



Multi Agency Public Protection Arrangements

SUSSEX



Annual Report

Intro

We are pleased to introduce the Sussex MAPPA Annual Report for 2019-20

The purpose of this report is to convey to the public in Sussex how MAPPA operates locally and how we are continuing to develop practice in order to manage the riskiest offenders in the community.

Multi Agency Public Protection Arrangements (MAPPA) in Sussex are overseen by the Surrey and Sussex MAPPA Strategic Management Board (SMB). Responsible authorities including the Police, National Probation Service and the Prison Service engage with key partners from Children and Adult Safeguarding, Youth Offending Services, Health, Department of Work and Pensions, Local Authority Housing and Home Office Immigration Enforcement to ensure effective and efficient arrangements are in place to protect the public and to reduce re-offending. The SMB is supported by a Development sub-group which, like the SMB, meets quarterly to deliver against the core areas of business.

In the context of its four business areas of Development, Monitoring and Evaluation, Communication and Partnerships and Training, the Board meets quarterly to review its business plan, and its aims and objectives to deliver the work of MAPPA, to protect the public from serious harm, reduce re-offending, promote the benefits of joint working and to increase public confidence in the criminal justice system.

I am pleased that we continue to ensure adherence locally to the MAPPA National Guidance framework and to ensure the effective chairing of MAPPA meetings (through professional development days), where the offenders we manage with some of the most complex issues are formally discussed. Risk management planning is at the heart of these discussions to address the identified risks posed. Public protection and reducing reoffending is at the core of MAPPA and, by putting in place robust risk management plans and interventions to reduce the risk posed we continue to serve and protect victims and our diverse communities.

Whilst this report reflects the good work done retrospectively and for the period of 2019-20, at time of writing this introduction we are still in the middle of a global pandemic. We are pleased that, despite these unprecedented times, we have continued to ensure that MAPPA has operated effectively across our area and that we have continued to provide a quality service to the public. This has been achieved by seeking inventive new ways to see our offenders and to ensure their safety as well as ensure the safety of our staff. Multi-agency MAPPA meetings are now taking place through the use of Microsoft TEAMS, providing agencies with the opportunity to share information and work together in order to reduce the risk posed.

In the next year we will be prioritising the impact of the restructuring of the National Probation Service, to incorporate the work conducted by the Community Rehabilitation Company within our areas, and any impact upon resourcing and MAPPA.

Fiona Macpherson
SMB Co-Chair and Assistant Chief Constable
Surrey Police

Siamack Danesteh-Pour
SMB Co-Chair and Head of Sussex
National Probation Service

What is MAPPA?

MAPPA background

MAPPA (Multi-Agency Public Protection Arrangements) is 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 presenting the higher risks of serious harm.

- **Level 1** is where the offender is managed by the lead agency with information exchange and multi-agency support as required but without formal MAPPA meetings;
- **Level 2** is where formal MAPPA meetings are required to manage the offender.
- **Level 3** is where risk management plans require the attendance and commitment of resources at a senior level at MAPPA meetings.

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 2020				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	1753	280	-	2033
Level 2	6	1	1	8
Level 3	0	0	0	0
Total	1759	281	1	2041

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	23	10	5	38
Level 3	2	1	0	3
Total	25	11	5	41

RSOs cautioned or convicted for breach of notification requirements	30
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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	
SHPO	136
SHPO with foreign travel restriction	1
NOs	5

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	3	2	2	7
Level 3	1	0	0	1
Total	4	2	2	8
Breach of SOPO				
Level 2	2	-	-	2
Level 3	0	-	-	0
Total	2	-	-	2

Total number of Registered Sexual Offenders per 100,000 population	115
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This figure has been calculated using the Mid-2019 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 2020 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2019 to 31 March 2020.

(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 at Level 1 without formal 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.”) These offenders are assessed and managed by the police. They may also be managed by probation or health services if they are subject to licence or a hospital order. 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. These offenders are assessed and managed by the National Probation Service, Youth Offending Team or Mental Health Services.

(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. These offenders are assessed and managed by whichever agency has the primary responsibility for them.

(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. They require 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 committed 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. Persons do not come off the register automatically. Qualifying offenders may submit an application to the police to review their indefinite notification requirements. The police review the application and decide whether to revoke the notification requirements. This decision is made at the rank of Superintendent. Those who continue to pose a significant risk will remain on the register for life, if necessary.

Individuals 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 applied from 1 September 2012 for adult offenders.

Local page

Sussex MAPPA Lay Advisers

Appointed by the Secretary of State in the Ministry of Justice, our voluntary role is to provide independent scrutiny and review of the effectiveness of MAPPA in its work to protect the public. We act as a critical friend to both the Lead and Duty to Cooperate (DtC) agencies to support the development of robust risk management plans in respect of Mappa offenders released into the community. In our last annual report we noted that we had been providing Lay Adviser support in Sussex with rather limited coverage across the county. It was with much relief, therefore, that another Lay Adviser was appointed, and we welcomed a new colleague in early 2019. During this year, therefore, we have substantially increased the level of support we are able to give and, between us, have attended all the level 2 meetings across the county as well as the level 3 meetings. We also attend and contribute to each Strategic Management Board (SMB) meeting. We are now in a strong position to continue to execute our role with maximum effectiveness.

We remain impressed at the professional way in which level 2 and level 3 meetings are chaired. We are also immensely grateful that our contributions are sought and valued, and that our attendance at meetings is appreciated. We have been pleased to see a greater emphasis on timely resolution of actions set and continue to urge that timelines should be set and adhered to. In addition, we continue to be very impressed by the professionalism, commitment and dedication of the MAPPA lead agencies in Sussex in ensuring that risk management plans are robust and proportionate to the offences and risks posed by individual offenders when they are released into the community.

Many of the issues we have observed in Sussex are the same as we have reported in previous years. In particular, we continue to face a difficult and worrying problem with securing appropriate housing for MAPPA offenders who are released into the community. The demand for places in Approved premises remains very high and we are grateful to them for doing their very best to accommodate people whose level of risk is such that release to an Approved Premise is absolutely necessary. Move-on arrangements continue to prove challenging, however, especially in respect

of those convicted of offences against children, and there remains a considerable shortage of housing suitable for offenders with mental health issues, physical disabilities, or a history of drug or alcohol addiction. This lack of suitable housing poses serious challenges to the ability of the lead agencies to effectively manage the risk associated with these offenders living in the community. In our view this problem has become more acute year on year.

While most DtC agencies in Sussex take their responsibilities seriously we have noted continuing gaps in attendance at MAPP meetings by some of the agencies. This can make it difficult to develop comprehensive risk management plans. This has been referred to in SMB meetings and we hope that there will be improvement next year. In addition, we have witnessed relatively low attendance at some SMB meetings during the year, an issue which the SMB Chairs take very seriously, and are following up.

We had understood that there would be another Lay Advisers' Conference this year, organised by the Ministry of Justice which we were all looking forward to. In the event, it was arranged at relatively short notice in December for immediately after the Christmas break. Regrettably, therefore, none of us was able to attend.

We are grateful for the valuable support given to us by the highly efficient MAPPA administrators and, in particular, the MAPPA Manager who ensures that we are well-informed, kept up to date about changes which effect the work of MAPPA, and able to make a worthwhile contribution. Unfortunately, a national lockdown as a result of the coronavirus was implemented in March 2020 and we are aware that MAPPA will have to make considerable alternative arrangements to ensure that business can continue by remote video conferencing. We are all ready to play our part during the pandemic.

Professor Janet Walker, Andrea Duc and Marian Trendell

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Probation
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