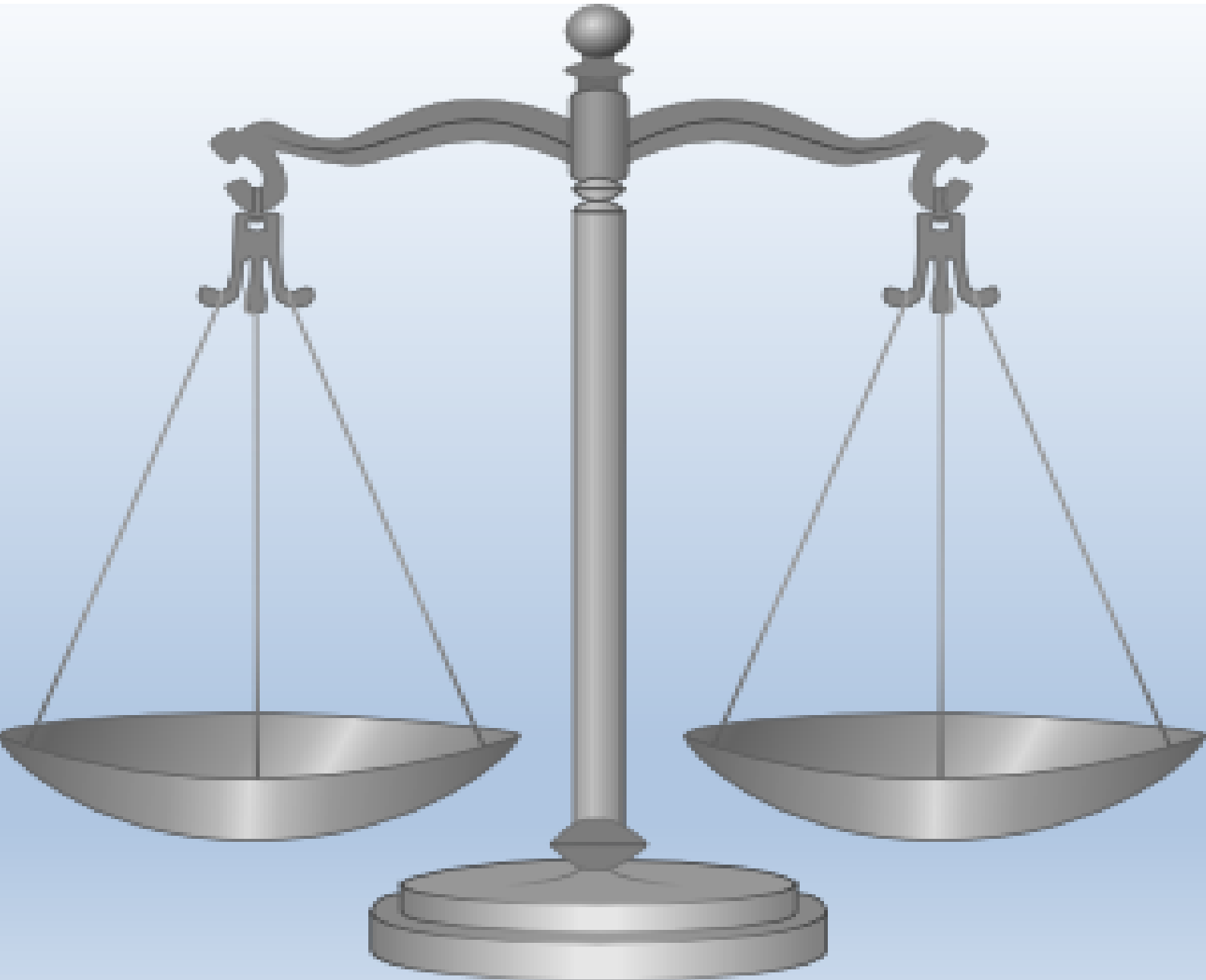




# WILTSHIRE



# Annual Report



# Intro

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We are pleased to present the MAPPA Report for 2017 - 2018. The Multi-Agency Public Protection Arrangements that operate throughout the United Kingdom have a world-leading reputation in the management of high risk offenders. In this area Wiltshire Police, National Probation Service and HM Prisons, together with the Duty to Co-operate Agencies, have continued to work together over the past year to prevent crime and protect the public.

## Responsible Authorities:

- Wiltshire Police
- National Probation Service
- Her Majesty's Prison Service

## Duty to Co-operate Agencies:

- Swindon Borough Council – inclusive of:
  - Housing Department
  - Children's Services
  - Adult Social Care
- Wiltshire Council – Inclusive of:
  - Housing Department
  - Children's Services
  - Adult Social Care
- Swindon and Wiltshire Youth Offending Teams
- Avon & Wiltshire Mental Health Partnership Trust
- The Department of Works & Pensions
- Wiltshire and Swindon Clinical Commissioning Groups (CCG's)

It has been another effective year for the multi-agency public protection arrangements, MAPPA. The arrangements have continued to demonstrate strong collaborations across agencies in the criminal justice system – led by police, prisons and probation – working together to reduce the risk to the public posed by sexual and violent offenders.

Important in this process are the monthly meetings across Wiltshire which plan for that smaller group of offenders who are assessed as posing a higher risk and need to be managed jointly by the agencies signed up to MAPPA.

Drawing up detailed plans, allocating tasks to individual staff within agencies, sharing plans with those who are in the best position to protect potential victims and the public, subsequently checking on progress and assigning more tasks, involves time,

energy and commitment over many months and sometimes years.

We continue to harness the enthusiasm and commitment of staff to keep this risk to a minimum and ensure that public safety remains our priority.

This year's report identifies that even in a time of reducing resources right across the public sector, targeted work with serious offenders has provided for public safety. The work of MAPPA seeks to identify Approved Premises for high risk of harm offenders who are leaving prison as part of a risk management plan. This enables specific work to be undertaken on problem behaviour and attitudes with closer monitoring of their activities and, when required, the sanction of recalls into custody. This supports a safer community and fewer victims.

Over the next year we will continue to support MAPPA to deliver a high standard of service to the people of Wiltshire and Swindon maintaining our practice and effectiveness to keep our communities safe.

Gavin Williams  
Assistant Chief Constable, Wiltshire Police, Chair of  
Wiltshire and Swindon MAPPA Strategic Management  
Board (SMB)

# What is MAPPA?

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## 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](http://www.gov.uk)

# MAPPA Statistics

<b>MAPPA-eligible offenders on 31 March 2018</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	649	339	-	988
Level 2	3	2	5	10
Level 3	0	0	0	0
<b>Total</b>	<b>652</b>	<b>341</b>	<b>5</b>	<b>998</b>

<b>MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total)</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	20	15	17	52
Level 3	0	0	0	0
<b>Total</b>	<b>20</b>	<b>15</b>	<b>17</b>	<b>52</b>

<b>RSOs cautioned or convicted for breach of notification requirements</b>	<b>19</b>
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<b>RSOs who have had their life time notification revoked on application</b>	<b>2</b>
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<b>Restrictive orders for Category 1 offenders</b>	
<b>SHPOs, SHPOs with foreign travel restriction &amp; NOs imposed by the courts</b>	
SHPO	67
SHPO with foreign travel restriction	0
NOs	0

<b>Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)</b>	<b>0</b>
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<b>Level 2 and 3 offenders returned to custody</b>				
	<b>Category 1: Registered sex offenders</b>	<b>Category 2: Violent offenders</b>	<b>Category 3: Other dangerous offenders</b>	<b>Total</b>
<b>Breach of licence</b>				
Level 2	1	4	0	5
Level 3	0	0	0	0
Total	1	4	0	5
<b>Breach of SOPO</b>				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

<b>Total number of Registered Sexual Offenders per 100,000 population</b>	<b>104</b>
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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

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## 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

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## Thank You

The 2017-18 business year saw a lot of changes within Wiltshire MAPPAs team. In October 2017 we said goodbye to Alison Minch who had been the MAPPAs Co-ordinator since April 2014 and we thank her for her contributions to MAPPAs over that three year period.

In November 2017, we welcomed Tessa Broderick who was overseeing Wiltshire MAPPAs on an interim basis as MAPPAs Co-ordinator as well as being the MAPPAs Co-ordinator for Gloucestershire. Tessa has brought a wealth of experience and highly contributed to the smooth running of the MAPPAs Unit. Tessa has now returned to her substantive post of MAPPAs Co-ordinator in Gloucestershire. Wiltshire MAPPAs would like to take this opportunity to thank Tessa for her hard work, commitment and leadership over the past ten months.

## Introductions

Wiltshire MAPPAs welcomes Assistant Chief Constable Gavin Williams to the Chair of the SMB. We thank our outgoing SMB Chair, Deputy Chief Constable, Paul Mills for his commitment, leadership and support over the last three years.

I, Ruth Lumber, have recently been appointed as the Wiltshire MAPPAs Co-ordinator. I have been employed by the National Probation Service since October 2006 and have extensive experience of assessing and managing risk having worked within all core areas of business for the NPS in Wiltshire. I am very much looking forward to the challenges ensuring that we continue to work corroboratively with partners in maintaining a safe community for the public of Wiltshire and Swindon.

## Overview

The 2017-18 business year has comprised of both challenges and achievements for those agencies contributing to MAPPAs in Wiltshire.

Examples of effective risk management this year have included gaining appropriate accommodation for a particularly complex individual and liaising with the Mental Health Team in ensuring full assessments were undertaken to inform an accurate risk assessment for an individual presenting with challenging behaviour.

Wiltshire MAPPAs remains pragmatic about the challenges which are met by our partner agencies and recognises that there will always be further areas for improvement. We are committed to ensuring the quality of our work is monitored and that changes to practice are implemented at the earliest opportunity.

Despite the above challenges, MAPPAs continues to demonstrate the commitment, professionalism and allegiance from both the Responsible Authorities (RA's) and the Duty to Co-operate (DTC's) Agencies in reinforcing that robust risk management plans are in place to keep our County safe.

## Performance

An Audit of MAPPA took place in April 2018. 19 cases were audited. These cases took place during the 2017-18 business year. 17 cases were deemed to be well managed and 2 cases were deemed managed well overall.

Members of the Strategic Management Board (SMB) has remained consistent throughout 2017-18.

The Strategic Management Board (“SMB”) is the means by which the Responsible Authority fulfils its duties under section 326(1) of the Criminal Justice Act 2003 to” keep the arrangements [i.e. MAPPA] under review with a view to monitoring their effectiveness and making any changes to them that appear necessary or expedient.”

The SMB is responsible for managing MAPPA activity in its area, including reviewing its operations for quality

and effectiveness and planning how to accommodate any changes as a result of legislative changes, national guidance or wider criminal justice changes. The SMB are responsible for the implementation of the MAPPA Guidance in their area, in line with local initiatives and priorities.

### Key Priorities for 2018-19

- To increase engagement with partners, including the development of stronger collaborative relationships.
- Improve information sharing across all agencies, including the increase use of VISOR.
- To implement a more streamlined process for capturing learning from serious further offending.
- ARMS assessments to be completed on all registered sex offenders and for a Risk Management Plan that addresses their priority areas.
- For all high and very high risk offenders to be safely and appropriately housed.

**All MAPPA reports from England and Wales are published online at:**  
**[www.gov.uk](http://www.gov.uk)**

National  
Probation  
Service

