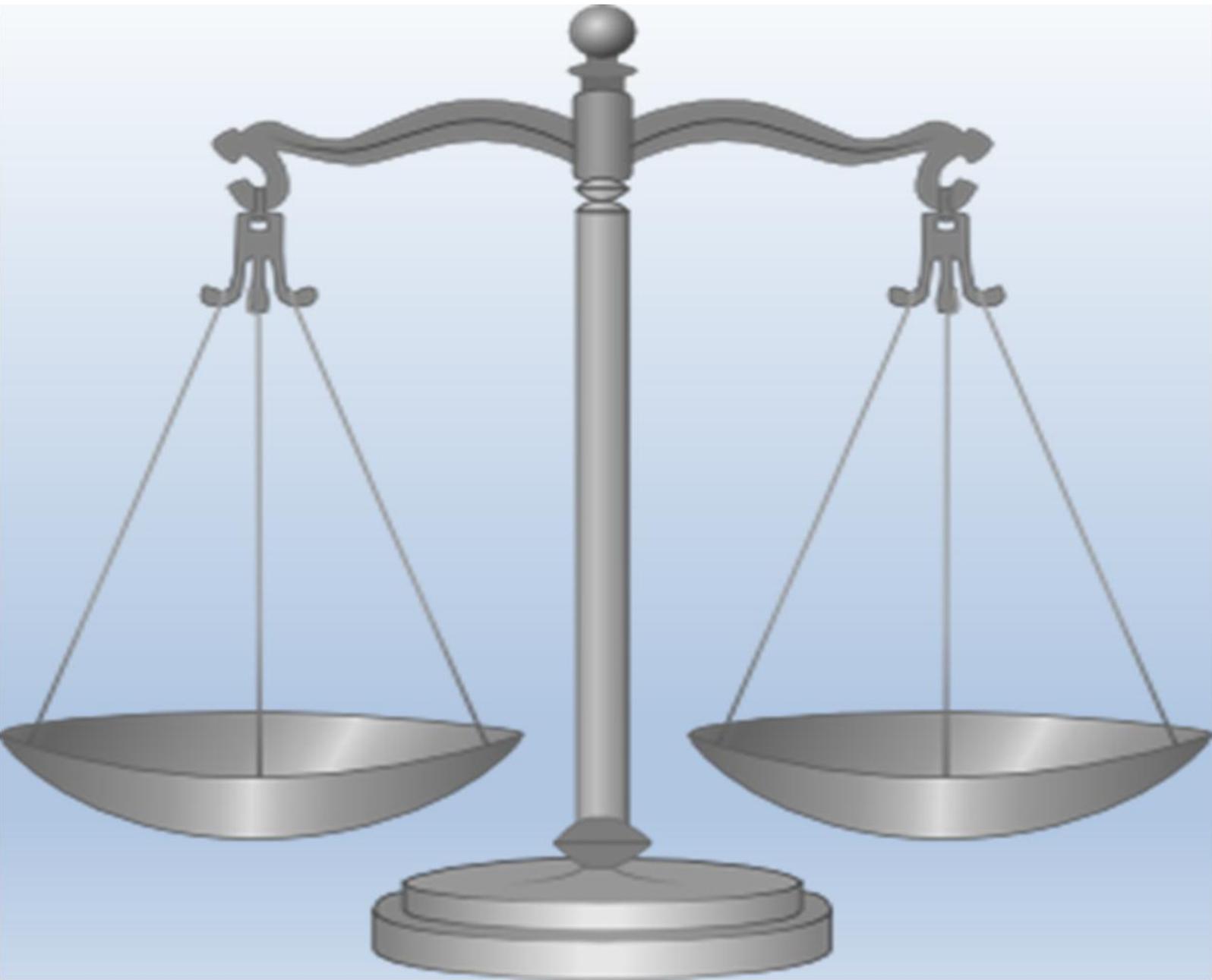




LEICESTER, LEICESTERSHIRE AND RUTLAND



Annual Report 2016-2017

Introduction

We are pleased to introduce the 16th annual report of the Multi-Agency Public Protection Arrangements (MAPPA) in Leicester, Leicestershire and Rutland (LLR), which reviews the work we have undertaken to protect the public and make our communities safer.

Protecting the public from serious harm continues to remain one of our highest priorities.

During the year 2016-2017, we have continued to work with other agencies to assess and manage the potential risk of MAPPA registered offenders. MAPPA in LLR has continued to incorporate the Four Pillars approach in Level 2 and Level 3 meetings and has offered its support to other areas wishing to adopt the Four Pillars.

Back in November 2014, LLR was one of the six MAPPA areas inspected by HMIP and HMIC. The report was released in October 2015 and MAPPA in LLR was highlighted as an area of good practice in a number of disciplines. Since the Inspection, steps have been taken to improve on particular areas of work, and in the main, for our region, this has been to encourage and support the Prisons and Probation Service in their use of ViSOR. Much of this work continues and in a recent meeting we considered our current position and progress.

MAPPA in LLR has continued to demonstrate high performance over the twelve months, meeting all but one of the key performance indicators. Attendance at Level 2 and level 3 meetings is excellent and generally stands at 100%. The MAPPA coordination unit works hard to ensure that the right people from the right agencies attend these meetings, and this contributes to the effectiveness of MAPPA in our area.

The majority of offenders continue to be managed at level 1, with the critical few managed at the higher levels, meaning that the resources continue to be focused where the risk is. This is the sixth consecutive year that there has **not** been a MAPPA serious further offence committed by an offender managed at level 2 or 3.

Despite significant financial constraints continuing to be imposed upon agencies, the allocation of resources to MAPPA has been maintained. The performance and quality of work undertaken by staff involved in MAPPA has demonstrated that we continue to do a difficult job very well.

The findings of this report reflect the excellent working partnerships that exist locally and illustrates the processes we use and our responsibilities in managing the risks posed by potentially violent and sexual offenders.

The Responsible Authority SMB Members:



Roger Bannister, Deputy Chief Constable,
Leicestershire Police,
SMB Chair

Carolyn Maclean, Head of NPS, Leicester,
Leicestershire and Rutland, SMB Deputy Chair

Ralph Lubkowski, Deputy Governor Leicester Prison,
HM Prison Service

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	894	334	-	1228
Level 2	1	2	1	4
Level 3	1	0	0	1
Total	896	336	1	1233

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	4	5	1	10
Level 3	1	0	1	2
Total	5	5	2	12

RSOs cautioned or convicted for breach of notification requirements	23
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RSOs who have had their life time notification revoked on application	6
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	103
SHPO with foreign travel restriction	0
NOs	3

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	2	1	1	4
Level 3	1	0	0	1
Total	3	1	1	5
Breach of SOPO2				
Level 2	2	-	-	2
Level 3	0	-	-	0
Total	2	-	-	2

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>

Local page

In Leicester, Leicestershire and Rutland, the Police, National Probation Service and Prison Service continue to work closely together as the Responsible Authority for MAPPA. The Responsible Authority is supported by those organisations that have a duty to cooperate with MAPPA. The role that these agencies play is integral to the success of MAPPA in helping protect the public from harm. Communication, cooperation and collaboration continues to be excellent, and we benefit from a committed core panel membership from the Police, National Probation Service, Prison Service, Housing, Children's Services, Adult Services and Forensic Mental Health.

The majority of offenders are managed at level 1. The decision on management at level 2 or level 3 remains via our local single referral system. Working closely with the Integrated Offender Management team (IOM) ensures that referrals are considered contemporaneously for both MAPPA and IOM management. A single referral panel sits weekly, and comprises representatives from Police IOM and Probation. Following a recent review of IOM, the referral process has been streamlined and has ensured consistency of practice through the introduction of a single chair, the MAPPA manager.

The 2015-2016 annual report highlighted that Leicestershire Police had worked closely with the Probation Service to assist Probation offender managers in their use of ARMS (Active Risk Management System), a dynamic tool for the assessment of registered sex offenders. A year on and ARMS is now standard Probation practice. It has enhanced joint working between offender managers and police MOSOVO (Management of Sexual Offenders and Violent Offenders) colleagues and provides a single framework for working with registered sex offenders.

A ViSOR administrator has been in post within the MAPPA coordination unit since September 2016. This has improved the Probation Service's use of ViSOR, enhancing information sharing within the Responsible Authority. In the next year, the Probation Service will see further developments in this area, providing training and necessary IT to enable all offender managers to directly input information onto ViSOR.

MAPPA continues to deliver training to all agencies who have a commitment to work with MAPPA. Training is offered for up to 30 people, every two months, by trainers from the Police, Mental Health and Probation Service. Where required, additional bespoke training can be offered.

Overall, it has been another successful year for Leicester, Leicestershire and Rutland MAPPA. We continue to manage the majority of our offenders at the lowest level possible, ensuring that resources are focused towards the critical few who are managed at the higher levels. Excellent partnership working through MAPPA has contributed effectively to the management of those offenders who have the potential to cause a high risk of harm.

Useful Links

Leicestershire, Leicester and Rutland MAPPA

0116 248 6606

mappa@leicestershire.pnn.police.uk

www.mappa.justice.gov.uk

Leicestershire Police

101

www.leic.police.uk

Her Majesty's Prison Service

www.justice.gov.uk

National Probation Service

0300 047 6325

www.gov.uk/government/organisations/national-probation-service

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www.gov.uk

National
Probation
Service

