

Wiltshire and Swindon MAPPA

Annual Report



Intro

We are pleased to present the MAPPA Report for 2015 - 2016. 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 & Wiltshire Youth Offending Service
- Avon & Wiltshire Mental Health Partnership Trust
- Circles of Support and Accountability South West
- The Department of Works & Pensions

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 ensures that there are Approved Premises available for high risk of harm offenders who are leaving prison and that specific work is undertaken with them 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.



ACC Paul Mills
Wiltshire Police



Angela Cossins
NPS South West, South Central



Steve Hodson
HMP Erlestoke

What is MAPPA?

MAPPA background

- (a) 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.
- (b) 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.
- (c) A number of other agencies are under a Duty To Co-operate (DTC) with the Responsible Authority. These include Social Services, Health Trusts, Youth Offending Teams, Jobcentre Plus and Local Housing and Education Authorities.
- (d) 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.
- (e) Lay Advisers are members of the public with no links to the business of managing MAPPA offenders and 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 by the agencies in order to inform the risk assessments and risk management plans of those managing or supervising them.
- In the majority of cases that is as far as MAPPA extends but in some cases, it is determined that active multi-agency management is required. 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** – (in the main) violent offenders sentenced to imprisonment for 12 months or more; 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 management levels intended to ensure that resources are focussed upon the cases where they are most needed; generally those involving the higher risks of serious harm. **Level 1** involves ordinary agency management (i.e. no MAPPA meetings or resources); **Level 2** is where the active involvement of more than one agency is required to manage the offender but the risk management plans do not require the attendance and commitment of resources at a senior level. Where senior oversight is required the case would be managed at **Level 3**.

MAPPA is supported by ViSOR. This is a national IT system for the management of people who pose a serious risk of harm to the public. The police have been using ViSOR since 2005 but, since June 2008, ViSOR has been fully operational allowing, for the first time, key

staff from the Police, Probation and Prison Services to work on the same IT system, thus improving the quality and timeliness of risk assessments and of interventions to prevent offending. The combined use of ViSOR increases the ability to share intelligence across

organizations' and enable the safe transfer of key information when these high risk offenders move, enhancing public protection measures. All MAPPA reports from England and Wales are published online at: www.gov.uk

MAPPA Statistics

MAPPA-eligible offenders on 31 March 2016				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	561	142	-	703
Level 2	8	9	6	23
Level 3	0	0	0	0
Total	569	151	6	726

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	19	28	70
Level 3	1	1	0	2
Total	24	20	28	72

RSOs cautioned or convicted for breach of notification requirements	12
RSOs who have had their life time notification revoked on application	8

Restrictive orders for Category 1 offenders	
SOPOs, NOs & FTOs imposed by the courts	
SOPOs	34
NOs	0
FTOs	0

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	0	0	0
Level 3	0	0	0	0
Total	0	0	0	0
Breach of SOPO				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

Total number of Registered Sexual Offenders per 100,000 population	92
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This figure has been calculated using the Mid-2015 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 on 23 June 2015, 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 2016 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2015 to 31 March 2016.

(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 MAPP meetings.

(b) Registered Sexual Offenders (RSOs) – those who are required to notify the police of their name, address and other personal details and to notify any changes subsequently (this is known as the “notification requirement.”) Failure to comply with the notification requirement is a criminal offence which 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 and offenders disqualified from working with children.

(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 MAPP meetings.

(e) Breach of licence – offenders released into the community following a period of imprisonment of 12 months or more 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) – (replaced Sexual Offence Prevention Orders) including any additional foreign travel restriction.

Sexual Harm Prevention Orders (SHPOs) and interim SHPOs 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 (incl. 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 – **this includes preventing 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 the full notification requirements.

Nominals made subject of a SRO are now recorded on VISOR, as a Potentially Dangerous Person (PDP).

(i) Lifetime notification requirements revoked on application

Change in legislation on sexual offenders

A legal challenge in 2010 and a corresponding legislative response means there is now a mechanism in place which will allow **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 the 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) 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

MAPPA in Wiltshire.

In last year's annual report, information was provided from each of the Responsible Authorities (Wiltshire Police, HMP Erlestoke and National Probation Service – Wiltshire) as well as from one of our lay advisors in her capacity as a Diocesan safeguarding representative and also a piece by the manager from Circles of Support and Accountability (COSA). This year the Strategic Management Board (SMB) invited some of the duty to cooperate (DTC) agencies to provide an insight of their contributions to Swindon and Wiltshire MAPPA.

On behalf of all the teams who work within the MAPPA framework across Swindon and Wiltshire, senior colleagues from each local authority have provided information on behalf of each of the councils as to how relevant teams support public protection and to demonstrate how the duty to cooperate responsibilities to MAPPA are achieved.

Swindon's Community Safety Partnership takes a local lead in supporting the work of MAPPA. In particular, it oversees the Swindon Prevent Board which is a group established to prevent people being drawn into or radicalised into Terrorism or Domestic Extremism. The Board is chaired by the Local Authority Lead and it should be noted that The Counter Terrorism and Security Bill received Royal Assent on 12th Feb 2015 and is now an Act in Law. The UK faces a severe and continuing threat from terrorism. The Government is taking tough security measures to keep people safe, but action at a local level is also essential to stop people becoming or supporting terrorists or violent extremists. Swindon Borough Council and the Police are taking a lead in ensuring that local partnerships have been clearly tasked with driving delivery of a jointly agreed programme of action.

Domestic Abuse is a complex and challenging social problem within families, which is largely hidden and underreported and disproportionately affects women and children as victims. The total number of domestic abuse crimes has been increasing gradually over the past two years, in Wiltshire and in Swindon. The number of reported incidents has remained relatively stable over this time period. Strategic Governance rests with the Swindon Community Safety Partnership which has recently established a Domestic Abuse and Violence Against Women and Girls Board to oversee service improvements and monitor recorded crime and incidents including the work of the Multi Agency Risk Assessment Conferences (MARAC) that deal with the cases of most concern.

Substance and Alcohol Misuse remain triggers for criminal activity including recent intelligence surrounding drug networks that prey on more the vulnerable. The Partnership has recently commissioned a further intelligence report to establish a local response to manage specific risks on these networks.

Wiltshire Council recognises that although violent and sexual offending makes up only a small percentage of all crime in Wiltshire; the harm caused by such offending is considerable to victims, their families and to communities. Wiltshire Council is committed in working in partnership within MAPPA to ensure, that where its residents are affected by violent or sexual crime those who have had the misfortune to be victims of crime have a right to feel protected and safe. Key departments and services in Wiltshire Council who are engaged within MAPPA include; Adult Social Care, Housing, Children's Social Care, and Children's Services Youth Offending and Children's Social Care teams. Whilst it is never possible to eradicate risk entirely, MAPPA is designed to bring agencies together to help manage that risk and keep it to a minimum – and Wiltshire Council is proud to be part of this effort.

All relevant departments within Wiltshire Council are represented at SMB and all operational MAPPA meetings to ensure as a multi agency group we are able to effectively manage offenders and assist with appropriately accommodated and support where possible.

Wiltshire YOT manage all young people who have offended age 10-18, including those on both statutory court orders and out of court disposals. All young people are subject to an Asset Plus assessment to determine needs, vulnerabilities, strengths and risks. Wiltshire YOT works with a clear focus upon public protection, restorative justice, working with victims, building strengths and reducing offending (and the risks associated with offending). MAPPA plays a crucial role in supporting this work. For young people who are assessed as high risk of harm to others and requiring multi-agency management we routinely refer to MAPPA following discussion with the MAPPA co-ordinator. Recent referrals include for violent offences and sexually harmful behaviour and offending. MAPPA plays a fundamental role in ensuring that risk in these cases is effectively managed in a multi-agency manner and has positively impacted upon the case management and intervention of a number of young people – enhancing public protection and reducing risk of further harmful/ risky behaviour. Young people subject to MAPPA oversight have had additional monitoring, support and intervention – from a multi-agency perspective. Wiltshire YOT ensures regular attendance at relevant MAPPA meetings and this has been consistently 100% over the last year. Wiltshire YOT also ensures regular attendance at and contribution to MAPPA SMB. Wiltshire YOT also ensures regular liaison and communication with the MAPPA co-ordinator providing regular information regarding MAPPA eligible young people subject to YOT intervention.

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