

Multi-Agency Public Protection Arrangements (MAPPA) in Scotland

National Overview Report

2015 / 16

October 2016



Scottish Government
Riaghaltas na h-Alba
gov.scot

1.0 Background

The Multi-Agency Public Protection Arrangements (MAPPA), are a set of statutory partnership working arrangements introduced in 2007 under Section 10 of The Management of Offenders etc. (Scotland) Act 2005.

The purpose of MAPPA is public protection and the reduction of serious harm. In Scotland the MAPPA brings together the Police, Scottish Prison Service (SPS), Health and the Local Authorities, in partnership as the Responsible Authorities, to assess and manage the risk posed by registered sex offenders, mentally disordered restricted patients and other risk of serious harm offenders.

The Police, SPS, Health and the Local Authorities are required to jointly establish arrangements for the assessment and management of risks posed for certain categories of offender:

- Sex offenders who are subject to notification requirements under the Sexual Offences Act 2003.
- Mentally disordered restricted patients
- Other risk of serious harm offenders who are assessed by the Responsible Authorities as posing a risk of serious harm by reason of their conviction.

A number of other agencies are under a duty to co-operate with the Responsible Authorities and include housing providers, the voluntary sector and the Children's Reporter.

MAPPA is supported by the Violent and Sex Offender Register (ViSOR). This is a national IT system which facilitates inter-agency communication and ensures that the Responsible Authorities contribute, share and store critical information about MAPPA offenders. It improves the capacity to share intelligence and supports the immediate transfer of key information when offenders move between areas.

Under the terms of the 2005 Act, the Responsible Authorities are required to produce an annual report for submission to their local Community Justice Authority (CJA) and the Scottish Ministers. Each of these reports are now published on the relevant CJA website and cover the reporting period – 1 April 2015 to 31 March 2016. The web addresses where these reports can be viewed are included at Appendix A.

This report covers the ninth year of MAPPA in operation in Scotland and provides a picture of the main national developments in relation to MAPPA as a result of work conducted by the Scottish Government, and its partners. The statistics provided at Appendix B are an aggregate of data collated via the 8 CJA.

2.0 The National Picture

Nationally MAPPA has seen a number of developments in the past 12 months and work is on-going to deliver future improvement to the arrangements.

3.0 Joint Thematic Review of MAPPA in Scotland

HM Inspectorate of Constabulary Scotland and the Care Inspectorate published a joint thematic inspection report on MAPPA on 26th Nov 2015. The inspection assessed the state, efficiency and effectiveness of MAPPA in terms of keeping people safe and reducing the risk of serious harm by registered sex offenders.

The report provided assurance that MAPPA is effective and makes a critical contribution to keeping people and communities safe, acknowledging that staff at all levels are working effectively on a day to day basis to protect communities from harm through shared responsibility and good information exchange.

The report outlined 10 recommendations' and identified 17 areas for development across key strategic and operational aspects of MAPPA. The Scottish Government is facilitating their delivery, in partnership with the Responsible Authorities and Strategic Oversight Groups within each Community Justice Authority capturing all progress within a Nationally agreed action plan.

4.0 Extension of MAPPA to other risk of serious harm offenders

On 15th December 2015 Ministers commenced section 10(1)(e) of the 2005 Act which took effect on 31st March 2016. This extended the scope of MAPPA to include other risk of serious harm offenders managed in the community, where the responsible authorities assess that a risk of serious harm to the public exists and which requires an active multi-agency response.

The MAPPA guidance published on 3rd March 2016, details relevant offenders who may be included in the new category and subject to joint management under section 10(1)(e) of the 2005 Act. This provides clear identification criteria developed in consultation with the responsible authorities and MAPPA practitioners. This ensures focused application of the new category where evidence suggests that a formal multi-agency approach is a proportionate response to the level of risk posed by certain offenders.

Application of MAPPA for this new category of offenders is being actively monitored by the Scottish Government and the responsible authorities to support and ensure effective implementation. Formal recording of statistical information in respect of the new offender category is taking place, and publication will form part of the 2017 MAPPA annual reports.

5.0 National Fundamentals of Risk Practice Training

The Scottish Government provided funding to facilitate the rollout of the Risk Management Authority's (RMA) Fundamentals of Risk Practice Course during 2015/16.

The course supports partnership practices in the identification and management of risk of serious harm and was delivered to staff in Criminal Justice, Police, Scottish Prison Service and MAPPA Staff to build confidence to identify relevant offenders for whom MAPPA applies.

The course developed in partnership with the RMA aimed to introduce a robust, evidence-based process as well as strengthening risk assessment and management practice with individuals who present a risk of serious harm in the community. The training also sought to develop participant's understanding of the revised risk assessment and management templates published within the MAPPA guidance in July 2014.

This training marked a significant achievement in developing a consistent form of multi-agency risk management plans which are incorporated into the MAPPA Guidance and support the long term FRAME objective.

For more information on FRAME visit the Risk Management Authority (RMA) website at: <http://www.rmascotland.gov.uk/frame/>

The training provision included:

- A 3 day course for criminal justice social workers
- A two day course for offender management police officers
- An awareness day for MAPPA level 2 and 3 chairs

During 2015/2016, the RMA trained 313 criminal justice social work staff. Police Scotland and the RMA jointly delivered training for 220 Police offender management officers and in March 2016, 100 MAPPA chairpersons received training.

6.0 Reforms to system of civil orders

The Abusive Behaviour and Sexual Harm (Scotland) Act 2016 which was passed by the Scottish Parliament on 22nd March 2016 and received Royal Assent on 28th April 2016 provides the opportunity for the Scottish Government to simplify and rationalise the existing system of civil orders available to protect communities from those who may commit sex offences, by introducing:

- Sexual Harm Prevention Orders – a post-conviction order which replaces the Sexual Offences Prevention Order (SOPO) and Foreign Travel Order (FTO) under the Sexual Offences Act 2003 and can apply to those convicted of a relevant sexual offence; and
- Sexual Risk Orders – a non-conviction order which replaces the Risk of Sexual Harm Order (RSHO) under the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005, and can apply to any individual who poses a risk of sexual harm.

These changes address the concerns of professionals, including the police, that the use and effectiveness of the existing civil orders imposed on sex offenders and those who pose a risk could be improved to better protect the public from sexual harm.

The new orders have a lower risk requirement than the previous orders, allowing both orders to be used to manage risk against adults and vulnerable adults abroad, as well as children. In addition, their remit is wider, enabling, for example, foreign travel restrictions to be applied under either order. Again, the aim of streamlining the orders was to provide the police and practitioners with greater clarity and flexibility.

The test of “serious sexual harm” in existing provision is also being replaced. Accordingly a court will be able to grant a new order if it is satisfied that it is necessary to protect a person from “sexual harm.”

While the reforms are beneficial in their own terms, it should be noted that the UK Government introduced similar measures in the Anti-social Behaviour, Crime and Policing Act 2014. There has been a parallel regime for sex offenders north and south of the border for many years until the recent UK Government reforms and one of the benefits of reforms being progressed in Scotland is to re-introduce this parallel regime. For example, those individuals who may be subject to the orders may well seek to take advantage of a less robust regime operating in Scotland.”

7.0 ViSOR

The Violent and Sex Offender Register (ViSOR) system is designed to support MAPPA by assisting co-operative working between the responsible authorities in their joint management of individuals subject to the arrangements.

The UK-wide system is owned and managed by the Home Office Police ICT Company Directorate, with the Police Service of Scotland National Systems Support Department providing maintenance and support to the ViSOR user community in Scotland.

ViSOR is the agreed system used by responsible authorities to facilitate the secure exchange and storage of information in accordance with the MAPPA National Guidance 2016 and under the duty to cooperate, both of which are underpinned by section 10 of the 2005 Act.

The Scottish Government continues to assist the responsible authorities to consider how they more effectively discharge their responsibility to share information in respect of the offenders they manage.

In response to the 2015 joint inspection of MAPPA by HMICS and the Care Inspectorate, the Scottish Government continues to work in partnership with the responsible authorities to improve effective usage of the system by criminal justice social work.

This has included work with the Police Service of Scotland, Home Office and individual local authorities to improve accessibility for members of staff responsible

for managing MAPPA offenders, and to explore future improvements to ViSOR which will seek to modernise the system improving its effective usage in Scotland.

8.0 The Scottish Prison Service (SPS)

The Scottish Prison Service (SPS) is committed to protecting the public from harm through its duty to co-operate as a Responsible Authority in the operation and governance of the MAPPA.

The risk assessment and management of offenders in custody who are subject to release on licence is carried out in partnership with Local Authority Criminal Justice Social Workers, through an enhanced version of the Integrated Case Management (ICM) process. Such offenders are risk assessed by Prison Based Social Workers, using a structured professional judgement approach informed by risk assessment tools approved by the Risk Management Authority (RMA) including: the Level of Service/Case Management Inventory (LS/CMI); Stable and Acute 2007 (SA07); and the Risk Matrix 2000 (RM2000). Where necessary, offenders may also be subject to a Psychological Risk Assessment carried out by SPS Forensic Psychologists. Such formal risk assessments are used to inform ICM case conferences annually, and at key points in an offender's sentence, to share information and inform individual action plans.

SPS establishments work in partnership with CJA MAPPA coordinators, prison and community based Criminal Justice Social Work Teams and Police Scotland Offender Management Units. SPS ICM teams provide MAPPA referrals on all prisoners who are: being released from custody at their earliest date of liberation; being considered for progression to less secure conditions; or whose cases are being considered for release by the Parole Board for Scotland. SPS managers attend meetings in the community for offenders managed at MAPPA Level 3 and Level 2 (where necessary). SPS has a central ViSOR team located within its Public Protection Unit. The team has 3 ViSOR terminals which are used to keep the records of eligible offenders up to date with information that is shared with other responsible authorities in the assessment and management of risk.

In terms of governance of the MAPPA, SPS is represented on the MAPPA National Strategic Group and MAPPA Development Group. SPS also contributes to Police Scotland's quarterly Offender Management Working Group (OMWG). Governors represent SPS at a local level through their membership of Community Justice Authorities' Strategic Oversight Groups.

SPS Developments 2015-16

The major development in 2015-16 was preparation for the extension of the MAPPA to "Other Risk of Serious Harm Offenders", which commenced on 31st March 2016. SPS worked in partnership with the Scottish Government and other agencies to agree procedures that ensured the extension was implemented successfully and on time. It also expanded its ViSOR capability by installing an additional terminal and recruiting and training an additional member of the team.

SPS participated in the Joint Thematic Review of MAPPA in Scotland conducted by the Care Inspectorate and HMIC. The report had one area for development for SPS:

“The Scottish Prison Service should monitor and maintain the continued improvement in the use of ViSOR.”

In addressing this area for development, SPS has not only increased its ViSOR capability, but has also issued improved guidance to prisons on the transmission of information to the central ViSOR team.

SPS delivered a total of **337** completions of its range of offending behaviour programmes to offenders who were assessed as eligible and motivated to participate:

Programme	Target Risk	Number of Completions
Moving Forward: Making Changes	Sex Offending	66
Self-Change	Instrumental Violence	19
Controlling Anger & Regulating Emotion	Violence	56
Constructs	Problem solving & consequential thinking	196
Substance Related Offending Behaviour	Drug & Alcohol Misuse	149
Total		337

In addition, SPS offers a range of other opportunities and supports to people in custody to help them build their strengths and address their needs in preparation for release, such supports, assessed on an individual basis can include substance misuse treatment, assistance with mental health, vocational and academic education to increase job readiness, and support with family matters such as parenting and relationships. There is a specific intervention for young adult men and a separate specific intervention for female offending.

9.0 Health

Restricted patients have been subject to MAPPA since 2008. The Care Programme Approach (CPA) for restricted patients and MAPPA have a common purpose of maximising public safety and the reduction of serious harm. The underlying principle is the gathering and sharing of information between agencies in relation to risk. The CPA focuses on care and treatment likely to minimise the risk posed, whilst MAPPA focuses on the multi-agency management of risk.

In 2012 the Scottish Government funded expansion of the Serious Offenders Liaison Service (SOLS) in Lothian and Borders to provide input for violent offenders as well as sexual offenders. The service was funded to test a model of integrated working with criminal justice agencies to provide specialist input to support front-line staff with their most difficult cases and deliver better outcomes.

The Scottish Government continued to fund the expanded service to March 2015 to allow local partners to identify and secure sustainable longer-term funding for the

service. This funding was not able to be secured. A smaller service funded by NHS Lothian now offers clinical input to support Police and Criminal Justice Social Work to better manage sexual and violent offenders in Lothian.

The SOLS service model was considered a successful proof of concept test and Scottish Government encouraged local services to learn from the model and the successful elements and outcomes it achieved in planning and delivering services in their own areas

The Forensic Mental Health Services Managed Care Network supports the MAPPA Clinical Forum of which the four objectives are Networking, Education, Operations and Policy. The forum provides a vehicle for services to consider areas within MAPPA Health that might require guidance and a shared approach as well as providing the opportunity to network and share good practice.

The inclusion of restricted patients under the MAPPA has led to better multiagency management of the risk posed by such patients. Having restricted patients under the MAPPA has had the additional benefit of enhanced multi-agency working in relation to non-restricted mentally disordered offenders as well as Health's general duty to co-operate. The general consensus from health service professionals and those from other agencies is that the MAPPA process works well for restricted patients and has brought benefits to multi-agency working.

10.0 Police Scotland

Police Scotland has a key role to play in protecting the public from sex offenders and other persons who pose a risk of serious harm. This includes protecting particular individuals, groups of people such as children or vulnerable adults, the general public and members of staff. The delivery of this high profile area of police business is essential in maintaining and enhancing public confidence in the work of the police and partner agencies. The consequences of failure can be devastating for individuals, families, communities, partner agencies and the Police Service.

MAPPA allows Police Scotland to work in partnership with the other Responsible Authorities to provide effective and efficient management of Registered Sex Offenders (RSOs) and Serious & Violent Offenders. This is achieved through consistent practice; enhancing and developing new and existing partnerships to manage the inherent risks and challenges posed by these offenders and to exploit all intelligence and new technologies to manage and mitigate risk.

Police Scotland has Offender Management Units in each of the 13 territorial Divisions with specially trained staff dedicated to the management of RSOs, Restricted Patients and Serious and Violent Offenders. The National Offender Management Unit (NOMU) is a central unit providing governance, review and quality assurance to ensure compliance and consistent practice throughout offender management.

In the reporting year the Scottish Government funded the development of Police Risk Practice training in conjunction with the Risk Management Authority. This training was delivered to all staff within Offender Management Units and provided officers

with a framework and structured evidence based process to assess and manage risk of serious harm. This will ensure improved effectiveness in the multi-agency management of serious offenders in the community.

Police Scotland welcomed the Joint Thematic Review of MAPPA realising the importance of continually reviewing and reassessing practices and processes to ensure they remain efficient and effective. We are working with the Scottish Government and other Responsible Authorities to address the recommendations raised from this report. This includes running a Police Risk Practice Pilot aimed at testing a framework for risk assessment and process for MAPPA Level 1 offenders and introducing in late 2016, computer enabled software to assist in the management and monitoring of RSOs who have committed internet related offences.

11.0 Sex Offender Community Disclosure Scheme – (Keeping Children Safe)

The Keeping Children Safe scheme was introduced across Scotland in 2011 and is managed by the Police Service of Scotland.

The scheme encourages members of the public to apply for information about an individual who has access to a child if they are concerned that the individual poses a risk to a child's safety and wellbeing.

The number of applications for information in the year 2015/16 was 116. The number of those applications which related to registered sex offenders was 21. As a consequence a total of 11 disclosures were made to parents, carers, or guardians.

The figures above indicate that concerned members of the public will in many cases be reassured that the person is not known to the authorities, but even so they are provided with essential child protection advice and information. In cases where the police believe that an individual poses a risk to the child concerned, steps will be taken to ensure the child's safety and relevant information may be provided to the parent, carer, or guardian.

The Police Service of Scotland provides governance and coordination for the scheme to ensure it is publicised widely and embedded in national police training. Work is currently being undertaken to enhance the public profile of the scheme to ensure that it remains a key contributor to the protection of children.

Should you have any query in relation to this report please contact:

Community Safety Unit
Scottish Government
St Andrew's House
Regent Road
Edinburgh
EH1 3DG

Appendix A

MAPPA – CJA website addresses

- | | |
|--------------------------|---|
| 1. Lanarkshire | www.lanarkshirecja.org.uk |
| 2. Lothian and Border | www.cjalb.co.uk/ |
| 3. Northern | www.northerncja.org.uk |
| 4. Tayside | http://www.taysidecja.com/ |
| 5. Fife and Forth Valley | www.ffvcja.co.uk |
| 6. Glasgow | www.glasgowcja.org.uk/ |
| 7. South West Scotland | www.swscja.org.uk/ |
| 8. North Strathclyde | www.nscja.co.uk/ |
| | http://www.renfrewshire.gov.uk/article/3292/Criminal-justice-social-work |

MAPPA National Data

This Appendix outlines patterns in information on Registered Sex Offenders (RSO) extracted from the ViSOR database on 31st March of each year.

Numbers of Registered Sex Offenders in Scotland, 2015 to 2016

Category	2015	2016
RSOs - in custody and at Liberty - on 31 March	4787	5098
RSOs at liberty in Scotland on 31 March	3767	3950
RSOs at liberty managed at Level 1 on 31 March	3524	3757
RSOs at liberty managed at Level 2 on 31 March	234	192
RSOs at liberty managed at Level 3 on 31 March	9	1
RSOs reported for breaches of notification	331	274
RSOs convicted of a further group 1 or 2 crime*	69	72
RSOs wanted on 31 March	11	9
RSOs missing on 31 March	0	0

*Group 1 and 2 crimes –Group 1 relates to non-sexual crimes of violence and group 2 relates to sexual crimes.

On 31 March 2016, there were **5098** Registered Sex Offenders (RSO) in Scotland who were either in custody or at liberty being managed in the community. The total number of RSO has increased by 6% compared with 2015 when there were 4787 recorded.

The bulletin on Recorded Crime in Scotland, 2015-16, which was published in September 2016, shows that sexual crimes accounted for 4.2% of all crimes recorded in Scotland in 2015- 16. The report states that the number of sexual crimes recorded by the police in Scotland continued to increase in 2015-16, up by 7% from 9,557 crimes in 2014-15 to 10,273 in 2015-16. This combined with a higher than average clear up rate for sexual offences (74.1% compared to 51.6% for all crimes) provides context for the corresponding rise in RSO numbers. The full report can be accessed via the following link:

<http://www.gov.scot/Publications/2016/09/2960/>

The number of RSOs living in the community has risen from **3767** in 2015 to **3950** in this reporting period, an increase of **183**. It is normal for this figure to increase year

on year as a greater number of offenders are released from prison than are released from the Sex Offender Notification Requirements (SONR).

Over three quarters of RSO's (77%) were in the community being managed (3950 RSO) with the vast majority (95%) of these being managed at Level 1 (3757 RSO). The remaining 193, or 5% were being managed at level 2 and level 3.

The Joint Thematic Review of MAPPA in Scotland highlighted that RSO's are being managed at the appropriate risk management level, and community integration is supported by risk management plans. This highlights that current inter-agency working and co-operation has led to partner's continued ability to confidently manage offenders at the lowest possible level applying appropriate resources without impacting upon public safety.

The number of RSO's who have been convicted of a further Group 1 or 2 crime has shown little change between 2015 and 2016, 69 in 2015 and 72 in 2016. However those convicted of further Group 1 and Group 2 crimes represented 1.4% of all RSOs in both years illustrating the effective contribution that MAPPA makes to safer communities.

Wanted and Missing Registered Sex Offenders:

A Missing person is defined as anyone whose whereabouts is unknown and:

- where the circumstances are out of character; or
- the context suggests the person may be subject to crime; or
- the person is at risk of harm to themselves or another.

A Wanted Registered Sex Offender is defined as those who are subject to the notification requirements of the Sexual Offences Act 2003 and who have a live warrant in force.

The 9 Wanted RSOs are assessed as having left the UK with no indication they have returned. Police Scotland treat all missing and wanted Registered Sex Offenders with the utmost seriousness and will carry out thorough enquiries to trace their whereabouts and to re-establish the management required to protect the public. On all occasions a Senior Investigating Officer (SIO) of a rank no less than Inspector will be appointed to lead these investigations. Up to date figures are available via the Police Scotland website.



Scottish Government
Riaghaltas na h-Alba
gov.scot

© Crown copyright 2016

OGL

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at
The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-78652-560-4 (web only)

Published by The Scottish Government, October 2016

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS81065 (10/16)

W W W . G O V . S C O T