of these have already been put into effect and reviewed. I was able to bring to the SCR views relating particularly to victims and wider perceptions from the community.

In June I took part in the national Lay Advisers' conference at the Ministry of Justice. This gave the opportunity to meet the MAPPA team at the Ministry and, most valuable, was the opportunity to meet lay advisers from across England and to exchange ideas, practice and experience. My knowledge of the role and expectations of the lay adviser was extended and enhanced.

One matter has continued to concern me in my Lay Adviser work. It is the lack of accommodation for sex offenders on release from prison. This is a constant problem in MAPPA meetings and the housing provision which is available often makes it more difficult to reduce the risk reoffending. This is a national issue which needs urgent attention.

I continue to feel welcome as Lay Adviser and can comment and ask questions freely in my role on behalf of the community. I appreciate how professionals continue to strive to deliver excellent services at a time of continuing reduced resources. Their professionalism is to be commended.

Tam Park
MAPPA Lay Adviser

Victim Liaison Unit Report

The past twelve months has seen The Victim Contact Scheme and the work of the Victim Liaison Officer (VLO) brought sharply into focus, as the work undertaken by VLO's became the subject of national press interest. Whilst this has brought its own challenges, it has also seen the advent of a commitment by agencies and statutory bodies to honour victims being at the heart of the Criminal Justice System, with a commitment to greater transparency; particularly in relation to the work undertaken by the Parole Board

The key tasks undertaken by the Victim Contact Unit are:

- Explaining the sentence to the victim and how an offender is likely to progress through the prison system.
- Working with the victim to prepare a victim personal statement for the parole board in eligible cases.
- Liaising with the Victim and the Probation and Police Offender Managers to agree proportionate and appropriate licence conditions in respect of the individual circumstances of the case.

These tasks have now been expanded upon to include the facilitation of victims receiving a Parole Board Decision Summary in the event that the Parole Board direct an offenders release from custody. This commitment by the Parole Board to provide information to victims about how they have reached a decision has been widely accepted as positive by the victims that we work with.

To ensure that the Victim Liaison Unit can carry out their responsibilities to the victims of serious sexual or violent offending, VLO's regularly attend MAPPP which enables risk management plans to be created to ensure that victim's needs are being met. Multi Agency work is integral to the role of the VLO, and is highly valued by our team.

Susanna Petts
Victim Liaison Officer

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

www.gov.uk

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