



Report

Report to:	Lanarkshire Community Justice Authority
Date of Meeting:	2 December 2011
Report by:	MAPPA Co-ordinator

Subject:	Multi-Agency Public Protection Arrangements (MAPPA) Annual Report 2010-2011
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1. Purpose of Report

1.1 The purpose of this report is to:-

- ◆ provide a briefing for those members of Lanarkshire Community Justice Authority on the completed Annual Report of the Multi Agency Public Protection Arrangements (MAPPA) for 2010/11 within Lanarkshire Community Justice Authority (LCJA) area.

2. Recommendation(s)

2.1 The members are asked to note the report.

3. Background

3.1 Sections 10 and 11 of the Management of Offenders etc (Scotland) Act 2005 provide the statutory basis for the operation of MAPPA. MAPPA in itself is not a statutory development but a means of the Local Authorities, Police, Health Boards and Scottish Prison Services to *"jointly establish arrangements for the assessment and the management of risks posed by certain categories of offenders"*.

3.2 By identifying future developments that will be faced and highlighting improvements made in the last year, the preparation and publication of the Annual Report is an important part of the strategic arrangements for the MAPPA and provides a transparent mechanism for raising public awareness and understanding of public protection issues. The analysis of information allows MAPPA performance to be assessed and validated and appropriate action to be taken.

3.3 MAPPA processes are now embedded into practice and the information sharing between the Responsible Agencies and Duty to co-operate agencies is well established in the Lanarkshire CJA area. This contributes to improving risk assessments, management plans and contingency plans. Within Lanarkshire, the relationships developed through this process continue beyond the formal meetings resulting in a flexible approach to the management of cases, responding appropriately and promptly to situations as they arise.

4. Summary of Annual Report

4.1 The Lanarkshire MAPPA Annual Report was formally published on 9 September 2011. For the first time this report was published on the Lanarkshire CJA website, with a national statistical document published on the Scottish Government website

on the same day. This is published at www.scotland.gov.uk/mappaannualreport2011

- 4.2 The report reflects work done within the local area within the reporting period and to address challenges faced. Some key areas highlighted are detailed below.
- 4.3 During the reporting year for the annual report (April 2010 – March 2011), 417 individuals were managed in the Lanarkshire CJA area under the MAPPA arrangements. Of these, five registered sex offenders (RSO's) were convicted of a further sexual or violent offence, 1.2% of the total managed through MAPPA. Whilst the number of offenders subject to MAPPA who are convicted of a further offence remains low, public and media interest remains in this area of offending.
- 4.4 The total number of offenders being managed continues to increase year on year. In 2009/10 there were 343 offenders managed throughout the reporting year. In 2010/11, this figure was 417 for that period. This includes all offenders managed, including those in custody, and those who ended their registration requirement in that period.
- 4.5 Within the reporting period, 14 RSO's were reported for a breach of their requirement to notify.

Revised Governance Structure

In the past, the governance structures in Lanarkshire have been commended for their effectiveness. In a continuous process of ensuring the structures and processes remained appropriate or could be further improved, the MAPPA Steering Group, after a multi agency review session, agreed that a Lanarkshire MAPPA - Strategic Oversight Group was to be established. The primary aim of the Group is to shape the effective discharge and review of MAPPA activity through strategic oversight and performance review of the local arrangements.

Under this group now sits an Inter Agency Operational Group, which is responsible for delivering the operational arrangements for MAPPA for the Lanarkshire CJA area.

The Management of Violent, Sexual and Dangerous Offenders in the Community: A Joint Protocol

A revised protocol for managing sex offenders was introduced across the North and South Lanarkshire areas in 2010/11. This protocol was tailored to each area to best fit the local structures. A number of events and new policy directions by the Scottish Government meant that earlier protocol arrangements put in place had to be revised to reflect and accommodate the changing face of high-risk offender management in the community.

Minimum standards for MAPPA one offenders

The majority of MAPPA offenders are managed at Level one. As a result, a minimum standards document was developed to achieve further consistency of approach across the CJA and allow for increased scrutiny of risk management of level one offenders. The published MAPPA Guidance provides very little direction in terms of what is required for MAPPA level one cases. As a result the protocol addresses this issue by developing procedures including administration and notification standards, appropriate chairing and attendance and meeting regularity. Auditable minutes, meeting protocols, auditable referral processes and emergency procedures for MAPPA level one meetings have also been established.

Information security

The security of information within MAPPA continues to be a priority for all agencies and staff involved. All agencies within Lanarkshire MAPPA undertook security reviews in the reporting period, and several improvements were made to the agency processes. All staff continue to be briefed of the importance of confidentiality and any breaches of this will continue to be treated most seriously.

National Accommodation Strategy for Sex Offenders (NASSO).

Stable housing is central to the successful management of sex offenders in the community. Both North and South Lanarkshire Councils have worked closely together to align practice and procedures, particularly in relation to the development of operational protocols with Registered Social Landlord (RSLs) for the housing of high risk offenders. Both local authorities work to ensure that housing providers understand that part of their role in housing sex offenders is to enable public protection to be maximised.

Housing providers and other stakeholders have actively been involved in consultation as part of a continuous improvement process. The Councils monitor the effectiveness of the protocol within the framework of continuous improvement and review annually.

Future work plan 2011/12

While all agencies involved in MAPPA require to prioritise their resources, it is important to recognise that there are no shortcuts in managing those offenders subject to MAPPA. Indeed, public, local and national expectations continue to increase.

Several challenges will be faced in the upcoming year, and Lanarkshire MAPPA is committed to address the challenges faced by the following:

- *Sexual Offences Act 2003 (Remedial) (Scotland) Order 2010.*
Lanarkshire MAPPA and agencies will require to fully implement the ruling of the UK Supreme Court on the matter of indefinite sex offender registration.
- *Keeping Children Safe - Community Disclosure*
Lanarkshire MAPPA is committed to ensuring this important and challenging addition to offender management is used effectively and its use will be monitored throughout 2011/12.
- *Risk Register*
Lanarkshire MAPPA will develop and continuously review the MAPPA Risk Register to ensure effective use of resources and that threats identified are managed effectively. Determining which actions will be undertaken by partners to manage these risks, will allow multi-agency scrutiny and consideration of what is being done to effectively establish, and govern, the MAPPA arrangements.
- *Resources and resilience*
All agencies in MAPPA are working under significant pressures from resource cuts and expenditure reviews. With the number of MAPPA offenders increasing, and resources diminishing, all agencies are challenged to continue to review and work innovatively to manage the increasing risk to the public.

- *Demographic change*
Lanarkshire MAPPA will review implications of an increasing elderly population and managing the balance between risk posed and community care needs of those managed under MAPPA.
- *Implementation of best practice*
Lanarkshire MAPPA will work directly with other MAPPA and CJA areas to share best practice, and ensure appropriate engagement with all agencies working with MAPPA offenders. Agencies will also build on effective information sharing between the three strands of public protection and further develop multi-agency approaches to protect the public.
- *Continuous learning and review*
Agencies will commit to continue to review processes and implement learning from national serious case reviews and subsequent findings, notably for those managed at MAPPA level one.

MAPPA locally has resulted in a network of trained and experienced staff that are aware of each others responsibilities and priorities, which has facilitated joint working and information sharing.

All agencies involved within MAPPA across the Lanarkshire CJA area realise that risk can not be eliminated, but commit to reducing the risk posed by offenders.

Lanarkshire MAPPA Mission Statement

“We will work together to reduce the risk posed by individuals who may cause harm within our communities. Through effective communication and information sharing, we will make our communities a safer place to work and live.”

5. Employee Implications

- 5.1 There are no significant future implications as a direct result of the Annual Report being published.

6. Financial Implications

- 6.1 There are no financial implications as a direct result of the Annual Report being published.

7. Other Implications

- 7.1 In preparing this report, all key partners were consulted.

8. Equality Impact Assessment and Consultation Arrangements

- 8.1 The report does not introduce a new policy, function or strategy or recommend an amendment to an existing policy, function or strategy therefore no equality impact assessment was carried out.

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23 November 2011

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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List of Papers Attached

None

Circulation

Members of the group

Appendix one: Selected Statistics

Unless stated the statistics recorded are for the reporting period 1 April 2010 to 31 March 2011.

Table 1: Registered Sex Offenders in the Community within Lanarkshire CJA area

REGISTERED SEX OFFENDERS (RSO's)	NUMBER
a) Number of Registered Sex Offenders:	
i) At liberty and living in your area on 31 st March 2011 ¹ :	303
ii) Per 100,000 of the population on 31 st March 2011:	47 (Est Population of 638,240 ²)
b) The number of RSO's managed between 1st April 2010 and 31st March 2011 having a notification requirement who³:	
i) Complied with notification requirements:	403
ii) Were reported for breaches of the requirements to notify:	14
c) The number of "wanted" RSOs on 31st March 2011:⁴	0
d) The number of "missing" RSOs on 31st March 2011:⁵	0

¹ These figures are a snapshot of those offenders currently residing in the community. It does not count those offenders within SPS estate or NHS facilities managed by MAPPA.

² General Register of Scotland – 2011

³ This figure is recorded for all RSO's managed throughout 2010/2011, rather than a single snapshot of those offenders living within the community on 31st March 2011.

⁴ An RSO should be considered as wanted in the following circumstances; where it is known that an offender is actively avoiding police in response to police enquiries to trace that individual relative to offences they may have committed or in relation to other matters for which it is required that they be interviewed. This may include those occasions where an offender is the subject of an arrest warrant.

⁵ An RSO should be considered as missing in the following circumstances; Where the current whereabouts of an offender is unknown and Police enquiries to establish their whereabouts have been unsuccessful. As a result of these actions the risk management process may not be achievable and there exists a requirement to trace the individual and address the risk he/she may pose and establish if further offences have been committed. Those offenders who have left the territorial jurisdiction of the United Kingdom and whose location abroad is known are not considered as missing. The requirement to comply with the registration process is suspended whilst offenders are out with the UK. Where appropriate, consideration should be given to establishing whether the offender has committed an offence relative to notification of his/her foreign travel. In this situation if an arrest warrant is issued relative to such an offence the offender should be regarded as Wanted.

Table 3: Registered Sex Offenders managed under MAPPA

REGISTERED SEX OFFENDERS (RSO's)	NUMBER OF OFFENDERS
a) Number of RSOs managed by MAPPA Category between 1st April 2010 and 31st March 2011:	
i) Level one – Ordinary Risk Management:	318
ii) Level two – Local Inter-agency Risk Management:	99
iii) Level three – Multi Agency Public Protection Panel (MAPPP):	0
b) Number of Registered Sex Offenders convicted of a further crime of sexual harm or non sexual violence⁶:	
i) MAPPA level one:	3
ii) MAPPA level two:	2
iii) MAPPA level three:	0
c) Number of RSO's returned to custody for a breach of statutory conditions (including those returned to custody because of a conviction of further sexual or violent offence):	13
d) Number of RSO's returned to custody for a breach of SOPO:	0
e) Number of RSO's returned to custody for a breach of FTO:	0
f) Number of RSO's returned to custody for a breach of RSHO:	0
g) Breached their statutory conditions but were not returned to custody:	0
h) Were subject to formal disclosure:	0

These statistics represent a full year and it should be noted that offenders move between levels of management depending on identified risk which can change with changing circumstances. This is a dynamic environment where effective risk assessment and information sharing is vital. Very few offenders remain at level three for long periods as the management of risk is usually agreed and settles to allow the person to be managed at level two or level one. Level three are the critical few which requires the involvement of senior management due to the high risk involved or the complexity of the situation which may require unusual resource commitment.

⁶ For these purposes a serious sexual or violent offence is one of the following: Murder, attempted murder, culpable homicide, fire-raising, rape, assault with intent to rape, assault and robbery, assault with intent to rob, serious assault, abduction, any other offence which has attracted or is likely to attract significant media interest or which raises wider national issues. (MAPPA Guidance V4)

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 1 April and 31 March.

Table 4: Restricted Patients

RESTRICTED PATIENTS (RP'S):	NUMBER
a) Number of RP'S:	
i) Living in your area on 31 st March 2011:	30
ii) During the reporting year:	35
b) Number of RP's per order on 31st March 2011:	
i) CORO:	21
ii) HD:	1
iii) TTD:	8
c) Number within hospital/community on 31st March 2011:	
i) State Hospital: ⁷	17
ii) Other hospital on suspension of detention (SUS):	7
iii) Other hospital with unescorted SUS:	1
iv) Community (Conditional Discharge):	5
d) Number managed by category between 1 April 2010 and 31 March 2011:	
i) Level one – Ordinary Risk Management:	30
ii) Level two – Local Inter-agency Risk Management:	4
iii) Level three – MAPPP:	1
e) Number of RPs convicted of a further crime of sexual harm or non sexual violence between 1 April 2010 and 31 March 2011:	
i) MAPPA level one:	0
ii) MAPPA level two:	0
iii) MAPPP 3:	0
f) Number of RPs on Suspension of detention between 1 April 2010 and 31 March 2011:	
i) who did not abscond or offend:	9
ii) who absconded:	0
iii) who absconded and then offended:	0
iv) where absconsion resulted in withdrawal of suspension of detention:	0
g) Number of RPs on Conditional Discharge between 1 April 2010 and 31 March 2011:	
i) who did not breach conditions, not recalled or did not offend:	8
ii) who breached conditions (resulting in letter from the Scottish Government):	2
iii) recalled by Scottish Ministers due to breaching conditions:	0
iv) recalled by Scottish Ministers for other reasons:	0

It is noted that several offenders have within the reporting period been on suspension of detention and also conditional discharge.

⁷ Due to the location of the State Hospital within the Lanarkshire CJA area, NHS Lanarkshire takes responsibility for those offenders from Northern Ireland and England who are patients in the hospital.

The difference of 5 patients between the totals in sections c & d reflects the total number of restricted patients who have either had their restricted status removed or transferred out of the area during the year.