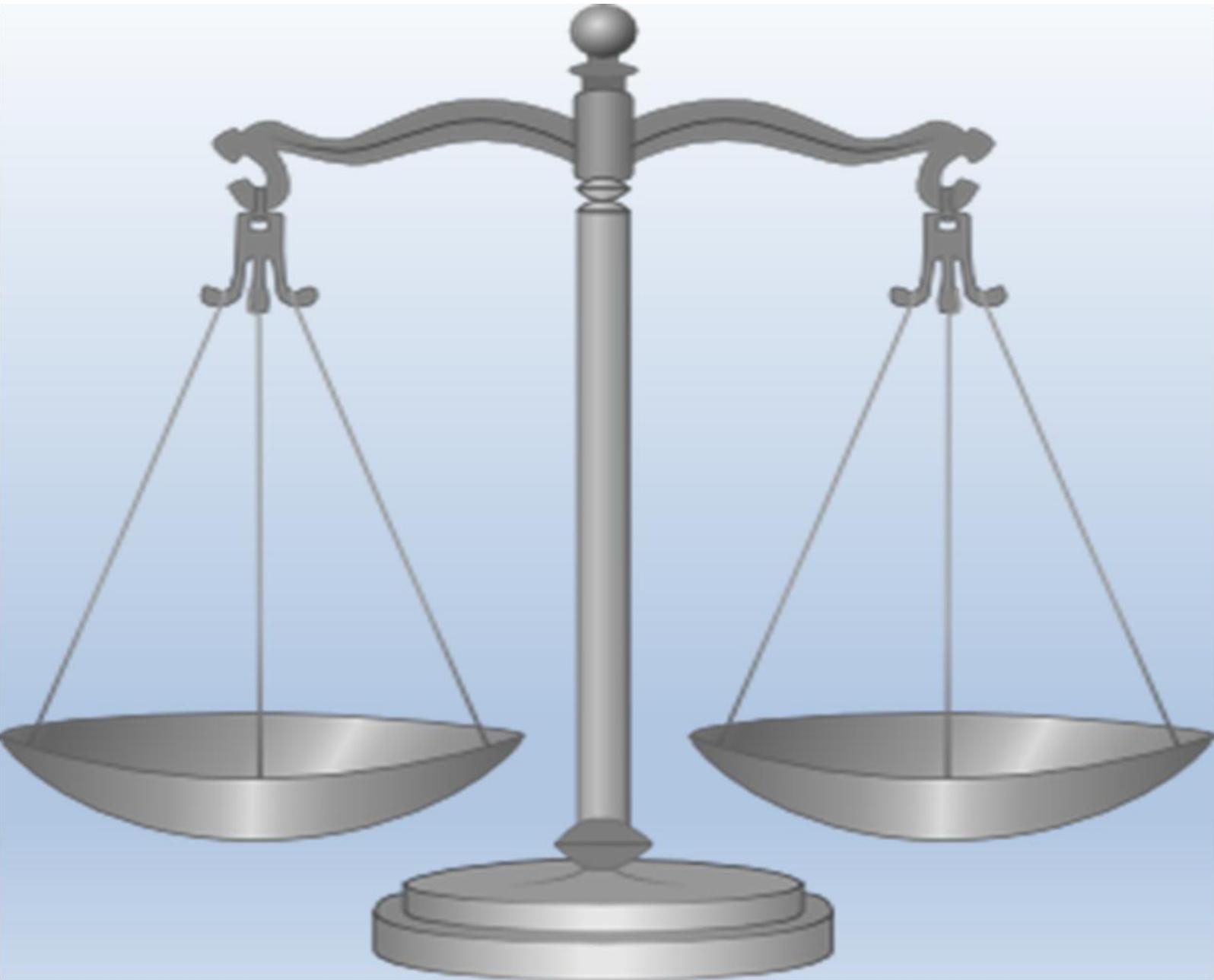




DURHAM MAPP



Annual Report 2016-2017

Intro

This report brings together the agencies across County Durham and Darlington who work in partnership to manage offenders posing the highest risk of harm to our communities. Tackling and reducing the risk that violent and dangerous offender pose is a key priority for all agencies engaged in the world of public protection and is the collective responsibility of all.

This report outlines the progress and developments within the last year, and highlights the successes across the partner agencies in managing public protection issues.

The strength of the partnership between the prison, police and probation has continued to grow in County Durham and Darlington, and additional resources have been secured to assist in managing the risk that offenders pose to our communities.

The findings of this report reflect consistently effective and robust partnership working arrangements which have continued to thrive in spite of the current economic climate and the financial pressures that the public sector currently faces.

Public protection is firmly on the agenda for all partner agencies and will continue to be so in the future.

This report also incorporates a contribution from agencies which have a duty to co-operate with the partners.



**Maureen Gavin –
Head of Area**
National Probation Service – Durham
Area



**Michael Barton –
Chief Constable –**
Durham Constabulary



**Paul Foweather
Deputy Director -**
HMP North East

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 | 651 | 188 | - | 839 |
| Level 2 | 18 | 8 | 33 | 59 |
| Level 3 | 0 | 0 | 0 | 0 |
| Total | 669 | 196 | 33 | 898 |

| 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 | 17 | 22 | 33 | 72 |
| Level 3 | 0 | 0 | 0 | 0 |
| Total | 17 | 22 | 33 | 72 |

| | |
|--|----|
| RSOs cautioned or convicted for breach of notification requirements | 14 |
|--|----|

| | |
|--|----|
| RSOs who have had their life time notification revoked on application | 10 |
|--|----|

| Restrictive orders for Category 1 offenders | |
|---|----|
| SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts | |
| SHPO | 60 |
| SHPO with foreign travel restriction | 0 |
| NOs | 0 |

| | |
|---|---|
| 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 | 2 | 10 | 2 | 14 |
| Level 3 | 0 | 0 | 0 | 0 |
| Total | 2 | 10 | 2 | 14 |
| Breach of SOPO | | | | |
| Level 2 | 1 | - | - | 1 |
| Level 3 | 0 | - | - | 0 |
| Total | 1 | - | - | 1 |

| | |
|---|-----|
| Total number of Registered Sexual Offenders per 100,000 population | 120 |
|---|-----|

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>



DURHAM MAPPA

Covering County Durham and Darlington

Paul Oldham MAPPA Coordinator - Durham and Darlington

Multi Agency Public Protection Arrangements, (MAPPA), in Durham and Darlington continues to be delivered by extremely experienced and dedicated staff drawn from the Police, Prison and Probation Service.

Key changes in the way MAPPA nominals are managed was rolled out in 2017. This has not only included inter agency management of MAPPA Level 1, Category 2 offenders and Level 2, Category 2 offenders, but also non convicted individuals whose involvement in concerning patterns of behaviour have attracted intensive agency oversight.

Innovative in its approach to Offender Management, Durham and Darlington MAPPA continues to develop effective ways of utilising public money to protect the public from serious harm. A clear commitment to ensuring the allocation of scarce resources is both considered, cost effective and demonstrates value for money.

By effectively obtaining, deploying, utilising and managing resources to achieve the desired performance outcomes, Durham and Darlington MAPPA has achieved a pronounced increase in its operational effectiveness, efficiency and performance. This has been achieved through the introduction of;

- (1) **More efficient MAPPA administrative processes and procedures**
- (2) **Increased MAPPA application of LSCB Safeguarding procedures**
- (3) **Enhancement of existing IT systems**
- (4) **Identified Police SPOCS with management responsibility for a particular cohort of MAPPA Offender**
- (5) **Effective partnership working between MAPPA and MARAC**
- (6) **Development of Potentially Dangerous Persons management arrangement**

Revision of offender MAPPA status from Level 2 to Level 1 is informed by evidence of effective multi agency risk management planning, strong agency / offender engagement, positive offender compliance and, changes in offender protective factors that are conducive to the maintenance of an offending free lifestyle.

Durham and Darlington MAPPA remains committed to working closely with stakeholders and partners. This approach will not only ensure MAPPA continues to raise its profile amongst statutory and non statutory agencies but will also go some way towards inspiring Public confidence in the work that MAPPA undertakes.

Durham and Darlington MAPPA places a premium on **what is required, to what standard and, how our operation will deliver against those standards..**

MAPPA Performance

Regular audits will monitor our performance. Audit exercise will doubtless highlight positive achievements in addition to areas of our operation requiring further development. Durham and Darlington MAPPA is committed to implementing audit findings as a prerequisite to ensuring our MAPPA operation, (*in terms of protecting the public from serious harm*), remains **fit for purpose**.

Active Risk Management System ARMS

Active Risk Management System, (ARMS) constitutes the foremost assessment tool employed by both Probation and Police to assess convicted sex offender. Durham and Darlington MAPPA has been instrumental in supporting the efforts of operational staff to deliver high quality ARMS assessments.

In addition to Active Risk Management System, both the Police and Probation continue to develop high levels of expertise and knowledge and, have been trained to administer and interpret a range of risk assessment tools.

The drive to innovate and promote new ways of working is a reflection of the priority that both the Police and Probation Service collectively place on MAPPA as a high risk area of business.

The introduction of the Sex Harm Prevention Order (SHPO) and Sexual Risk Order (SRO), (SOPO) which are routinely requested at the point of sentence now allows for additional Risk Management Measures to be put in place to manage the offender and, by way of restriction of movement and exclusion from a geographical area where the offender might seek to target a new victim. Evidence suggests that the numbers of SHPO continues to rise. Compliance with

SHPO is robustly managed by the Police, with immediate action being taken when breaches occur

Durham and Darlington MAPPA will continue to perform an active role in promoting the collaborative partnership working between Police and Probation in order to further promote ARMS assessment.

MAPPA and Durham Constabulary - Operation Artemis

Durham Constabulary continues to work closely with MAPPA to protect the public. In February 2017 Durham Constabulary launched Operation Artemis, a team which identifies and manages prolific and dangerous offenders who are not currently managed in MAPPA, but who pose a risk to the community.

The unit is proactive when identifying risk and have been successful in obtaining preventative orders such as Sexual Risk Order which prohibits the offender from certain conditions ie to not have contact with children under 18 years.

Sexual Risk Order orders are essential when managing offenders who are not being managed by statutory agencies. Breach of an SRO is a criminal offence.

Educating partners re. Operation Artemis has resulted in an increase in the number of Potentially dangerous Person referrals to MAPPA.

In March 2017 Operation Artemis also took over the management of all Violent offenders from Neighbourhood Policing teams. This has resulted in Durham Constabulary's Public Protection unit now managing all MAPPA Level 2 offenders both Violent and sexual offenders.

MAPPA and Her Majesty's Prison Service NE

The excellent support from our partners in the Prison Service ensures that offenders leaving custody and who pose the greatest risk to public safety will be subject to robust Risk Management provided by MAPPA.

Phillip Husband, Deputy Governor – HMP Durham says;

There continues to be an excellent and strong support network between the Prison Service and the Local community. The subsuming of County Durham Prisons, HMP Durham and HMP Deerbolt into a wider Tees and Wear Reform Prison group early in 2017 has contributed to further ensuring that men who leave prison have been appropriately risk managed throughout their time in custody, and upon release are subject to stringent and robust safeguarding procedures.

It is a key priority for Ian Blakeman, the Director of the Tees and Wear Reform Prisons to continue with the

commitment to ensuring the MAPPA process operates effectively.

Public Protection – North East Region

Sarah Mainwaring – Head of Public Protection in the NE, has made clear her commitment to MAPPA.

As the current Head of Public Protection in the NE Division of NPS, I would like to take this opportunity to say thank you for being part of your local MAPPA.

The MAPPA are fundamental to the effective protection of the public, management of offenders and the support of victims. This is not a task any of us can take on alone. MAPPA is composed of experienced and specialist Police and Probation staff working comprehensively to be the single point of contact for all cooperating agencies, Prisons, Youth Offending Services, Job Centres, Education, Housing and Health Services. Together we can share significant information, provide advice and training to the agencies managing the risk posed by the most serious and complex offenders.

Key developments relating to MAPPA that I will oversee in the next 12 months are. Ensuring any MAPPA level 3 offenders have the appropriate input from the NE NPS Division Psychologist, Karen Saxby. Implement a consistent job description for MAPPA Managers via the Strategic MAPPA Boards. Embedding the new CSE definition in NPS practice and that offender managers are confident in working with this group of offenders. Ensuring the continuous improvements of the 20 Approved Premises (Hostels) in the NE Division and maximising the usage of the 328 bed spaces we have available. Effective identification and management of extremist offenders in the NE Division. Implementation and oversight of the new NE wide contract for Circles of Support.

Thank you again for your continued commitment to MAPPA and to the MAPPA staff for there professionalism and hard work.

I look forward to working with you over the next 12 months.

Durham and Darlington MAPPA Panels and Report Template

Launched in October 2016. The move to Panel and Report Template system confirmed Durham and Darlington MAPPA's willingness to embrace innovation and change. MAPPA Coordinator was able to confirm to Strategic Managers at SMB in July that there had been 100% agency attendance at MAPPA for the previous quarter.

Though extremely welcomed there is no room for complacency. Durham and Darlington MAPPA will continue to evolve in order to further promote excellence in its own operation.

Durham and Darlington Strategic Management Board Development Day Event

Durham and Darlington Strategic Management Board Members will be taking part in a Development Day event scheduled for the 19th October 2017. Activities that have been organised for the occasion includes sign-off of revised 'Plan on a Page' for Business plan 2018 / 19, Case Studies and SMB members role play of an initial MAPPA.

The Development Day is intended to provide SMB Members with an opportunity to familiarise themselves with the Risk Management dilemmas and challenges commonly associated with offenders subject to MAPPA agency oversight.

Durham and Darlington MAPPA Training Events

Durham and Darlington MAPPA is determined to promote multi disciplinary staff development and training. The intention is to equip operational staff with the necessary skills to effectively manage those individuals who pose the most serious risk to public safety.

Throughout the year the MAPPA Coordinator has been busy revisiting partner agencies and stakeholders and, with the aim of further raising awareness of MAPPA in County Durham and Darlington. 5 MAPPA briefings are scheduled to take place during September and October 2017.

MAPPA briefings are principally aimed at all agencies who work with or support individuals who have the potential to cause serious harm to others. This covers a wide range of agencies including Police, Prison, Probation Service, Health, Children and Adult safeguarding Services, Education, Housing, Employment service (including Job Centre Plus), Youth Offending Teams and electronic monitoring services.

The key aim of MAPPA briefings is one of providing a general introduction to the '**Principles, Purpose and Procedures**' of MAPPA.

MAPPA training scheduled for 2017 will place additional emphasis on

- (1) **MAPPA Referral Process**
- (2) **Agency roles and responsibilities in relation to safeguarding and the MAPPA process.**

Staff development and training constitutes a key MAPPA Business Plan objective for 2018 – 2019.

Durham and Darlington MAPPA and Primary Care

Through close partnership working with CCG and, over a 14 month period, MAPPA was able to overcome GP resistance to share patient information with MAPPA. Close collaborative working culminated in the

establishment of a formal information sharing Protocol between MAPPA and Primary Care. The document clearly defined what information will be shared, who it will be shared with, when it will be shared, timescales, Governance arrangements in addition to accountability and security considerations.

Sue Nuttall from Durham CCG commented;

The CCG is committed to support collaborative working across Primary Care and MAPPA and remains an active participant of the Strategic Management Board and, is represented by the Designated Nurse for Safeguarding Adults.

As part of this collaborative approach a training session for Safeguarding Lead GP's delivered in October 2016 reflected the purpose of MAPPA. The session included lessons learned from a recent MAPPA Serious Case review.

The CCG has worked with Primary Care and MAPPA in the development of an information sharing process that allows exchange of information between Primary Care and MAPPA. This newly developed process has been piloted across Durham and Darlington since October 2016 and is currently being evaluated.

MAPPA and Ageing Offender Initiative.

MAPPA ageing Offender initiative is actively addressing the chronic shortage of available placements for ageing offenders released from custody. This was the finding of research commissioned by Durham Constabulary and undertaken by Durham University.

Research findings also highlighted concerning patterns and trends in the assessment pathway intended to identify and meet the complexed care and support needs of ageing offenders.

Durham and Darlington Strategic Management Board established a working group to action the findings raised by Durham University research. Working group achievements so far includes

- (1) **Multi agency commitment to drive ageing offender initiative forward**
- (2) **Group Remit and Composition agreed**
- (3) **Terms of Reference agreed**
- (4) **Agency Memorandum of Understanding**
- (5) **Work Plan detailing key Milestones**
- (6) **Cost / Resource implication of the proposed action plan**
- (7) **Agency area of Responsibility**
- (8) **Proposed Timescales**
- (9) **Outcomes.**
- (10) **Register of Accommodation providers**

There is quiet optimism among working group members that a revised pathway to meeting ageing offender care, support and criminogenic needs in the Durham / Darlington area could be realised in the first quarter of 2018.

All MAPPA reports from England and Wales are published online at:
www.gov.uk



National
Probation
Service

