



BEDFORDSHIRE MAPP



Annual Report 2016-17

Intro

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Board

The Bedfordshire MAPPAs are overseen by the MAPPAs Strategic Board which is made up of senior managers from all the agencies involved in working with dangerous offenders in the county. The Chair of the Strategic Board is shared by Police, Probation and Prison Services who make up the 'Responsible Authority' and who have the statutory duty to ensure that the arrangements for managing dangerous offenders in the county are effective.



Members of Bedfordshire's Strategic Board have always taken part in Audits of the MAPPAs processes but in the past year the audit procedures have been refined so that members can be more confident that the MAPPAs in Bedfordshire is working.

This year the main focus of the Bedfordshire Multi Agency Panels has been to improve Risk Assessment and to ensure that the Risk Management Plans produced by the panels are of the highest possible quality. These plans must both protect the public and ensure the longer term rehabilitation of individuals. The use of new technologies has also been a feature. GPS tagging has given the Panels options that were not previously available. Whilst Approved Premises still provide support and monitoring for most MAPPAs subjects, the GPS tag allows Panels to consider earlier returns to home addresses than would have been feasible without the technology. Polygraph testing is also now available and has proved extremely useful in encouraging those required to take the tests to be open with both professionals and themselves.

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 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 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 2017

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	535	198	-	733
Level 2	7	24	1	32
Level 3	2	1	4	7
Total	544	223	5	772

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	27	85	13	125
Level 3	4	6	3	13
Total	31	91	16	138

RSOs cautioned or convicted for breach of notification requirements

44

RSOs who have had their life time notification revoked on application

7

Restrictive orders for Category 1 offenders

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

SHPO	79
SHPO with foreign travel restriction	0
NOs	7

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	1	26	5	32
Level 3	2	0	1	3
Total	3	26	6	35
Breach of SOPO				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

Total number of Registered Sexual Offenders per 100,000 population	95
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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

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>

MAPPA In Bedfordshire

Bedfordshire MAPPA meets most weeks at the two largest towns in the county. There are standing members from Children's Services, Police, Mental Health and Housing who attend most meetings. Other agencies attend on a case by case basis. Most of the referrals to the panels come from Probation Officers but Mental Health Services and the Luton and Bedfordshire Youth Offending Services also make referrals.

Most cases referred to the Panels are due for release from custody within the next six months and the Panels meet to devise a comprehensive Risk Management Plan which will both protect the Public and encourage offenders to turn their lives around.

The information each agency brings to the meetings is crucial to assessing risk and the power of many agencies working together to manage identified risks is what makes it possible to have successful outcomes. Although it is acknowledged that it has been difficult to commit resources to the MAPPA it remains the case that what can be achieved by agencies working together far outweighs what they can do alone.

Some comments from SMB and Panel Members in Bedfordshire

"The Police role in Bedfordshire MAPPA is pivotal to successfully managing risk amongst dangerous offenders in the county. Having Police presence during meetings and being part of the decision making process means that decisions are balanced and fair but in the best interests of Public safety. The Police representative has live time access to pertinent information in order that the discussion group can make decisions based on fact. In addition there is a vital flow of information sharing within the MAPPA process that feeds into the wider intelligence picture. Having Police representation means that any reactive Policing response can be made in a timely and effective way. The work of the Police around MAPPA includes the creation of trigger plans, sharing of information and the protection of victims especially the vulnerable."

Jon Woodruff, Beds Police, Violent and Sex Offender Unit

"Sometimes there are legitimate reasons why an early MAPPA referral cannot be made. Usually meetings are scheduled in good time prior to the release of MAPPA subjects from Custody. However, on one occasion, the release date of an Offender I supervise was suddenly brought forward and MAPPA was able to provide a quick date for an initial meeting at short notice. A prisoners sentence can be shortened due to appeal or a Parole hearing date can be brought forward and managing such a case without MAPPA would be very difficult. These situations are rare but I have found that MAPPA can be very helpful in arranging meetings where possible or if this is not possible, then an informal discussion with the MAPPA coordinator is often useful in aiding the direction of the risk management plan and this allows me to fulfil my public protection tasks with some level of confidence.

MAPPA assisted by taking a collaborative approach to identifying a risk management plan which included an Approved Premise(AP) placement. Further input from other agencies at the initial MAPPA meeting, such as the victims unit, allowed me to locate an AP within the local area. I was particularly keen to keep this offender locally because he needed to access local services in his home area and be close to his family who were very supportive towards him. One of my main concerns having to put together a risk management plan without much time was that I would not be able to keep this offender close to home and the services that he needed. The MAPPA meeting was able to negotiate a place for him at the local Approved Premises. I was also able to make use of the newly available GPS monitoring condition which was a key element in the risk management plan. Addition of this condition means that I am able to know if an offender wearing the GPS tag is going into the exclusion zone which was imposed. This means that all the agencies at the MAPPA meeting and the Parole Board can be confident that whilst I have supported local release, the offender is not able to go into exclusion zone where there might be vulnerable victims.

I generally find that in the MAPPA meetings we can adopt an approach which brings together restrictive measures and rehabilitative factors with successful liaison between agencies that adds to my risk management plan and means that all the agencies involved in a case can see what we are trying to achieve with a particular person. I also find that when we get to the point when we can finish meeting on a case we are able to see what we have achieved both by containing offenders and by encouraging them to change and led better lives. "

Mudassar Hussain, National Probation Service, Bedfordshire

Some success stories:

"I, or a representative of the Safeguarding & Quality Assurance Team, attend the MAPPAs regularly on behalf of Luton Family Services. Our service provides information about any children who may be at risk related to offenders, or any young people who may pose a risk and are being discussed at MAPPAs. We are also able to signpost if there are concerns about a risk to a child in another area, and give advice and information about social care statutory duties and functions and access to services. We have a wide knowledge and experience of safeguarding in respect of children and vulnerable adults and contribute to the identification and assessment of levels of risk that offenders may pose, and to the safety plan to manage the risks.

Siobhan Williams, Luton Children's Services, Safeguarding & QA Manager

"I have taken part in two audits and a total of five cases in the past year. The process has improved between the two audits with the new form providing a better reflection and assessment of the process. While the process is a bit tick boxy it does enable all aspects of the case management process to be considered. In general cases are well managed with good evidence of partnership working and risk assessments. The audit process, with the multi-agency participation, does also enable a comparison of approaches to case management practice and risk assessment that is useful to share."

Patrick Odling-Smee, Service Director of Housing, Luton Borough Council

Case Study One:

Mr G had received a lengthy custodial sentence for sexual offences against adult females. He had completed courses in custody he maintained that he no longer had violent fantasies about sexual encounters with women. His offences had been triggered by a series of violent thoughts which he then proceeded to act out in real life situations which he had manufactured to be able to play out his desires. He was released to an Approved Premise and among the extensive conditions he had imposed was the condition to take a Polygraph test. He appeared to be managing well on his release but all agencies involved in the panel meetings were skeptical that he was admitting the full nature of his thoughts. On the Panel's advice he was asked to remain in the Approved Premise for a longer period than had originally been planned and when he took the Polygraph test he was asked if he had violent sexual thoughts about women. He failed the Polygraph test and initially would not admit why he had failed. Eventually his Probation Officer was able to get him to admit that he continued to have these thoughts and that he began to admit that he had to be open and honest with the professionals he worked with as this was the best way to ensure that he did not act on these thoughts. Mr G has now been allowed to move into his own address where he is able to openly discuss his thinking with his Probation Officer and to date there has been no further offending..

Case Study two:

Mr. D was referred early to MAPPAs in Bedfordshire because on his last release from custody he had re-offended very quickly and been recalled to custody. Whilst his further offending was not the most serious there were concerns that he was unlikely to remain in the community for very long on his next release and could be dangerous should his needs not be met. Mr. D had a history of mental illness and of drug use. His diagnosis had varied but had mainly been one of drug induced Psychosis which was not treatable. When the panel met on his case there were no obvious solutions available given his current diagnosis. The panel was able to work closely with mental health services locally and those based in the prison and eventually a dual diagnosis was made where there were considered to be both mental health and drug issues. He was sentenced for the further offences and made subject to a Hospital Order and he is now in Hospital where his needs are being appropriately met and from where he will not be discharged until doctors are convinced that he is well enough to function in the community.

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