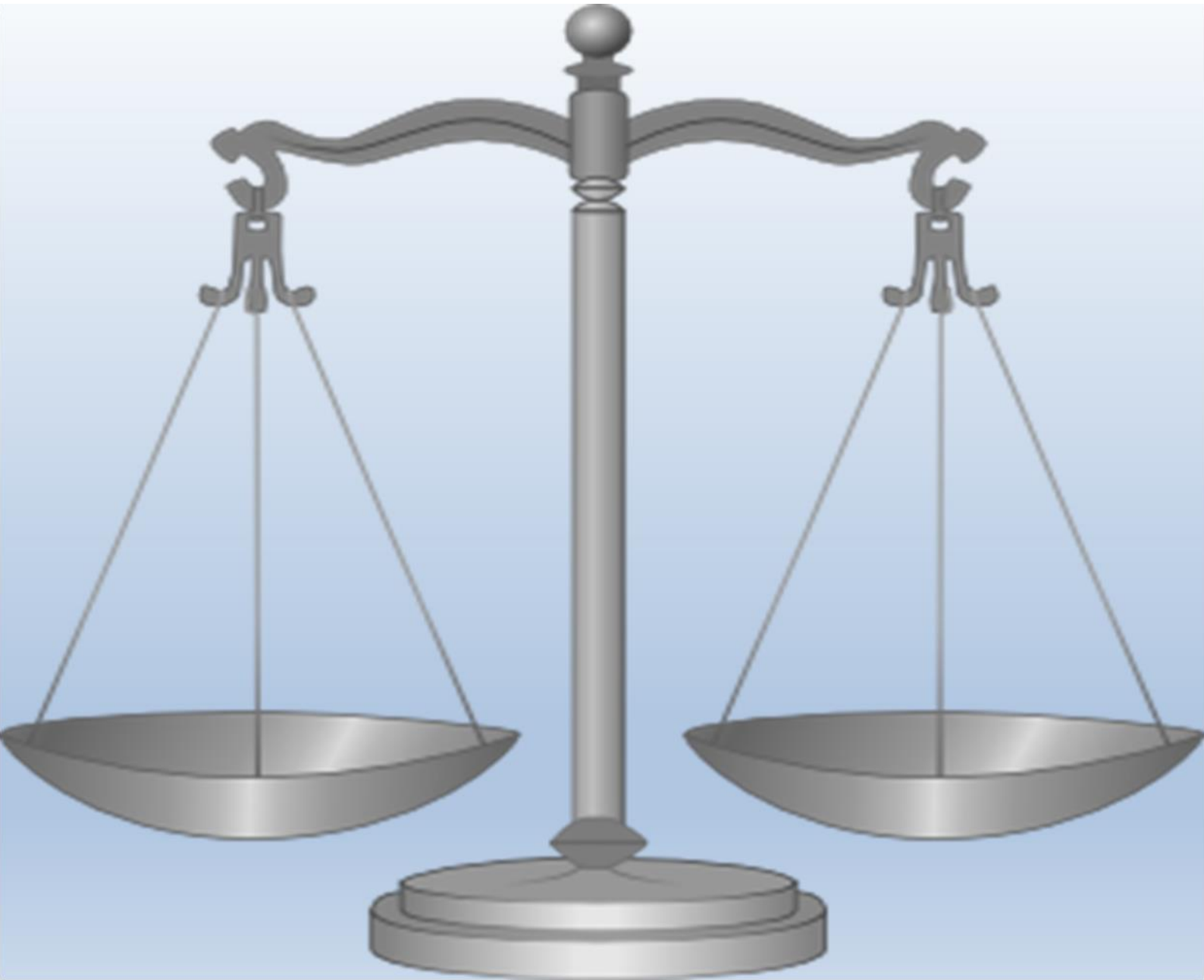




SUSSEX



# Annual Report



# Intro

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We are pleased to introduce the Sussex MAPPA Annual Report for 2016-17.

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, 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 has identified four overarching aims for this work. They are 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.

Quality audits are held each year to look at processes, adherence to MAPPA National Guidance and to ensure the effective chairing of MAPPA meetings. Where required, case reviews are undertaken by a multi-agency

panel to look at any lessons learned, recommendations and clear action plans are implemented to improve outcomes.

Professional development days are held for our MAPPA Chairs, who have the responsibility for ensuring complex discussions at MAPPA meetings concerning MAPPA eligible offenders are robust in terms of information sharing between agencies, risk assessments and devising effective risk management plans. In addition to this, a multi-agency training plan is developed each year to identify training for those staff in our agencies working with both MAPPA offenders and victims to develop knowledge and improve practice.

Our SMB continues to deliver a Business Plan each year with clear actions that include the rollout of the Active Risk Management System (ARMS), a dynamic risk assessment tool to assess registered sexual offenders under Sussex MAPPA oversight.

In the next year we will ensure rollout of the Violent and Sexual Offender Register (ViSOR) system across the National Probation Service. We will also ensure new MAPPA Guidance is adopted in Sussex when this is published in the next year.

Andrea Saunders  
Head of Sussex Probation, National Probation Service and Co-Chair Of the Surrey & Sussex MAPPA Strategic Management Board

# What is MAPPA?

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## 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 involving the higher risks of serious harm.

- **Level 1** involves ordinary agency management (i.e. managed by the lead agency with no MAPPA formal 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 is 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

## MAPPA-eligible offenders on 31 March 2017

|         | Category 1:<br>Registered sex<br>offenders | Category 2:<br>Violent<br>offenders | Category 3:<br>Other dangerous<br>offenders | Total |
|---------|--------------------------------------------|-------------------------------------|---------------------------------------------|-------|
| Level 1 | 1496                                       | 319                                 | -                                           | 1815  |
| Level 2 | 14                                         | 8                                   | 4                                           | 26    |
| Level 3 | 2                                          | 0                                   | 1                                           | 3     |
| Total   | 1512                                       | 327                                 | 5                                           | 1844  |

## MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total)

|         | Category 1:<br>Registered sex<br>offenders | Category 2:<br>Violent<br>offenders | Category 3:<br>Other dangerous<br>offenders | Total |
|---------|--------------------------------------------|-------------------------------------|---------------------------------------------|-------|
| Level 2 | 44                                         | 36                                  | 6                                           | 86    |
| Level 3 | 4                                          | 3                                   | 2                                           | 9     |
| Total   | 48                                         | 39                                  | 8                                           | 95    |

## RSOs cautioned or convicted for breach of notification requirements

42

## 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                                 | 177 |
| SHPO with foreign travel restriction | 0   |
| NOs                                  | 6   |

## 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:<br>Registered sex<br>offenders | Category 2:<br>Violent<br>offenders | Category 3:<br>Other dangerous<br>offenders | Total |
| <b>Breach of licence</b>                    |                                            |                                     |                                             |       |
| Level 2                                     | 10                                         | 5                                   | 1                                           | 16    |
| Level 3                                     | 3                                          | 0                                   | 0                                           | 3     |
| Total                                       | 13                                         | 5                                   |                                             | 19    |
| <b>Breach of SOPO</b>                       |                                            |                                     |                                             |       |
| Level 2                                     | 3                                          | -                                   | -                                           | 3     |
| Level 3                                     | 0                                          | -                                   | -                                           | 0     |
| Total                                       | 3                                          | -                                   | -                                           | 3     |

|                                                                           |     |
|---------------------------------------------------------------------------|-----|
| <b>Total number of Registered Sexual Offenders per 100,000 population</b> | 101 |
|---------------------------------------------------------------------------|-----|

This figure has been calculated using the Mid-2016 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 2017 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2016 to 31 March 2017.

**(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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## Our priorities in 2017-18 will be to:

- Deliver a Strategic Management Board Business Plan with key areas of work around national development, local initiatives and a clear training plan for staff unfamiliar with the work of MAPPA
- Ensure revised national MAPPA Guidance is rolled out across our area and promoted across all agencies involved in the management of MAPPA offenders
- Continue to provide MAPPA Chairs with both induction training and quarterly continuing personal development days to maintain high standards of chairing MAPPA meetings
- Engage with Clinical Commissioning Groups to ensure better information exchange with health practitioners in the management of our offenders
- Ensure ViSOR is rolled out further across the National Probation Service in Sussex to increase its usage

first, we noted continuing gaps in attendance at Mappa meetings by some of the DtC agencies; and second, we have become increasingly concerned about Mappa offenders in prison who are awaiting deportation and the substantial length of time it takes to process these people through the deportation system.

Despite these challenges, 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, and by the contribution of some DtC agencies who take seriously the critical importance of information-sharing and multi-agency working. Our work is significantly enhanced by the support of the highly efficient Mappa Co-ordinators and administrators, all of whom do their best to ensure that Lay Advisers can make a worthwhile contribution to Sussex Mappa.

Prof Janet Walker, September 2017.

## Lay Adviser Report 2016-7

Appointed by the Secretary of State, our voluntary role is to provide independent scrutiny and review of the effectiveness of MAPPA in its work to protect the public. During the year two new Lay Advisers were appointed on a job-share basis, to join the existing lay adviser.

In our report last year we noted the difficulties associated with the lack of probation staff access to the ViSOR system. During the year, the Sussex and Surrey Lay Advisers wrote jointly to the Secretary of State to express their concern. We have been assured that steps are being taken to remedy the situation. We also referred to significant challenges associated with the provision of suitable housing for Mappa offenders on release from prison, a concern that has increased this year especially in respect of offenders with mental health issues, physical disabilities, or a history of drug addiction.

There have been a number of other concerns we have brought to the attention of the SMB during the year:

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

National  
Probation  
Service

