

MAPPA

Multi-Agency Public Protection Arrangements

Annual Report 2015

(including MAPP Unit Notification Requirements, MAPPA and relevant Civil Orders)

POLITICAL RESPONSIBILITIES

Guernsey Police, Guernsey Border Agency, Guernsey Prison Service, Guernsey Probation Service, Guernsey Fire & Rescue Service, Emergency Planning, Bailiwick Drug & Alcohol Strategy, Criminal Justice Strategy, Domestic Abuse Strategy, Broadcasting, Gambling Control, Electoral Roll

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This Report is provided to the MAPPA Strategic Management Board by Gemma Lockwood Mapp Unit Manager.

Approved by Home Department Board, 25th April 2016.

Foreword by Responsible Authority

Section 34 of the new Sex Offenders Law, implemented on 1st July 2015, put in place a duty to establish arrangements for monitoring and managing risk posed by certain offenders.

The Responsible Authority charged with making these arrangements are designated in the Law as the Chief Officer of Police, the Chief Probation Officer and the Governor of the Prison (Section 34(1)).

We therefore welcome this first annual report of the Multi Agency Public Protection (MAPP) Unit, which is a partnership between the Probation and Police Service designated to implement relevant sections of the new law including notification requirements (the 'sex offender register') and Multi Agency Public Protection processes.

The Criminal Justice Strategy (2013-2020) sets out a series of strategic commitments, one of which is 'to manage risk at all points'. The new sex offender legislation incorporated the ability to establish the MAPP arrangements on a statutory basis which has enabled the unit to focus on developing best practice in the management and monitoring of sexual and violent offenders.

Since April 2015 when the new unit was established, the statutory provisions of the new Law have been implemented. All known convicted sex offenders who came under the transitional provisions were registered at the beginning of July when the law was commenced, and systems have been put in place for safe, effective registering of all those subsequently convicted by local courts or travelling to the Bailiwick from other jurisdictions.

As the Responsible Authority we commend the work of the Probation and Police staff undertaking this work and we thank the range of other statutory and voluntary agencies who commit their time and expertise to Multi Agency Public Protection.

The Strategic Management Group, comprising senior managers from all agencies involved, meet twice yearly to receive reports on the implementation of the Law, and this annual report gives valuable statistics and information on the work of the Unit.

Anna Guilbert, Chief Probation Officer
Patrick Rice, Head of Law Enforcement
David Matthews, Prison Governor

Responsible Authority

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1. Introduction and Background

1.1 The MAPP (Multi-Agency Public Protection) Unit is a partnership between the Guernsey Probation Service and Guernsey Police Service. It was set up in April 2015 with responsibility to implement where relevant, and thereafter co-ordinate, three aspects of The Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013 (hereafter referred to as the Law). The three aspects are:

- a. Notification Requirements for those who present a risk of sexual harm (sex offender register)
- b. Civil Orders for those who present a risk of sexual harm, and
- c. MAPP (Multi-Agency Public Protection Arrangements) to monitor and manage those presenting a risk of sexual harm or a serious risk of physical harm.

This report reflects the work of the MAPP Unit since April 2015, when it was first convened, rather than a full year.

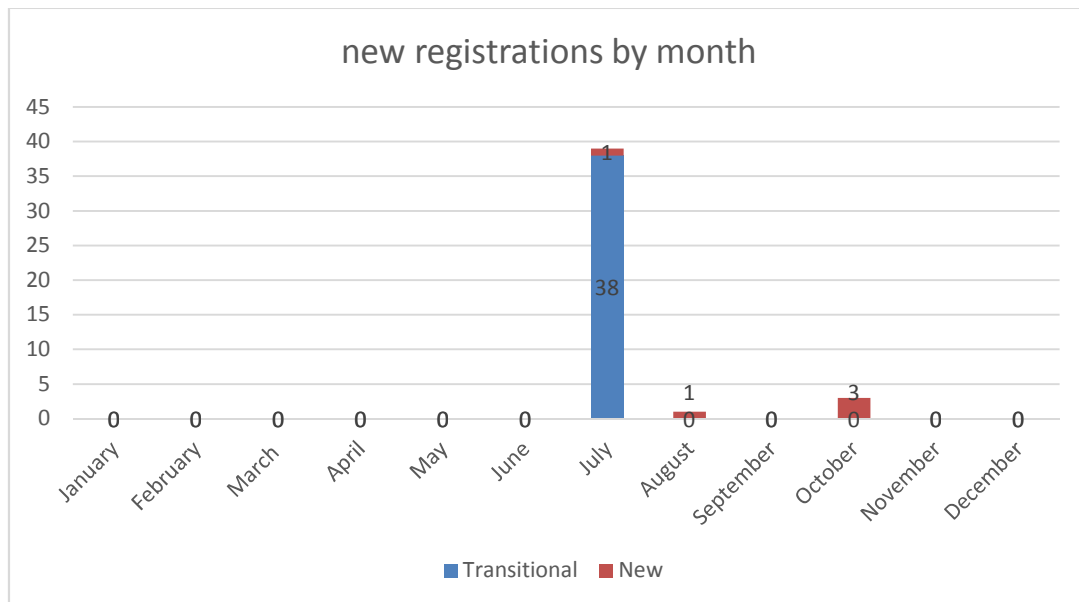
1.2 The Unit is comprised of a Senior Probation Officer who manages the Unit, a Police Officer, and an Administrator, and is co-located at the Probation Service Offices and the Police Station. This Unit marks a new and exciting formal partnership between the Police and Probation Service. Initially our primary focus was the development of process and practice for Notification Requirements as these were not previously in place in Guernsey. With an implementation date of the Law of 1st July 2015, time was at a premium for a new team to develop a complete set of new processes for the Island.

1.3 MAPP has continued to run since the inception of the new Unit, albeit now with a legal framework to formalise its work. The Unit is gradually updating, developing, and taking over responsibility for the co-ordination of MAPP, including application for, and management of, relevant Civil Orders.

2. Notification Requirements – Comment, Statistics and Analysis

- 2.1** Parts 1 - 3, and section 50, of the Law lay down provision for Notification Requirements (sex offender registration). Process, including forms and guidance, has been written to ensure that the Law is implemented, and the management of those subject to Notification Requirements can be maintained, in the most efficient way.
- 2.2** Since the implementation of the Law on 1st July, the maintenance of Notification Requirements has been the primary responsibility of the Police Officer within the Unit. Holding a caseload for risk management purposes is a new role for the Police, and credit is due to PC Dover for managing the different pressures involved in this task. Significant liaison with Probation Officers, under the auspices of MAPPA, has been necessary in order to continually update risk assessments and manage the risk of sexual harm presented by Notifiers. Additionally PC Dover has built relationships with colleagues in similar Police Units in the UK and Jersey, and information regarding the implementation of the new Guernsey law and what it means for persons living in the UK and other jurisdictions has been communicated to relevant Police areas managing those persons via the Ministry of Justice.

Notifier Caseload (Guernsey Resident Notifiers)



- 2.3** Transitional provisions were written into the Law (section 50) dictating that those serving a sentence (prison or community) for a relevant sexual offence at the implementation date (1/7/15) became subject to Notification Requirements on that date, hence the high number of registrations recorded in July. Subsequently we have seen a steady throughput of new resident Notifiers (in red). Predominantly these have been persons convicted in Guernsey Courts, though one Guernsey resident was convicted in another jurisdiction where Notification Requirements were imposed, and returned to Guernsey (thereby meaning that they also became subject to Notification Requirements on their return to the island).
- 2.4** Of the 43 resident Notifiers, as at the end of 2015, 21 were incarcerated in Guernsey prison and 22 were within the Guernsey community. Notification Requirements run alongside (and usually extend beyond) any other sentence imposed by the Court, and in all cases individuals were referred into MAPPA (see below) for multi-agency risk management.

De-Registrations

- 2.5** There have been no persons for whom requirements have ended during 2015, either through cessation of requirements or moving off Island. Whilst there may be some off island transfers in the

foreseeable future (deportation or re-location to another area for example), it is highly likely that the registration numbers on the whole will continue to rise over the next couple of years as further relevant convictions occur - very few individuals are able to apply for requirements to be removed before 2017 (a consequence of the Law being new).

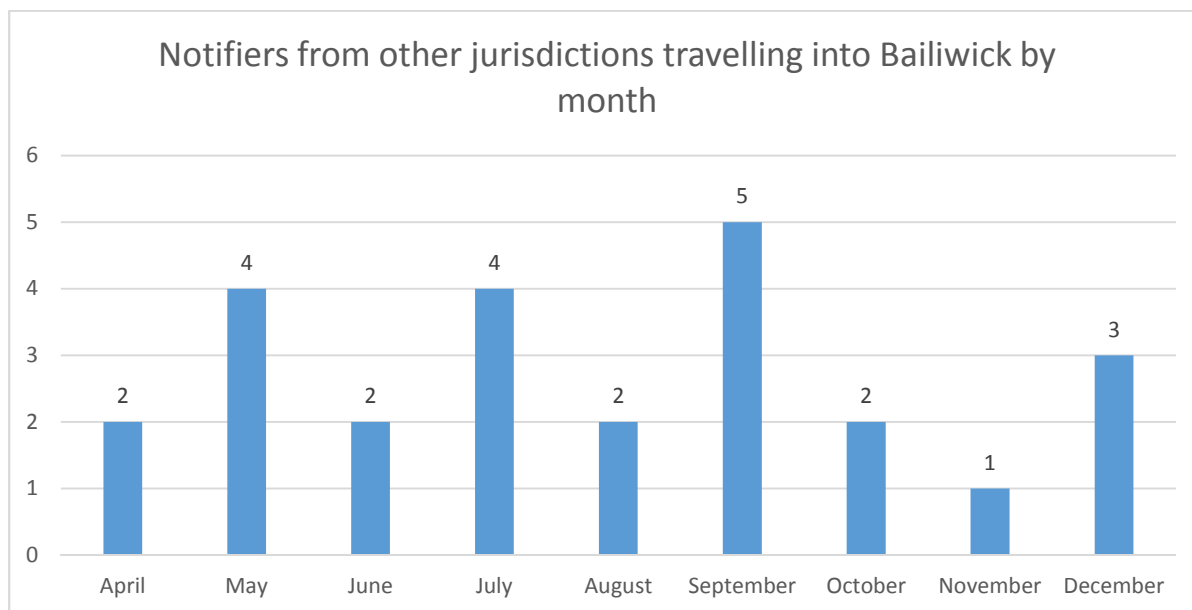
Convictions for Offences of Breaching Notification Requirements

2.6 There were two convictions for offences of Breach of Notification Requirements during 2015 (one person sentenced for the offence in 2015 and one early in 2016). Both offences related to failure to inform the Police of a change in address, and both resulted in immediate imprisonment by way of sanction.

2.7 For clarity, the Notification Requirements continue regardless of whether imprisonment occurs for the new offence of breach (i.e. both individuals will remain subject to Notification Requirements on their release from prison).

Travelling Notifiers

2.8 There are two forms of travel being recorded here. Firstly, persons subject to Notification Requirements in a prescribed jurisdiction (England and Wales, Scotland, Northern Ireland, Jersey and the Isle of Man) who travel to Guernsey have to notify on arrival in Guernsey and will be managed under Guernsey Law for the period of their stay. Secondly, there is a collation of statistics on Guernsey resident Notifiers travelling out of the Island for short periods.



2.9 Note that data is recorded from April 2015. This coincides with the inception of the MAPP Unit, and whilst the Law did not come into force until 1st July 2015, the MAPP Unit started having voluntary contact and recording data in this format in April. Since April there has been a total of 25 travel occasions for persons subject to Notification in another jurisdiction – i.e. non-resident Notifiers visiting Guernsey. Please note that these 25 ‘travel occasions’ equate to 21 people, one person having travelled to Guernsey on a number of occasions during 2015. There does not appear to be a pattern linking these Notifiers (i.e. they are not coming from the same area, visiting the same people, or staying at the same address in Guernsey) and numbers of visiting Notifiers do seem to be on a par with the experience in Jersey for example.

2.10 Liaison occurs between Guernsey Police and the prescribed jurisdiction in advance of a Notifier’s travel so that Notifiers are fully briefed as to the expectations placed on them within the Bailiwick,

and plans are made for their arrival and management on Island. Please note that the presence of Notification Requirements alone cannot veto someone's travel, rather they allow for tracking and risk management within relevant jurisdictions (including Guernsey).

2.11 There were a total of two resident Notifiers travelling out of Guernsey for short periods in 2015. Advance warning is provided to the receiving jurisdiction in case any risk management strategies need to be employed in that jurisdiction.

3. Multi-Agency Public Protection Arrangements (MAPPA) – Comment, Statistics and Analysis

- 3.1** Part VII of The Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013 (implementation date 1/7/15) provides the legal framework for ‘arrangements for monitoring and managing risks posed by certain offenders’. These arrangements are known locally as MAPPA. They are designed to protect the public, including victims of crime, from serious harm by sexual and violent offenders. Whilst MAPPA has been running in Guernsey for a number of years, this has been on the basis of ‘good practice’ and no statistics have previously been gathered. The new Law provides a legal framework for MAPPA, and puts a duty on the Probation Service, Police Service and Prison (the ‘Responsible Authority’) to make the arrangements. It places a legal obligation on States Departments to work together, as well as allow for the sharing of information with States and non-States bodies for the purpose of risk management.
- 3.2** The arrangements are co-ordinated by the MAPP Unit. As well as developing the framework for MAPPA under this Law, the Unit will be collating statistics, and analysing the data provided. As this report covers only part of the first year, and there has been a gradual handover of MAPPA co-ordination from individual case management to the MAPP Unit, for 2015 this section is necessarily limited.

MAPPA Caseload

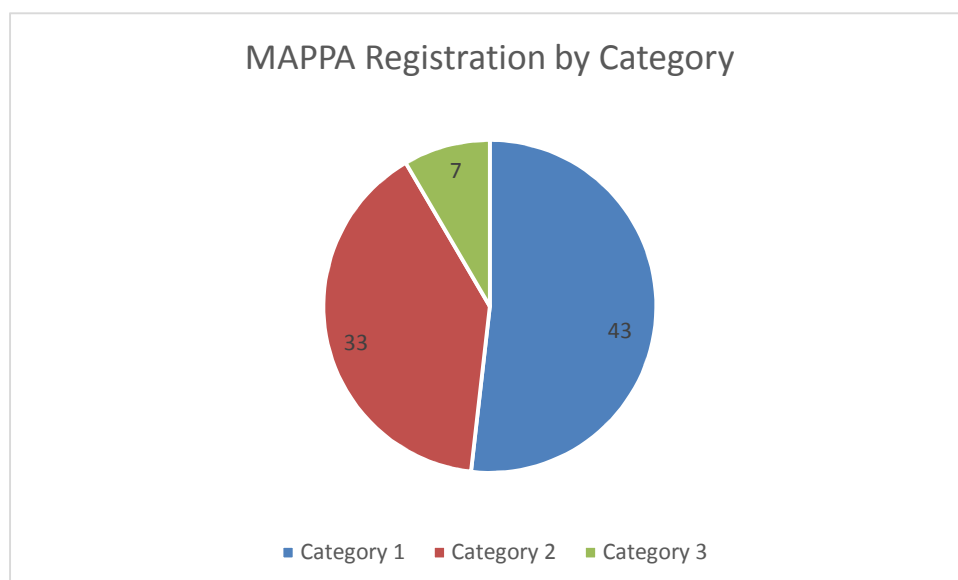
- 3.3** There are three categories of MAPPA subject defined as follows:

Category 1: Notifiers under the The Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013.

Category 2: Persons sentenced to prison or youth detention for any sexual offence, and/or persons sentenced to 12 months or over (prison or youth detention) for a violent offence. There are also provisions here for person subject to orders under the Mental Health law.

Category 3: Other dangerous persons – i.e. persons who the Responsible Authority considers may cause serious harm to the public **AND** who requires multi-agency management.

As of the end of December 2015 there were 83 people residing in Guernsey registered under MAPPA, defined by category as:



- 3.4 For clarity, if an individual meets criteria for more than one category, they are recorded under the criteria prompting their initial registration (i.e. convicted sex offenders are predominantly recorded under category 1 regardless of whether they also fit category 2).
- 3.5 Of the total 83 registered MAPPAs at the end of 2015, 48 related to sexual harm and 35 related to serious violence.
- 3.6 Whilst there will be detailed risk assessment on all MAPPAs cases, these assessments have not as yet been brought together in order to provide a 'risk profile' of MAPPAs cases in Guernsey. This is the intention during 2016.

MAPPAs case management

3.7 Whilst the MAPP Unit is responsible for the co-ordination of MAPPAs, it is not responsible for the co-ordination of individual cases. That role falls to a 'lead agency' identified by the Unit, who will be a member of one of the responsible authorities, i.e. Police, Probation (delegated to Youth Justice if appropriate) or Prison. At the end of December 2015, of the 83 MAPPAs cases, lead agency was identified as follows:



- 3.8 In 2015 the majority of cases were managed by the Probation Service as lead agency, primarily because most individuals requiring MAPPAs registration were historically identified by the Probation Service at the point of sentence. Lead agency for serving prisoners during 2015 was the Probation Service rather than the Prison, and one work stream for 2016 is to develop the process for lead agency allocation, potentially placing greater responsibility for MAPPAs case management onto either the Prison or Police, albeit with significant input where a Probation Officer (as qualified risk assessor and identified contact point) is involved.
- 3.9 The management of all MAPPAs cases, whilst led by the lead agency, relies on good communication between relevant agencies and shared input into risk assessment and management planning. There are three management levels defined as follows:

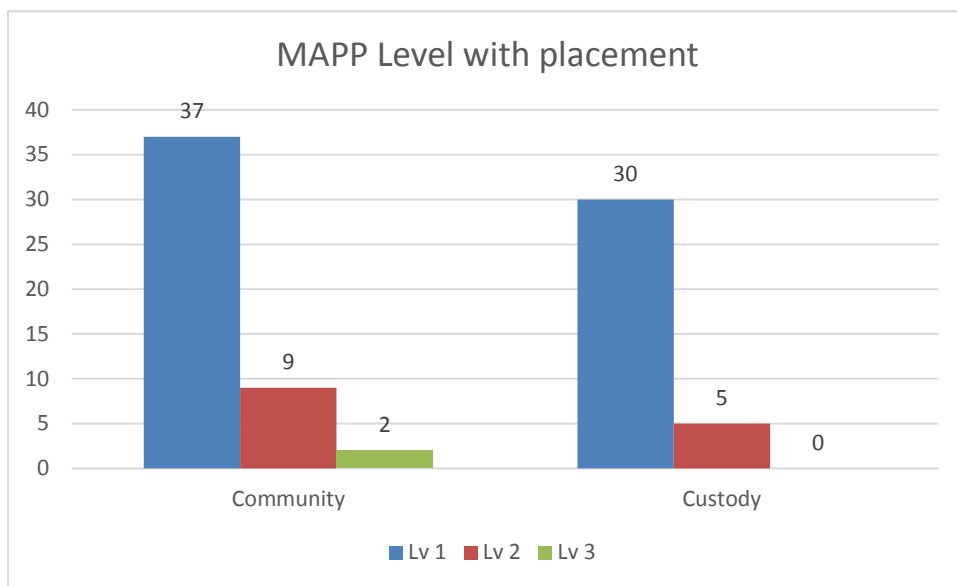
Level 1 - Single agency management. Lead agency is responsible for co-ordinating the risk assessment and risk management plan on the MAPPA subject. Communication between agencies is paramount to aid this process, but this is done without the need for a full MAPPA meeting.

Level 2 – Multi-agency meeting(s). - MAPPA registration. Lead agency is responsible for co-ordinating the risk assessment and risk management plan on the MAPPA subject. Communication between agencies remains key to this, but in addition it is felt that the complexity of the case requires MAPPA meeting(s).

Level 3 – Senior representative multi-agency meeting(s) - MAPPA registration. Lead agency is responsible for co-ordinating the risk assessment and risk management plan on the MAPPA subject. Communication between agencies remains key to this, and it is felt that the complexity of the case requires MAPPA meeting(s). In addition however the case requires exceptional resources from agencies only sanctionable at senior management level. Level 3 cases are for ‘the critical few’.

3.10 The management level can be subject to change over time, something determined at formal reviews (in the case of level 1’s) or MAPPA meetings (in the case of category 2 and 3’s). Please note that the level necessary to manage a MAPPA subject does not solely correlate to the risk they present, it refers to the complexity of the case and risk management plan. For example, a subject could present a high risk of harm, but due to a relatively stable risk management plan and good communication between relevant agencies, meetings are not necessary to maintain the plan and contain the risk. Conversely, a subject could present a medium risk, but have complex needs with an unstable presentation/lifestyle, precipitating the need for regular meetings to share information, update assessments and modify the risk management plan in the most time efficient way.

3.11 The Guernsey MAPPA caseload is currently managed as follows:



3.12 Relevant serving prisoners will usually be identified as MAPPA Level 1 cases, and will be reviewed to determine whether their level needs to be increased for risk management purposes prior to release into the community. If a prisoner is identified as MAPPA level 2 or 3 whilst still serving a prison sentence, this will be because they are presenting a risk of serious harm to others within the prison that needs multi-agency management (i.e. they present a significant and imminent risk of sexual or serious violent offending towards other prisoners, visitors or staff).

- 3.13** From October 2015 (when collation of meeting statistics started) until the end of 2015 there was a total of 17 MAPPA meetings convened (5 in October, 5 in November, and 7 in December). Some of these will have involved meetings about the same case, but please also note that a proportion of these meetings will have subsequently re-defined the case as only requiring level 1 (non-meeting) management because of stable risk management. This is why the number of meetings outweighs the number of level 2 and 3 MAPPA's identified within the chart above.
- 3.14** Prior to the new Law and this developing process, level one MAPPA cases were not formally reviewed by anyone other than the lead agency. The new process is that these reviews should take place with the MAPP Unit to ensure formalisation and consistency. This process started in 2015, and by the year end 15 level one formal reviews had taken place with the remainder of level one cases to be formally reviewed in 2016. In the future all level one cases will be reviewed on a 6 monthly basis (nb: this review includes a decision as to whether a case should be raised to a level 2 or 3 meeting).
- 3.15** In addition to the 83 Guernsey based MAPPA cases, there are 6 MAPPA cases in the UK whereby a Guernsey professional acts as a member of the UK based MAPPA group. In all cases these are individuals who, for differing reasons, are resident in the UK (for example they are currently resident within a UK prison) but are Guernsey people, who have indicated a possible intention to return to Guernsey at some point in the future. Maintaining membership of the UK MAPPA group ensures that relevant Guernsey professionals can contribute to risk management planning when a return to the Island is imminent.
- 3.16** As indicated previously, 2015's MAPPA statistics are necessarily limited. Going into 2016 we are gathering additional data on agency attendance at meetings, referral information, and de-registrations and transfers, as well as collating a more detailed risk profile of the MAPPA caseload as a whole. A second year will also of course mean comparisons trends can be identified. A comparison with similar sized jurisdictions will also be considered. Thus not only will next year's summary cover a full year, but a much more in depth analysis will also be forthcoming.

4. Civil Orders – Comment, Statistics, and Analysis

- 4.1** 2015 saw the imposition of one Civil Order under the new law, a 7 year Sexual Offences Prevention Order imposed by the Magistrates' Court at the point of sentence (a Civil Order of this type can run alongside any sentence imposed). The Civil Order was recommended by the Probation Officer preparing a report for the Court to aid sentencing.
- 4.2** In the future there are likely to be applications for Civil Orders independent from sentencing hearings, though Probation Officers are actively considering the need for including an application for a Civil Order within reports written to aid sentencing. MAPPA groups/reviews are also now actively considering the possible benefit of applying for Civil Orders on cases that continue to pose certain sexual risks and who require the conditions of an Order to protect the community from sexual harm (specifically for those persons who are nearing the end of statutory supervision with conditions previously imposed by sentencing Courts).
- 4.3** Liaison is ongoing with the Law Officers to determine/agree process for Civil Order applications.