

NORTH STRATHCLYDE

Multi Agency Public Protection Arrangements

Annual Report 2010/2011

CONTENTS

Introduction

The National picture

Section 1: Key Principles of MAPPA

Section 2: Strategic management of MAPPA

Section 3: Responsible authorities

Section 4: Statistical data

Section 5: Future developments within NSCJA

Section 6: Glossary of terms

North Strathclyde MAPPA Annual Report 2010

Introduction - by MAPPA Strategy Group Chair

I am pleased to introduce the fourth MAPPA Annual Report for the North Strathclyde Community Justice Authority (NSCJA) area which highlights the work of the Strategy and Working Groups, as well as demonstrating the continued, committed hard work by individuals within agencies responsible for MAPPA across the area.

This report examines the work undertaken within the NSCJA area regarding the management of registered sex offenders and mentally disordered offenders who are subject to restriction.

Protecting vulnerable individuals in our communities is of paramount importance to the responsible authorities and duty to co-operate agencies who participate in the management of offenders within MAPPA in a strong spirit of partnership working.

The Strategy Group [Strategic Oversight Group – SOG] continues to meet three-monthly to monitor and evaluate the implementation of MAPPA and comprises senior representatives from Councils, NSCJA, Scottish Prison Service, housing providers, NHS Greater Glasgow & Clyde and NHS Highland.

In the Annual Report 2009-10 the impact of the national recommendations of the multi-agency inspection of *'Assessing and managing offenders who present a high risk of serious harm'* on the future direction of MAPPA was noted. In the past year Local Authority Criminal Justice Social Work services undertook a wide ranging and comprehensive self evaluation exercise supported by the Social Work Inspectorate. The resultant performance improvement plans address a number of issues of direct relevance to the effectiveness of MAPPA.

The MAPPA Operational Group – MOG is developing improved performance management reporting and improvement systems to monitor the quality and effectiveness of MAPPA. This information will assist us to target limited resources where they are most needed and where they will be most effective in managing the risk to our communities.

I hope that you find this report informative and helpful regarding how agencies have been working together to manage high risk offenders, as well as setting out our objectives for 2011-12.

H Anne Ritchie
Chair
MAPPA Strategic Oversight Group (NSCJA)

THE NATIONAL PICTURE:

Background

Multi Agency Public Protection Arrangements (MAPPA) were introduced in 2007 following implementation of the Management of Offenders (Scotland) Act 2005 Sections 10 and 11. The Act places statutory obligations on responsible authorities to co-operate in respect of Registered Sex Offenders and Restricted Patients. At a date yet to be determined MAPPA may be extended to cover persons convicted of serious violent offences.

Responsible Authorities

Local Authorities

Police

Scottish Prison Service

Health, in relation to mentally disordered offenders. (See below re Restricted Patients)

MAPPA applies to and introduces several key concepts,

- ❖ It is a model of organising information and creating and reviewing risk management plans within the above legislative framework. MAPPA identifies “responsible authorities” that will be nominated lead agencies responsible for a particular offender in custody, the community or in hospital.
- ❖ MAPPA also introduces a “duty to co-operate” for a range of agencies whose involvement is defined within a memorandum of understanding. These include the Scottish Children’s Reporter Administration, Registered Social Landlords, Job Centre Plus and may include voluntary organisations should they be involved in risk management arrangements.
- ❖ MAPPA applies to offenders subject to notification requirements under Part 2 of the Sex Offenders Act 2003. (Registered Sex Offenders) and persons suffering from a mental disorder and subject to restriction under Sections 57 or 59 of the Criminal Procedures (Scotland) Act 1995 or Section 136 of the Mental Health (Care and Treatment) (Scotland) Act 2003.

Key principles of MAPPA

Identify those who pose a risk

Share relevant information about them

Assess the nature and extent of that risk

Find ways to manage the risk effectively

Protect victims and seek to reduce harm

Make the public aware of the process and improve public confidence

Future National Developments

Future/recent developments include the establishment of a national MAPPA oversight group, the implementation of revised national MAPPA guidance and the review and update of the National Accommodation Strategy for Sex Offenders.

Further information in relation to MAPPA can be found on the Scottish government website <https://www.scotland.gov.uk/Topics/justice/public-safety/offender-management/protection>

Role of the Co-ordinator

The Co-ordinator acts on behalf of the responsible authorities within the NSCJA Area and has a gate-keeping, co-ordinating and facilitating role, ensuring that notifications and referrals are dealt with timeously and efficiently by the relevant responsible authorities and duty to co-operate agencies. In practical terms this involves receiving notifications and referrals, ensuring that referral criteria are met and that initial meetings and subsequent reviews are held on schedule. The Co-ordinator has an important role in ensuring the consistency and quality of work undertaken within the MAPPA process.

AREA SUMMARY

This report refers to Multi Agency Public Protection Arrangements within the North Strathclyde Community Justice Authority (NSCJA) area. This comprises the local authorities; Argyle & Bute, East Dunbartonshire, Inverclyde, East Renfrewshire, Renfrewshire and West Dunbartonshire.

NSCJA is one of eight CJAs established across Scotland under the terms of the Management of Offenders (Scotland) Act 2005 for the purpose of reducing re-offending, improving the management of offenders and making our communities safer.

The functions of the CJA

Prepare a plan for reducing re-offending.

CJAs monitor the performance of appropriate local authorities and the Scottish Prison Service in cooperating with each other and others including the CJA in implementing the area plan.

Promote good practice in terms of the management of offenders

Report annually to Scottish ministers

The NSCJA Chief Officer reports to the CJA board comprising elected members from the constituent local authorities.

The NSCJA area encompasses an area of 7,678 square kilometres and embraces an extraordinary range of social, economic and geographic diversity. The total population (estimated: 2009) is 625,960.

Key Stages of the MAPPA Process

Identification: An offender is identified by the relevant Responsible Authority as falling within the remit of MAPPA.

Notification: The relevant Responsible Authority will forward a notification to the MAPPA Co-ordinator.

Thereafter, if the Responsible Authority decides that the offender poses a serious risk of harm to the community and requires multi agency management a formal **referral** is made to the MAPPA Co-ordinator.

MAPPA Meetings: MAPPA Meetings are held regularly within each of the local authorities and are chaired by a Senior Police Officer or Social Work Manager.

Risk Management

The approach to risk management is based upon the principle that cases should be managed at the lowest level consistent with providing a defensible risk management plan. Decisions regarding risk management plans are based on evidence from all relevant agencies or sources, the use of reliable assessment tools approved by the Risk Management Authority and must be capable of responding to changing levels of risk.

The above is supported by a consistent approach to the recording and sharing of information between agencies.

Levels of Risk Management and Risk Assessment

The level at which a case is managed is subject to regular review and may change (up or down) depending on factors indicating a greater or lesser likelihood of re-offending. Decisions regarding the nature and level of risk are informed and supported by the application of risk assessment tools approved by the Risk Management Authority.

The use of approved risk assessment tools is limited to those staff (Police, Health, SPS and Social Work) that have been trained and approved in their use.

The strategic management of MAPPA

In 2010/11 the local authorities within NSCJA produced a MAPPA business plan. Four strategic objectives are addressed in the Business Plan.

To promote public awareness and confidence in the MAPPA arrangements within NSCJA

To contribute to public protection

To have informed and effective personnel across all agencies which support the MAPPA arrangements within NSCJA

To deliver MAPPA arrangements which are of good quality and value for money

The strategic direction and monitoring of the MAPPA process is achieved by means of a well established governance process overseen by the Strategic Operational Group (SOG). The SOG meets on a quarterly basis and is chaired by a local authority Chief Social Work Officer with representation from senior levels within the responsible authorities and the duty to co-operate agencies. Any emergent issues formally requiring comment/input from Governmental sources are progressed via the chair of the SOG.

The SOG is supported by the MAPPA operational group (MOG) who report to the SOG and address operational issues and other emergent issues in terms of effectiveness of the process. The MOG comprises managers from the responsible authorities and the MAPPA co-ordinator.

Responsible Authorities

Responsible Authorities work closely together and make their own specific contributions to MAPPA and CJA objectives.

Local authorities

Criminal Justice Social Work (CJSW) lead on the supervision of offenders who are subject to community sentences or post custodial licences and provide offence focussed interventions to address offending behaviour. CJSW work very closely with the Police Offender Management Unit (OMU) to risk assess and manage offenders and chair initial and review MAPPA meetings where offenders are subject to statutory supervision.

CJSW work in partnership with other local authority services such as Children & Families, Community Care, Addictions, Mental Health, Education and Housing.

Local Authority Housing Sex Offender Liaison Officers (SOLOs) perform a major role in the MAPPA process in terms of the identification of appropriate housing stock for the placement of offenders in the community.

The role of Housing Services is often critical. All partners acknowledge the importance of stable housing in respect of risk management plans and the role this can play in reducing the risk of re-offending. Environmental scanning, is undertaken whereby responsible authorities share information for the purpose of assessing and managing the risks that a sex offender under MAPPA may pose by living in a particular community location and property..

Police

The Police work with partners across the criminal justice system to improve levels of public safety. The Police have a lead role in the MAPPA process with CJSW and in addition have responsibility for investigating and reporting criminal offences.

Public protection is the key priority for the Police. In addition to their management of offender duties, the Police under the auspices of the Chief Constable deal with matters of Disclosure when the rights of the offender are balanced against the risk posed to the public based on a test of proportionality and necessity (see below re Disclosure). The Police are also responsible for the application process in respect of Sexual Offences Prevention Orders (SOPOs; see appendix 1; Glossary) which can be a valuable tool in the management of offenders. Police also chair MAPPA meetings and co-ordinate the process of reviewing indefinite (life) registration.

Health

Health has a significant role to play within MAPPA dealing with offenders who have health issues. NSCJA is served by both NHS Greater Glasgow and NHS Highland (Argyll & Bute).

All patients subject to restriction under the terms of the Criminal Procedure (Scotland) Act 1995 or the Mental Health Care and Treatment (Scotland) Act 2003 are managed within a formal multi-disciplinary Care Programme Approach (CPA) and are subject to MAPPA in order to ensure that the management arrangements take account of public protection.

Health are represented on the governance groups (SOG and MOG) and their involvement includes:

Chairing all restricted patient MAPPA meetings

Providing a single point of contact for information relating to general health matters on all new and ongoing cases.

Providing a source of reference for clarification of health information as it relates to particular patients.

Notification of safety alerts and establishing appropriate links with MAPPA in respect of the interaction between patients and the community.

Involving partners in the Care Programme Approach (CPA) process re Restricted Patients

Scottish Prison Service (SPS)

SPS is responsible for carrying out risk and needs assessments to assist in determining the management of prisoners during sentence and in preparation for release and on release. This includes notification and referral to the MAPPA Co-ordinator. Sex offenders serving custodial sentences are subject to a process of sentence planning - Integrated Case Management (ICM). This establishes joint arrangements for assessing and managing the risk posed by sex offenders, including, vitally, the sharing of information with community based agencies in respect of consideration of home leave undertaken during sentence as well as preparing for release.

Victims

The protection of specific victims or potential victims is central to risk management plans. It is acknowledged that the impact on victims of sexual crime is significant and may be life-long.

Key areas where Responsible Authorities consider victims include:-

Having representation from Victim Support Scotland at the NSCJA operational group (MOG)

Considering the location of victims when considering offenders' accommodation

Having victim issues formally raised at all MAPPA meetings and particularly at times of initial referral and allocation of housing

Considering the matter of information provision to victims when offenders are being released or allowed time in the community as a support to the Victim Notification Scheme

Consulting Victim Support Scotland regarding risk management plans

Victim Support Scotland and other voluntary agencies offer practical and emotional support to victims and survivors of sexual and other crimes throughout NSCJA.

Disclosure

Formal disclosure relates to circumstances in which all other avenues have been explored and the Chief Constable has no other option than to authorise a disclosure. If permission to disclose is granted, the extent and precise details of the information to be disclosed is clearly defined.

In certain circumstances, offenders are supported and encouraged to self disclose to appropriate individuals or groups. In such cases the Police and/or CJSW check to ensure that an appropriate disclosure has been made and where required, undertake follow up work with the person or group to whom disclosure has been made.

Where there is a risk to specific children or vulnerable adults, action may be taken by SW services under the terms child/adult protection procedures. The recently introduced Keeping Children Safe initiative provides a formal route for concerned individuals to raise concerns regarding persons with access to specific children.

4 The Statistical Information

This section is required to be included in the MAPPA Annual Reports as per The [Management of Offenders etc \(Scotland\) Act 2005](#), Section 11 (3) (a) and (b).

***Unless stated the statistics recorded are for the reporting period 1st April to 31st March 2011.**

Table 1: Statistical information

REGISTERED SEX OFFENDERS (RSOs)	NUMBER
a) Number of Registered Sex Offenders*	
I. Per 100,000 of the population on 31 st March 2011:	35.79
II. At liberty and living in the NSCJA area on 31 st March 2011 :	224
b) The number of RSOs having a notification requirement who:	
I. Complied with notification requirements:	207
II. Were reported for breaches of the requirements to notify:	17
c) The number of "wanted" RSOs on 31st March:	1
d) The number of "missing" RSOs on 31st March:	1

Note: the Wanted /Missing figure refers to the same (1) individual

Table 2: Statistical information*. This table shows Civil Orders applied and granted in relation to RSOs

The Number of	Applied for by Police	Granted by the courts
Sexual Offences Prevention Orders (SOPOs)		6
Risk of Sexual Harm Orders (RSHOs)		
SOPOs imposed by courts at time of conviction:	N/A	
Interim SOPOs		
Interim RSHOs		
Full RSHOs		
Foreign Travel Orders (FTOs)		
Notification Orders (NOs)		1

Table 3: Statistical Information*

REGISTERED SEX OFFENDERS (RSOs)	Total number of offenders*
a) Number of RSOs managed by MAPPA Category	266
I. Level 1 – Ordinary Risk Management:	183
II. Level 2 – Multi-agency Risk Management:	79
III. Level 3 – MAPPP:	4
b) Number of Registered Sex Offenders convicted of a further crime of sexual harm or non sexual violence:	
I. MAPPA Level 1:	1
II. MAPPA Level 2:	
III. MAPPP Level 3:	
c) Number of RSOs returned to custody for a breach of statutory conditions (including those returned to custody because of a conviction of further crime of sexual harm or non sexual violence:	5
d) Number of RSOs returned to custody for a breach of SOPO:	2
e) Number of RSOs returned to custody for a breach of FTO:	0
f) Number of RSOs returned to custody for a breach of RSHO:	0
g) Breached their statutory conditions but were not returned to custody:	17
h) Were subject to formal disclosure:	0

Level three offenders are the critical few who require the involvement of senior managers due to the high risk involved and the complexity of the situation which may require an enhanced and /or immediate resource commitment.

The level one figure includes all offenders who have been notified to the MAPPA Coordinator by the responsible authorities and who have not been managed at either level two or three between the periods 1 April 2010 and 31 March 2011. The level two figure includes those offenders who have not been managed at level three at any point between 1st April and 31st March.

Table 4: Statistical Information*

RESTRICTED PATIENTS (RPs):	total
a) Number of RPs:	
I. Living in the NSCJA area on 31 st March 2011:	29
II. During the reporting year:	16
b) Number of RPs per order:	
I. CORO:	26
II. HD:	0
III. TTD:	3
c) Number within hospital/community:	
I. State Hospital:	10
II. Other hospital no suspension of detention (SUS):	6
III. Other hospital with unescorted SUS:	11
IV. Community (Conditional Discharge):	2
d) Number managed by category between 1 April and 31 March	29
Level 1 – ordinary agency risk management:	11
Level 2 – multi-agency risk:	5
Level 3 – MAPPP:	0
e) Number of RPs convicted of a further crime of sexual harm or non sexual violence:	
I. MAPPA Level 1:	0
II. MAPPA Level 2:	0
III. MAPPP Level 3:	0
f) No of RPs on Suspension of detention:	
I. who did not abscond or offend:	6
II. who absconded:	0
III. who absconded and then offended:	0
IV. where absconsion resulted in withdrawal of suspension of detention:	0
g) No. of RPs on Conditional Discharge:	
I. who did not breach conditions, not recalled or did not offend:	1
II. who breached conditions (resulting in letter from the Scottish Government)	1
recalled by Scottish Ministers due to breaching conditions:	2

recalled by Scottish Ministers for other reasons:	0
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The number of Restricted Patients being managed through MAPPA has shown a slight increase since 2008/09, the first year in which Restricted Patients were included in MAPPA.

Table 5: Delineation of RSOs by age on 31st March 2011

Age	RSO Number	RSO %
Under 18	0	0
18-21	4	1.78%
22-31	38	16.96%
32-41	44	19.64%
42-51	63	28.12%
52-61	29	12.94%
62-71	34	15.17%
72-81	11	4.91%
82-91	1	0.44%

The above table illustrates that those subject to MAPPA represent the full age range. It is important to note that this refers to current age and not the age of when the offence was committed.

Table 6: Delineation of population of RSOs on 31st March 2011

Sex	RSO Number	RSO Percentage %
Male	223	99.56%
Female	1	0.44%

Table 7: Delineation of RSOs by ethnicity on 31st March 2011.

Ethnic Origin	RSO Number	RSO Percentage %
Asian or Asian British Any other Asian	4	1.78%
Asian or Asian British Bangladeshi		
Asian or Asian British Indian		
Asian or Asian British Pakistani	1	0.44%
Black or Black British African		
Black or Black British Any Other Black Background	1	0.44%

Black or Black British Caribbean	3	1.33%
Chinese or Other Ethnic Group Chinese		
Chinese or Other Ethnic Group Other		
Mixed Other		
Mixed White and Asian		
Mixed White and Black African		
Mixed White and Black Caribbean		
Not Known		
Subject Declines to define Ethnicity		
Subject Does Not Understand		
White British	213	95.08%
White Irish	1	0.44%
White Other	1	0.44%

The the range of ethnicity is proportionate to that of the general population.

Table 8: Number of RSOs managed under statutory conditions and/or notification requirements on 31st March 2011

Number of RSO's	Number	Percentage %
On Statutory supervision:	89	39.73%
Subject to notification requirements only:	135	60.26%

Table 9: Delineation of RSO victims:

No. of RSO's:	Number	Percentage %
Convicted of a notifiable offence against a child under 16 years:	144	63.43%
Convicted of a notifiable offence against a victim over 16 years:	83	36.56%

The figures for offences include contact and non contact offences,

Comment on statistics for the reporting period

The number of registered sex offenders subject to MAPPA has reduced slightly (5%).

These offenders are managed via the multi-agency process in an efficient, effective and robust manner which is clearly reflected by the comparatively small number of civil orders applied for and the relatively low number of offenders who have either been wanted or missing for short periods of time.

Similarly, there were a small number reported for being in breach of notification/supervisory requirement. When any of those who are monitored within the authority are subject to additional civil orders or requirements, all agencies share relevant information to ensure that the conditions required are managed robustly.

Future developments within NSCJA.

MAPPA has now been in existence since 2006. It is therefore an appropriate time to reflect on the experience of implementation and consolidation; current and forthcoming activities include:

Progress the NSCJA MAPPA Business plan

Develop quality assurance measures

Assessment of the Community Disclosure scheme as it impacts on resources within the CJA

Commitment to ongoing formal presentation to Child protection and Vulnerable adult committees to explain and discuss MAPPA developments.

Undertake briefings to elected members to ensure that the good work being undertaken is appropriately presented and to increase awareness.

Provide information and training opportunities to those professionals involved in the MAPPA process through formal training events.

Contribute to the process of strategic oversight in terms of the National MAPPA forum

Prepare for the implementation of the revised MAPPA guidance document.

Implement communication strategy for responsible authorities and Duty to Cooperate agencies

Appendix 1 Glossary of Terms

Absconded (regarding RPs) - abscond is defined as an occasion when a restricted patient is absent without authority.

Care Programme Approach (CPA) - a process for organising the multi-disciplinary care and treatment of patients with mental health problems. Regular review meetings are held where needs are identified and plans put in place to meet these needs. Risk assessment and risk management are an integral part of this process. .

CJSW: Criminal Justice Social Work.

Custodial Sentence - Short Term Prisoner: custodial sentence less than 4 years imprisonment. Long Term Prisoner: custodial sentence over 4 years.

Formal Disclosure - if a decision is made to formally disclose, then a letter of disclosure will be drafted on behalf of the Deputy or Assistant Chief Constable of the relevant Police Force. This letter should be served by the police personally on the person to whom the disclosure is to be made. The disclosure should be limited to the information necessary to minimise the risk. Officers serving this letter should ensure that they do not disclose any further information other than what is stipulated in the letter. Although no further information should be disclosed, advice and guidance on how the individual should respond to the information in order to protect themselves or others and in particular whether any further action. This procedure will only be advanced as a last resort and will be completed in consultation with partner agencies.

Notifiable Offence - if someone is convicted of a sex offence they become known as a notifiable sex offender. They must provide or 'notify' the police with certain information about themselves at agreed points in time and for an agreed number of years (in some cases for life). This is what is commonly referred to as being on the Sex Offender Register.

Restricted Patient (RP) - This is an offender defined under the Management of Offenders etc (Scotland) Act 2005 Section 10, (11 (a) to (d)).

Registered Sex Offender (RSO) - This is an offender convicted of an offence specified in the Sexual Offences Act 2003 and therefore subject to the notification requirements of this act.

Risk of Sexual Harm Order (RSHO) - place restrictions on someone who is behaving in such a way which suggests that they pose a risk of sexual harm to a particular child or to children generally. The person's behaviour need not constitute a criminal offence, and s/he need not have any previous convictions.

Sexual Offences Prevention Order (SOPO) - a court may make a SOPO at the time of dealing with certain sexual offenders or when the police make a special application on account of the offender's behaviour in the community. A SOPO will require the subject to register as a sexual offender and can include conditions, for example to prevent the offender loitering near schools or playgrounds. If the offender fails to comply with (i.e. breaches) the requirements of the order, he can be taken back to court and may be liable to up to 5 years' imprisonment.

Statutory Supervision - includes Life Licence, Parole Licence, Non Parole Licence, Extended Sentence Order, Order for Lifelong Restriction, Short term Sex Offender Licence, Probation Order, Community Service Order.

TTD - Transfer for Treatment Direction. A procedure under the Mental Health (Care and Treatment) (Scotland) Act 2003 Act which allows a sentenced prisoner with a mental disorder to be transferred to a psychiatric hospital for treatment. If the patient no longer requires treatment in hospital then they can go back to prison to serve the rest of their sentence. If they remain in hospital at the end of the prison sentence then they must be released or if they need to be detained in hospital, then an application is made for a CTO. While a patient is on a TTD they are a restricted patient.

ViSOR - Violent and Sex Offenders Register. ViSOR provides a central database, accessible across the UK, of violent and sexual offenders managed within the Multi Agency Public Protection Arrangements (MAPPAs). It also contains details of other persons who may not have a conviction for a violent or sexual offence, or indeed any criminal offence, but are assessed as posing a risk of serious harm to the public.