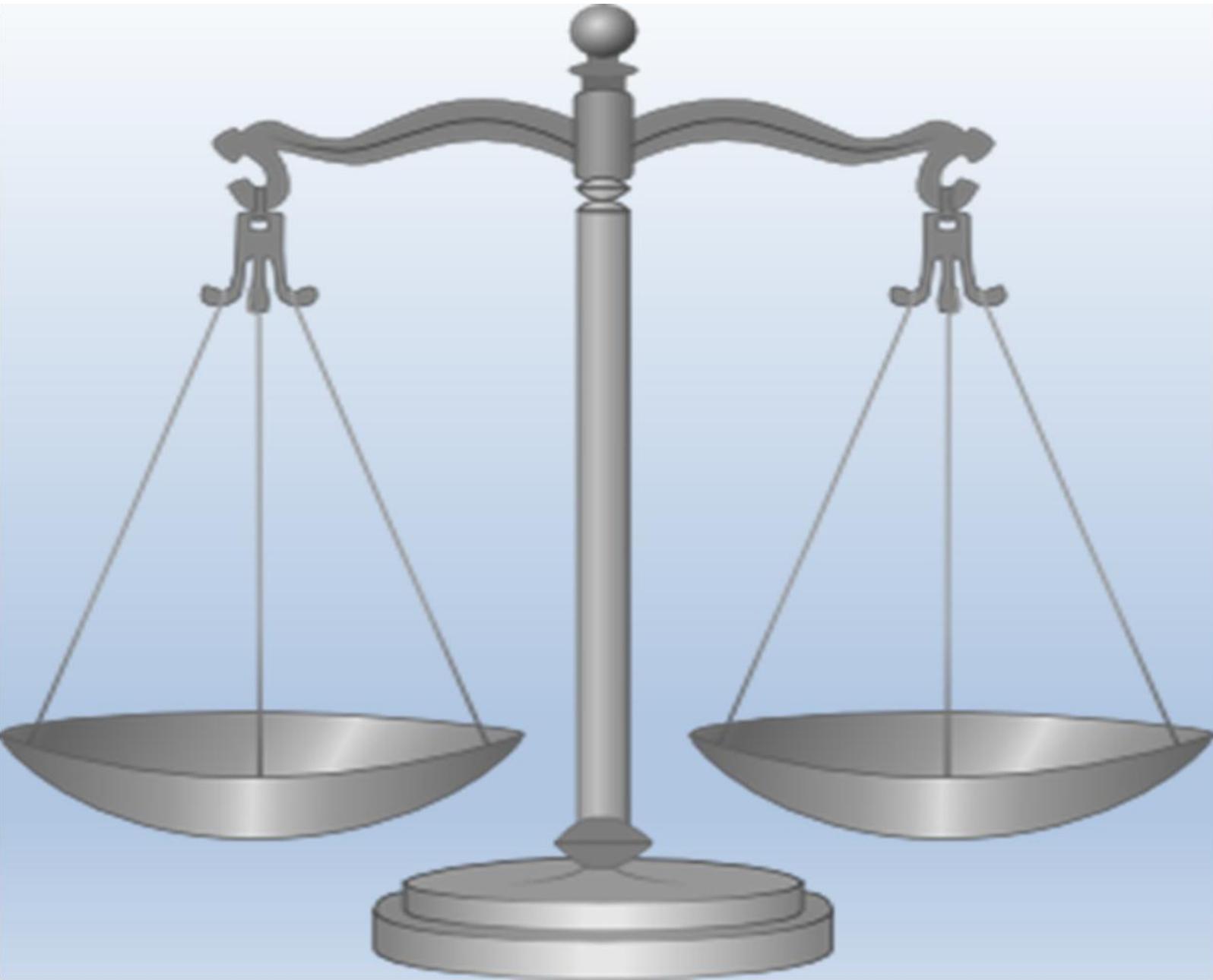




# WARWICKSHIRE



## Annual Report

# Working together for safer communities

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## Introduction

I am pleased to introduce our Multi Agency Public Protection Arrangements Annual Report for 2016 – 2017. We hope that it provides a digestible overview of our efforts to effectively manage risk within our communities.

## The Strategic Management Board

The Warwickshire MAPPA Strategic Management Board (SMB) allows all Responsible Authority and Duty-to-Cooperate agencies to meet in order to share effective practice and facilitate the continued development of all agencies.

## Key agencies and developments

The National Probation Service (NPS) manage all MAPPA eligible and high risk adult offenders subject to supervision, while similarly, the Youth Justice Service are the lead agency for those under 18 years of age. The National Probation Service, Police, Youth Justice Service, Mental Health and Prison Service all play crucial roles for relevant MAPPA cases, depending on the nature of the order or sentence imposed at Court.

Warwickshire Police continue to offer an innovative approach to offender management, allocating resources to prioritise offenders with identified concerns relating to key areas, including: domestic abuse, serious acquisitive offending, organised crime groups, sexual offending and other prolific and priority offenders.

Child safeguarding and protecting adults at risk are key priorities for all agencies contributing to local Multi Agency Public Protection Arrangements here in Warwickshire. We therefore ensure that a holistic approach is taken to effectively respond to the risks posed by MAPPA eligible offenders within our area. Children's Services and Adult Social Care representatives provide crucial expert advice to all agencies.

Polygraph Testing continues to be used for relevant sexual offenders supervised by the

National Probation Service, and is known colloquially as a "lie detector". Polygraph Testing allows scope to test out an offender's reliability of response to questions pertinent to how they are managing their own risk. This provides a useful additional licence requirement for the management of relevant offenders.

## MAPPA audit

Each October, we conduct a multi-agency audit, involving systematic assessment of the paperwork used to assess and manage MAPPA offenders. This year's audit report is currently being prepared, however the early feedback is promising and the general consensus remains that agencies are formulating robust risk management plans while striving to continue to improve. By regularly scrutinising our practice, we can ensure we maintain our high standards.

## Looking forward

As IT systems are updated within The National Probation Service and the Police, we will see significant changes taking place over the forthcoming year: exciting developments with VISOR, a secure information-sharing tool, are currently underway. VISOR is used for the management of MAPPA offenders, with a new national model expected to be implemented early in 2018. In particular, this will further consolidate the close working arrangements of the key MAPPA agencies. We are also expecting new Housing legislation later this year, which we will review accordingly within our SMB Sub-Group.

While the risk of serious harm posed by MAPPA offenders cannot ever be eliminated entirely, we are extremely proud of the professionalism of all the contributing MAPPA agencies in Warwickshire.

**Richard Moore**

**Warwickshire Police  
Assistant Chief Constable and Chair of the  
MAPPA Strategic Management Board.**

# Key achievements

**Multi- Agency Public Protection Arrangements underpin the management of risk posed by the most serious sexual and violent offenders, both those currently in prison and those residing in the community. In 2016-17, Warwickshire MAPPA has:**

- Provided effective MAPPA co-ordination and management – by ensuring continuity in the chairing of meetings and in the quality and consistency of information exchange.
- Demonstrated the effectiveness of the work of Warwickshire MAPPA - by performance monitoring and audit.
- Promoted the use of ViSOR by the Responsible Authorities across Warwickshire.
- Delivered a training plan to ensure staff understand the MAPPA process and their procedures and to share and promote good practice.
- Complied with MAPPA Guidance to achieve public protection and enhanced safeguarding of children and vulnerable adults.
- Promoted communication, awareness and understanding of the work of MAPPA to increase public confidence.
- Maintained effective links with key strategic partnerships such as: the Local Children's Safeguarding Board, the Multi Agency Risk Assessment Conference, the Local Criminal Justice Board, Vulnerable Adult Boards and Community Safety Partnerships.
- Supported our Lay Advisor, who is an informed observer and acts as a 'critical friend' to the professionals engaged in MAPPA work.

# What is MAPPA?

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

# MAPPA Statistics

<b>MAPPA-eligible offenders on 31 March 2017 (in the community)</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	439	116	-	555
Level 2	4	2	3	9
Level 3	0	0	0	0
<b>Total</b>	<b>443</b>	<b>118</b>	<b>3</b>	<b>564</b>

<b>MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total) (in the community)</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	3	2	3	8
Level 3	0	0	0	0
<b>Total</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>8</b>

<b>RSOs cautioned or convicted for breach of notification requirements</b>	<b>26</b>
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<b>RSOs who have had their life time notification revoked on application</b>	<b>2</b>
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<b>Restrictive orders for Category 1 offenders</b>	
<b>SHPOs, SHPOs with foreign travel restriction &amp; NOs imposed by the courts</b>	
SHPO	58
SHPO with foreign travel restriction	0
NOs	0

<b>Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)</b>	<b>0</b>
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<b>Level 2 and 3 offenders returned to custody</b>				
	<b>Category 1: Registered sex offenders</b>	<b>Category 2: Violent offenders</b>	<b>Category 3: Other dangerous offenders</b>	<b>Total</b>
<b>Breach of licence</b>				
Level 2	1	1	2	4
Level 3	0	0	0	0
Total	1	1	2	4
<b>Breach of SOPO / SHPO</b>				
Level 2	1	-	-	1
Level 3	0	-	-	0
Total	1	-	-	1

<b>Total number of Registered Sexual Offenders per 100,000 population</b>	90
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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

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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>

# Proactive risk management throughout the sentence

The statistics provided on pages 5 and 6 include details for MAPPA offenders managed at Level 2 or 3 in the community throughout 2016-17. However, as MAPPA Guidance asserts the need for effective planning *throughout an offender's sentence*, the Warwickshire Strategic Management Board has decided to provide further statistics for offenders discussed at Level 2 or 3 within the same period while in custody. We feel that this highlights the proactive stance taken by MAPPA agencies and is therefore a helpful reflection of the work undertaken in our area. For clarity's sake we have not counted those who were subsequently managed at Level 2 or 3 in the community, where applicable. A total has also been provided, taking into account both the numbers of offenders in Levels 2 and 3 in the community and those in custody. In the financial year 2016-17, 5 MAPPA Level 3 meetings and 55 Level 2 meetings were held, all of which were chaired by the Warwickshire MAPPA Coordinator.

<b>MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total) (in custody / secure hospital)</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	5	2	2	9
Level 3	0	1	0	1
Total	5	3	2	10

<b>MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total) (both in the community and in custody)</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	8	4	5	17
Level 3	0	1	0	1
Total	8	5	5	18

# Victim Liaison Information

The Victim Liaison Unit (VLU) plays a vital role within MAPPAs. In relevant cases, Victim Liaison Officers will offer support and guidance to victims, and feed back appropriate information to MAPPAs agencies. This helps to ensure that, regardless of MAPPAs level, the victim remains at the forefront of the MAPPAs process. If the victim, or next-of-kin, has taken up the offer of the victim contact scheme, then the relevant Victim Liaison Officer (VLO) will attend all Level 2 and 3 MAPPAs panels as their representative.

MAPPAs is seen as invaluable to the VLU in providing resources to assist with safeguarding victims from the risk of serious further harm; MAPPAs discussions can offer innovative solutions to seemingly unsolvable problems. Inter-agency liaison via MAPPAs ensures that the risk posed to victims (and potentially to offenders) is shared by a wide network and enhances victim safeguarding through multi-disciplinary agency action and awareness-raising.

Victims are informed about the offender's involvement in MAPPAs and this can offer a sense of security - that the offender is being managed using all available resources and that all agencies are aware of the risks and can act accordingly. MAPPAs is seen by victims as a positive part of the offender management process, where their concerns are listened to and where all agencies work together to reduce the offender's capacity and motivation to re-offend. The 'victim safety' section of the Four Pillars model ensures that a detailed and practical approach is taken at all MAPPAs panels, in order to ensure that a comprehensive plan is in place for every victim.

## Lay Advisor comments

Warwickshire MAPPAs has improved the quality of its meetings and decision making using the '4 Pillars' approach to risk management devised by Professor Hazel Kemshall of De Montfort University. Every meeting adheres to a rigorous agenda, ensuring the risks posed by the offender are thoroughly reviewed, and the measures needed to safeguard all known or potential victims evaluated.

The Offender Rehabilitation Act 2014 ensures that every offender, aged 18 or over and sentenced to more than a day's imprisonment, is given support and oversight for a minimum of 12 months following their release from prison. For some, this will involve adherence to a prison licence, with recall to custody a potential consequence of non-compliance. For others, such as those sentenced to under 24 months imprisonment, this support is provided under Post Sentence Supervision (PSS). While PSS can be crucial to an individual's efforts to desist from offending, the legislation can create challenges for agencies seeking to protect the public as effectively as possible within the available statutory framework. This represents an ongoing area of concern for agencies within Warwickshire, as finding an appropriate balance between offering support to, and restricting the freedoms of, those sent to prison for serious violent and sexual offences can be a complex task.

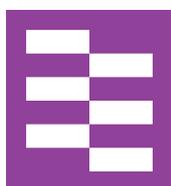
As an interested and informed observer of MAPPAs, I am happy to offer constructive criticism and pose questions in order to help improve the arrangements. I regularly attend MAPPAs meetings and also participated in this year's audit. As a result, I remain confident that all Warwickshire agencies are motivated to maintain consistently high standards, in order to both rehabilitate offenders and to protect the public as effectively as possible.

**Paul Wells – Lay Advisor.**

All MAPPA reports from England and Wales are published online at:

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

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