

MAPPA

(Multi-Agency Public Protection Arrangements)

Local Working Requirements 2008

(for all statutory and Duty to Co-operate agencies)



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1. Introduction

The purpose of the “Local Requirements” is to outline the legislation and statutory obligation within Multi-Agency Public Protection Arrangements. It also aims to address gaps in knowledge that were highlighted in the recent Thames Valley MAPPA Review, by offering guidance and clarity of roles and responsibilities. For further in-depth information please refer to the Home Office MAPPA Guidance 2007, which can be obtained from either the Police, Probation or Prison Services.

This LWR promotes confident, appropriate and effective sharing of information. Having in mind Section 14 (below), agencies should be mindful that previous public inquiries have always been critical of the lack of information sharing.

The Criminal Justice and Court Services Act 2000 and the Criminal Justice Act 2003 require the Police, Probation and Prison services (jointly comprising the “responsible authority”) to establish formal arrangements for the purpose of assessing and managing the risks posed by:

- (a) relevant sexual or violent offenders, and
- (b) other persons who by reason of offences committed by them (wherever committed) are considered by the responsible authority to pose a risk to serious harm to the public.

This document revises previous local arrangements following publication of national guidance by the Home Secretary in November 2007 and subsequent review of local practice. It takes full account of the legislative requirements of the Sexual Offences Act 2003, Criminal Justice Act 2003, Criminal and Courts Services Act 2000, the Human Rights Act 1998, the Crime and Disorder Act 1998, Data Protection Act 1998, and the Freedom of Information Act 2000.

The Local Working Requirements are tailored to the basic Multi-Agency Arrangements of the Thames Valley, further detailed guidance can be sought from the MAPPA Guidance 2007 published by the National Offender Management Service Public Protection Unit.

It also takes into account the recommendations made after the Effective Supervision Inspection by HM Inspectorate Probation; and proposals contained in the Hanson & White Report, and Rice Report written by HM Inspector Probation following Serious Further Offences. This document also incorporates the general principles of ACPO NPIA guidance ‘Protecting the public: managing sex offenders and violent offenders (2007)’.

The purpose of MAPPA is to:

a.	Establish the nature and level of risk of serious harm posed by persons meeting the notification criteria through the sharing of relevant information and assessments;
b.	Share and co-ordinate risk management plans;
c.	Identify gaps in either the risk assessment or risk management process;
d.	Monitor and review multi agency risk management;
e.	Encourage and support the involvement of all agencies and individuals (statutory and voluntary) involved in management plans;
f.	Provide information and protection for past and potential victims;
g.	Decide what information should be shared, to whom and by whom.

2. The Structure of MAPPA in Thames Valley

In each local probation and police area within Thames Valley, there should be multi agency meetings for the purpose of ensuring the effective management of MAPPA offenders. It is the joint responsibility of the Police, Prison and Probation services to convene and chair the meetings.

MAPPA Level 1 and Level 2 meetings (here in known as MAPP meetings) are normally held monthly. Meetings will be chaired by either a manager from the probation service of at least Senior Probation Officer grade or manager from the police of at least Chief Inspector rank with authority to commit resources.

MAPPA Level 3 meetings are coordinated from the Central Public Protection Unit, based at Police Headquarters, in liaison with local practitioners and managers. These meetings are called Multi-Agency Public Protection Panels (MAPPPs). A timetable has been produced for Level 3 panels, should a relevant case arise, although an emergency panel may be convened at short notice in response to events or on receipt of information about risk, which requires urgent attention. The panels will be scheduled to take place weekly, on a rotating basis, in Oxford, Reading, Milton Keynes and Slough, respectively. Meetings will be chaired by a Senior Manager, from either police or probation, who has no direct operational influence in the specific case and who has the ability to call on additional resources.

The Central Public Protection Unit is managed by the MAPPA Coordination Manager. It has within it: ViSOR Systems management and administration for the Police Service; the specific point of contact for queries regarding the notification of registered sex offenders; and MAPPA administration, including collation of data and quality management. ViSOR administrators from Thames Valley Probation will also co-locate within this Unit.

3. MAPPA Categories

In order to meet the MAPPA criteria, an offender should fall within three specific categories.

MAPPA Category 1 – Registered Sex Offender

All Registered Sex Offenders (RSOs) are subject to MAPPA. Part 2 of the Sexual Offences Act 2003 defines registered sex offenders as those offenders having been convicted or cautioned since 1st September 1997 of a sexual offence listed in Schedule 3 of that Act, or who at that point were serving a sentence for a like offence.

RSOs remain subject to MAPPA for the period they are required to register. This is determined by the sentence received for the qualifying offence or by the presence of a civil order attracting a requirement to register, for example, a Sexual Offences Prevention Order (SOPO).

MAPPA Category 2 – Violent/Other Sex Offenders

This category can be summarised as those offenders who have committed an offence within Schedule 15 of Criminal Justice Act 2003 (CJA 2003) and who receive one or more of the following disposals:-

- 12 months or more imprisonment;
- 12 months or more detention in young offenders institution;
- a sentence of detention during Her Majesty's pleasure;
- a sentence of detention for public protection under section 91 of the Sentencing Act (offenders under 18 convicted of certain serious offences);
- a sentence of detention under section 228 CJA 2003;
- a detention and training order of 12 months or more;
- a hospital or guardianship order within the meaning of the Mental Health Act 1983 (c.20);
- found not guilty by a court in England or Wales by reason of insanity;
- found to be under a disability and to have done the act charged against him in respect of such an offence.

This category only applies to offenders who are *currently* subject to statutory supervision on prison licence conditions, who were sentenced after 1st April 2001 or who were at that point serving a sentence for a qualifying offence. This category is not retrospective pre 1st April 2001.

Offenders remain in this category until the end of their licence for the qualifying offence. At this point the offender should be reviewed under MAPPA and if a significant risk of serious harm remains they should be transferred to MAPPA Category 3. If there is no longer a risk of serious harm the offender should be de-registered from MAPPA.

MAPPA Category 3 – Other Offenders

These are offenders who are not included in Categories 1 or 2 but who are considered to pose a high or very high risk of causing serious harm to the public or an individual and have interagency involvement. The identification of these offenders is dependent on, and determined by, the judgement of and the risk assessment undertaken by the agency involved in agreement with the 'Responsible Authority', (Police, Probation and Prison Service).

To be included in this category the offender must have been convicted of an offence that indicates they are capable of causing serious harm to the public **AND** the 'Responsible Authority' must have reasonable and identifiable concerns that the offender may cause serious harm to the public or specific individual in the future, (High Risk). An offender will remain subject to MAPPA in this category until the 'Responsible Authority' determines the risk of causing serious harm has diminished. At this point the offender should be de-registered from MAPPA.

4. MAPPA Levels of Management

There are three levels of MAPPA management to differentiate the degrees of executive involvement. The structure of risk management is intended to enable resources to be deployed to manage identified risk in the most efficient and effective manner. The levels of risk management do not always equate directly to levels of risk but normally the higher the assessed level of risk, the higher the level of management required. The level at which a case is managed is dependent upon the nature of the risk and how it can be managed – not all high risk will need to be managed by the MAPP and the complexities of managing a medium risk might justify MAPP referral. The risk management structure is based on the principle that cases should be managed at the lowest level consistent with providing a defensible risk management plan. An offender can only be managed at one of the below levels, however, s/he may move between levels dependant on risk and management plan.

In order to establish the MAPPA Level, those referring into MAPPA need to consider:
(See diagram on page 6)

What is the level of risk of serious harm presented by the offender?

Definition of serious harm: life threatening or traumatic from which recovery whether physical or psychological is difficult or impossible.

How many agencies are actively/significantly involved in the management of risk?

Definition of Active/Significant management of risk: regular meaningful contact as part of an action plan to reduce risk. E.g. co-working with other agencies; frequent home visits; disclosure issues.

4.1 MAPPA Level 1 – Ordinary Risk Management by practitioners

Level 1 is used in cases when the risk posed by the offender can be managed by one agency without regular, active or significant involvement from other agencies. Generally, offenders managed at Level 1 are assessed as presenting a low or medium risk; and the large proportion of all MAPPA offenders are likely to be managed at this level. ***Relevant information about these offenders needs to be shared with partnership agencies, usually in the form of the agenda, to identify if any other agency has some information that could increase risk. There is no discussion about the case, unless someone highlights information that their agency holds.***

Level 1 cases can be difficult to review because they may either be managed at a single agency level, therefore being overseen by other agencies is inappropriate, given the managing agency will have their own standards and objectives to work to; or the risk is low or medium, therefore the inter agency management of the case takes place away from the formal MAPP meeting.

For cases with single agency intervention: reviews should take place with line managers in order to monitor the case and highlight any significant change in circumstances. Advice about these cases can be sought from partnership agencies outside the MAPPs.

For low – medium risk cases with interagency plans: regular reviews should take place, outside the formal MAPP meeting, with the respective practitioners working with the case.

Monitoring of these cases is crucial because most serious further offences are committed by this group of people following a change in circumstances e.g. relationships, substance misuse etc. If the supervising agency believes risk of serious harm is escalating further they must contact the police (999) if they think there is an imminent risk to an individual; otherwise the case must be discussed at a formal MAPP meeting if it requires additional resources or assistance from another agency.

It is imperative that all Level 1 cases are formally reviewed at MAPP meetings at least once a year (although Probation/Police, need to review their case records internally within a 16 week timeframe). This is to allow the other agencies to check that their databases annually. If no other agency has information, it again requires no discussion. Once the review has been completed it should remain in the case file and a copy forwarded to the Central Public Protection Unit. If the case is supervised by probation, the MAPP review should link with the OASys review, in accordance with National Standards. Police managers should review ViSOR records.

4.2 MAPP Level 2 – Local Multi Agency Risk Management Meeting (MAPPs)

Level 2 is used in cases when the risk posed by the offender is managed with regular, active or significant involvement of more than one other agency. The Level 2 meetings (MAPPs) must prioritise the high risk and complex cases to prevent the MAPP system becoming saturated and ineffective. The main distinction between Level 1 and Level 2 is the need for management oversight of Level 2 cases in order to monitor the cross agency intervention.

The purpose of MAPPs is to consider the risk assessment and identify any gaps before coordinating an inter-agency management plan to protect the public/reduce risk which may include requesting further assessments.

People referring into Level 2 meetings are expected to produce as much of the management plan as possible prior to the meetings, following consultation with other key agencies identified as working with the offender or relevant significant others.

The management plan needs to focus on the criminogenic factors identified in the risk assessment, i.e. those factors that contributed to the offending behaviour and are likely to increase or decrease risk, which is why it is important to have a structured risk assessment (e.g. OASys). The specific action points should be owned by specific individuals, from the relevant agencies, but working together with the common aim of reducing risk.

When working to a risk management plan; liaison with colleagues, from across different agencies, must take place outside the meetings. This is to save time and allow Managers at the meetings to concentrate on problematic or difficult cases.

All Level 2 cases must be reviewed at their respective MAPPs in accordance with the timescale of the action points in the management plans or at least every eight weeks.

4.3 MAPP Level 3 – Multi Agency Public Protection Panels (MAPPs)

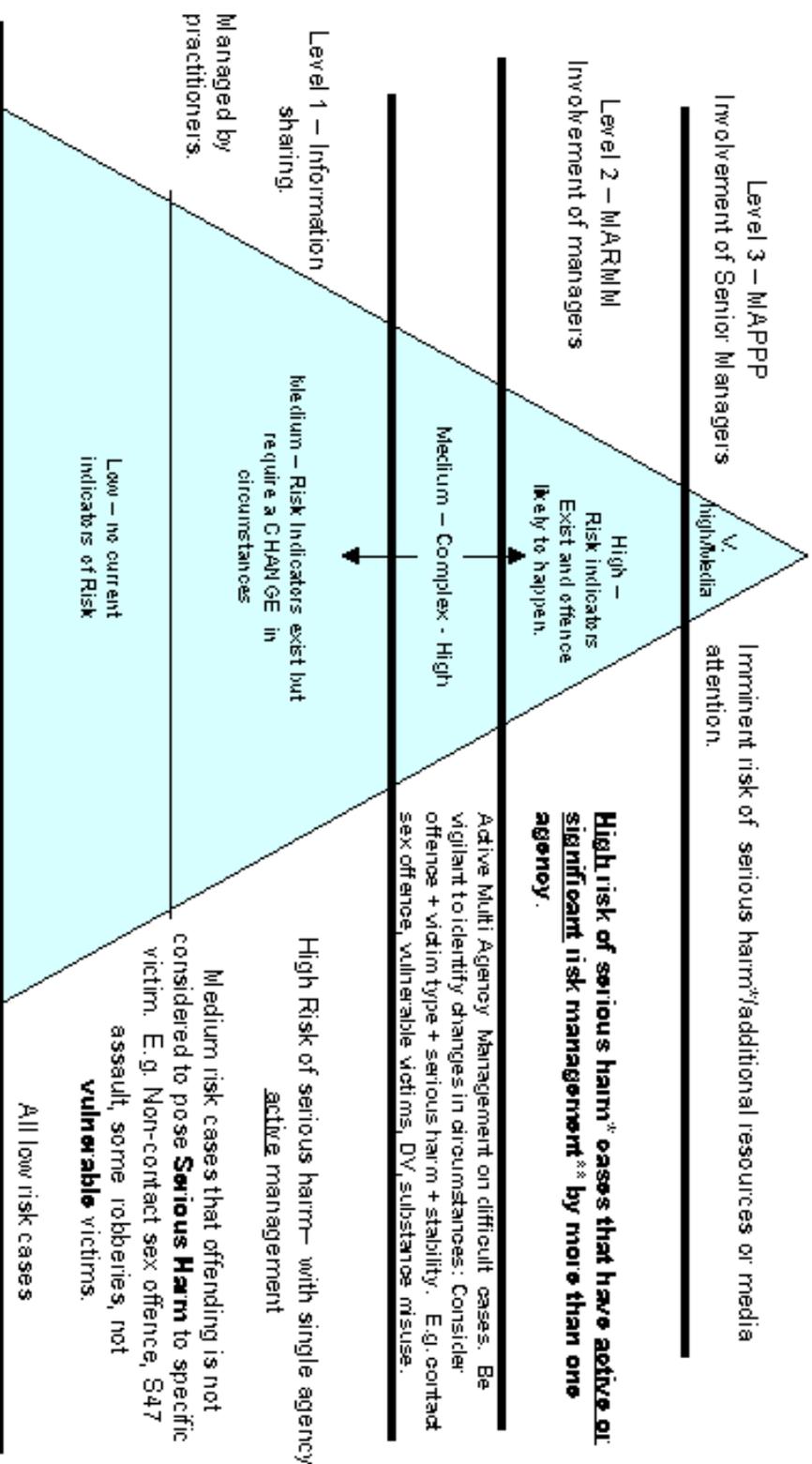
This level is to be used for the ‘critical few’. Cases are defined by the following criteria:-

(i)	the offender is assessed under OASys, ASSET or other formal, recognised or clinical assessment as a high or at high or very high risk of causing serious harm; AND
(ii)	presents risks that can only be managed by a plan which requires close co-operation at a senior level owing to the complexity of the case and/or because of the unusual resource commitments it requires; OR
(iii)	<p>although not assessed as high or very high risk, the case is exceptional because the likelihood of media scrutiny and/or public interest in the management of the case is very high and there is a need to ensure that public confidence in the criminal justice system is sustained.</p> <p>Also, Level 3 cases should not be describing the “inherent qualities of the offender” but instead the level of <i>restrictive intervention</i> required in order to keep to a minimum the offender’s Risk of Harm to others. (HMIP Review of a Serious Further Offence – Rice, 2006).</p> <p>Reviews of Level 3 cases will be determined by the timescale afforded to action points. As a minimum every 4-6 weeks.</p>

The meetings or panels must not vary any licence conditions imposed by the Parole Board or a Prison Governor. For further details see Section 12 – Other Home Office Units. Neither should they act as custodians of referrals or transfers within agencies.

Sharing a common understanding of MAPPA Management Levels. (Thames Valley Area).

MARMms and MAPP are for coordinating multi agency plans and identifying gaps.



* Definition of Serious harm = life threatening or traumatic from which recovery whether physical or psychological is difficult or impossible

** Definition of Active/Significant management of risk = regular meaningful contact as part of an action plan to reduce risk

5. Other Meetings

Domestic Violence/ MARAC

Cases involving offenders who meet the criteria for referral to MAPPA must be referred to a MAPPA meeting and not to a MARAC.

MAPPA comprise the statutory responsibility around multi agency management of persons who pose a risk to the public. It is therefore important that offenders are assessed to see if they fit the criteria for submission to MAPPA before they are referred to a MARAC. (For reference a list of the criteria and MAPPA offender categories is included at App XII).

If the offender meets the criteria in any of the MAPPA categories they must be referred to the MAPPA and not to a MARAC. Cases most likely to meet MAPPA criteria will involve offenders who fit the category 3 offender criteria. The MARAC coordinator should ensure that all such cases are referred to MAPPA using the referral form.

MAPPA cases should not subsequently be referred to a MARAC. The MARAC has no statutory obligations to risk manage MAPPA category offenders. As stated in the introduction “the responsibility to take appropriate actions rests with individual agencies” and the statutory responsibilities around MAPPA are not transferable to a MARAC.

It is imperative that information is not lost between these forum. All relevant information from MARACs must be made available to the MAPPA.

If an offender is about to start the Community Domestic Violence Programme (CDVP), it is required that an interagency risk assessment and management meeting takes place as part of the programme, which addresses reducing the risk posed by the offender and enhancing the safety of the known victims and/or current partner. The safety plan needs to include multiple agencies e.g. police (DVU), probation offender manager, CDVP programme SPO, women safety worker, women aid/refuge, and social services (if children are involved).

Each police basic command unit has a public protection unit containing police domestic violence staff and public protection officers responsible for MAPPA offenders. There needs to be a close working relationship between DVU and MAPPA to ensure information sharing. If a known MAPPA offender commits a new offence involving domestic violence, the DV officers must notify the PPO immediately, and vice versa. For further clarification about local practices, those whose work involves domestic violence should refer to their local DVU for further information about non MAPPA cases.

A Thames Valley wide MARAC protocol is in progress.

Other Professionals' Meeting

Professionals' meetings were set up to take advantage of the expertise provided by the core group membership of MAPPs, for the purpose of seeking advice and direction on particular cases. While professionals' meetings follow on after a MAPPA meeting i.e. MAPP or MAPPP, they are for cases that do **not** fulfil the MAPPA categories, (as highlighted in Section 3). It is unlawful to consider such cases in the MAPPA forum.

They may be referred to as a potentially dangerous person (PDPs). There is no definitive definition of a PDP and no legislation recognises their existence as a class or type of offender. A PDP is someone whose behaviour gives grounds for believing that there is a present likelihood of them committing an offence that will cause serious harm. For example, a person who has come to notice as a result of arrest or investigation but no charge or prosecution has resulted, such as

where a child abuse investigation cannot prove guilt to a prosecution standard, but there is evidence that suggests the person poses a serious risk of harm in the future.

The decision to formally identify a person as a PDP should normally rest with an officer of superintendent rank or above, but this authority may at times be delegated to a Chief Inspector. Assessment of PDP is particularly problematic because many of the available assessment tools are for convicted offenders. Neither the probation nor prison services have an automatic role in managing PDP but their expert advice may be required in exceptional circumstances. Authority of a Superintendent is required to list a PDP on the ViSOR system.

The agency requesting a professionals' meeting, using this framework, will be required to complete the minutes.

This procedure is only used for cases that require the expertise of the core groups. Using MAPPA for a forum for discussing either all cases that have a multi agency approach (including low risk cases) or routine single agency cases is unlawful. Practitioners and their managers should arrange separate meetings outside MAPPA for concerns about their cases that do not fulfil the MAPPA criteria.

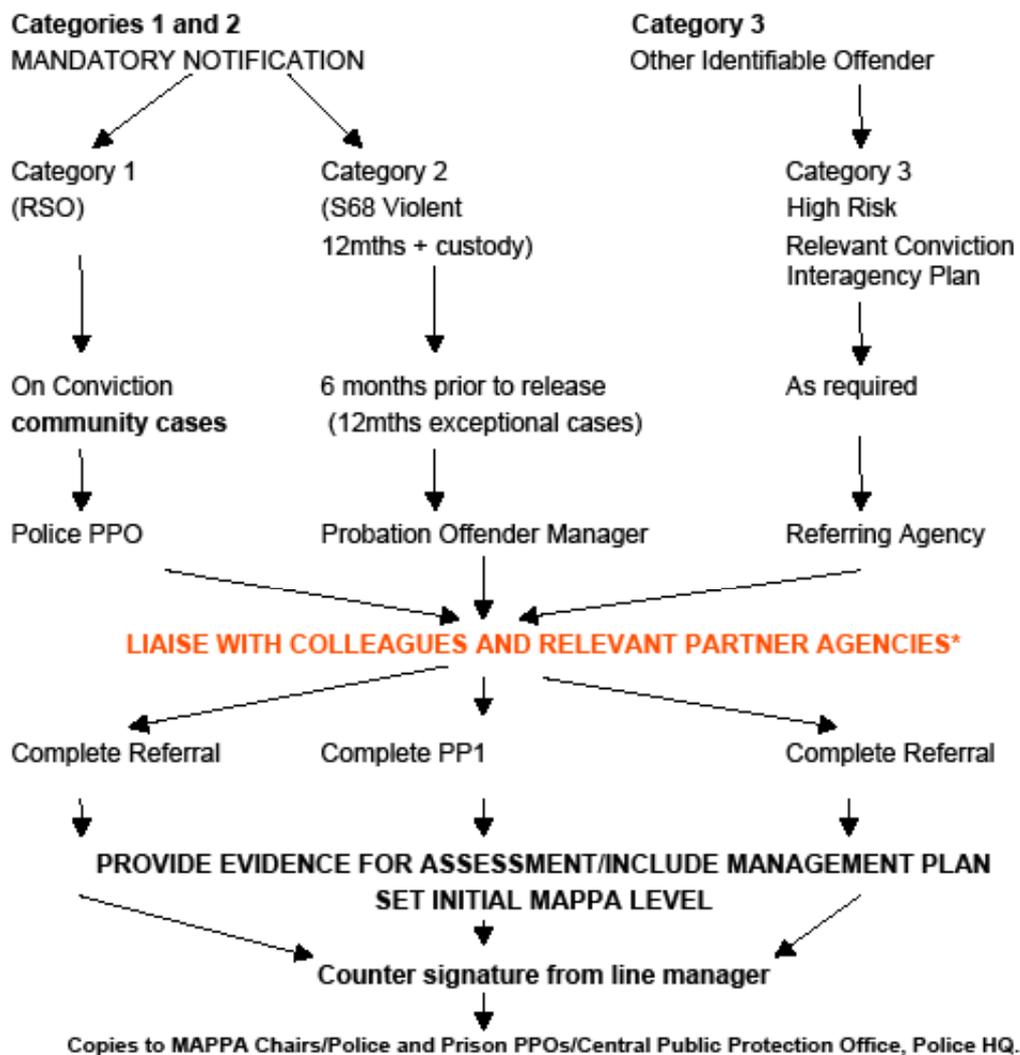
It is important that other more appropriate and established procedures are used rather than referring into professionals' meetings e.g. child protection conferences; mental health tribunals; care programme approach, etc. If the offender is a MAPPA case and has links with other procedure, formal links should be made between the meetings.

Details about professionals' meeting will not be held centrally at the police/probation public protection unit.

6. The Forms

National templates have been trailed and will supersede local forms in May 2008. These forms will be available on ViSOR. Duty to Cooperate Agencies can obtain WORD copies of these forms from Responsible Authorities or the Central Public Protection Unit.

MAPPA OFFENDER NOTIFICATION PROCESS



MAPPA Coordination Panel confirm levels

*N.B Obtain relevant reports/information and incorporate other agencies' action plans into the management plan.

January 2008

7. What is a Risk Assessment?

Great strides have been made in improving risk assessment. The use of OASys and Risk Matrix 2000 by the Prison, Probation and Police Services provides a common and timely approach to risk assessment. There are other recognised actuarial risk assessments used by Duty to Cooperate Agencies e.g. SARA, ASSET and those used by Mental Health Services. These provide a platform upon which sound practice must be based and forms part of the foundation of the MAPPA framework. The following information aims to clarify what a formal risk assessment is when discussing offenders.

There are three key stages in considering risk for the purpose of public protection:

Risk Identification – triggered by current or past behaviour;
Risk Assessment;
Risk Management.

A risk assessment is a prediction that an event is likely to happen. It suggests the likelihood or probability that an offence will occur given a set of circumstance. The purpose of a risk assessment is to inform a management plan that will try to reduce the likelihood of the offence happening. Risk assessments on offenders need to focus on the likely offence's seriousness and frequency. This is referred to as risk of serious harm and risk (likelihood) of reconviction. Serious harm refers to the harm the offender presents to the public, known adults or children, staff and themselves.

There are two main approaches to assessing the risk posed by offenders; clinical and actuarial.

Clinical – “diagnostic” relies on professional judgement. Using own knowledge and experience to weigh the information collected through interviews and file reading. Research shows that on its own this is unreliable due to personal factors and interpretation, (Clark et al 1993, Blackburn 1984).

Actuarial – has roots in the insurance industry's attempts to calculate probability of certain negative events. These assessments are based on statistical data derived from certain known groups. For offenders these include static factors like the number and types of previous convictions, age of conviction(s), gender, and previous breaches of orders. Common actuarial tools include Offender Group Reconviction Scale – OGRS for all offenders (although to be used with caution for female and Black offenders given the general offender group it is based upon) and RM 2000 for specific sex offenders. They calculate a percentage figure to indicate the **likelihood the person, with that profile, is of being reconvicted** over a certain time scale. BUT they do not predict with certainty that a particular offender will commit a further offence! They also fail to acknowledge positive change. So, an offender may be considered as 70% likelihood of reconviction, but what if they are one of the 30%? In order to complete a RM 2000, an officer needs to have been trained by accredited trainers, who have undertaken the necessary instructions by David Thornton, the author of RM 2000. RM 2000 is limited to male offenders aged at least 18 years, convicted of a sexual offence of which at least one conviction is for a sexual offence committed after the age of 16 years old.

In domestic violence cases, when the man is the offender, SARA, spousal assault risk assessment tool, is used to guide the trained practitioners to assess the risk of harm relating to domestic violence. It requires both static and clinical input. Staff must be trained by accredited trainers, who themselves have been trained by Randal Kropp, author of SARA.

In order to add value to these approaches it is necessary to consider the social and dynamic (changing) factors that are in the offender's life. These factors change over time to increase and decrease risk.

Reviews of research using social factors to calculate re-conviction concluded that they were predictive. Gendreau and Coggin, 1996, suggested that the best predictors of recidivism are first

“attitudes and behaviours supportive of a criminal lifestyle”; second, “criminal history”; and third “social achievement” (employment/education). Clark, 1998, highlighted that employment and education improved accuracy but others factors were also predictive; underlying personality traits, patterns of behaviour, attitudes. May, 1999, also highlighted the most powerful predictor was criminal history and social variable played a part. In order to obtain evidence for the purpose of assessing risk, it is necessary to have an **investigative approach** to seek out and verify information. On 28 June 1999, Lord Justice Sedley, stated that not only was it permissible for probation officers to investigate the nature of the defendant’s offending: it was their duty to do so. (Regina v Salisbury Magistrates’ Court, Ex parte Gray).

It is, therefore, necessary to have a framework that combines a clinical and actuarial approach using static and dynamic evidence in order to achieve a robust risk assessment on offenders. Offender assessment tools provide such frameworks to allow qualified professionals, working with offenders, to produce structured risk assessments that also improve consistency and transparency in decision making.

E.g. OASys, (offender assessment system) and SARA (spousal assault risk assessment) are completed by offender managers (probation officers) for MAPPA cases. VRAG (violence risk appraisal guide) and PCL-R (psychopathy check-list revised) require a forensic psychologist (preferably not working directly with the offender) to complete and interpret the assessment.

OASys should form the cornerstone of any assessment. It has two main parts; one for calculating the risk of reconviction with 2 years of general offending) and the second provides a structured framework to assess risk of serious harm. The first part allows the offender manager to calculate the likelihood of reconviction by scoring evidence in eleven areas that influence people’s lives: Offending history; accommodation, employment/training; relationships; emotions; lifestyles and associates; thinking and behaviour, attitudes, substance misuse, alcohol, and financial. Any significant factors highlighted in this section, which suggests the offender poses a risk of serious harm, is brought into the second part, to assist in developing a framework for assessing risk of serious harm. Through its completion, OASys should highlight gaps, which should act as a trigger for the need for specialist assessments, e.g. sex offenders, mentally disordered offenders, domestic violence etc.

If a specialist report is unavailable for a sex offender, when assessing the overall risk of serious harm; start with the RM 2000 static assessment, (if the offender fits its criteria), before applying the social and dynamic factors highlighted in the OASys Risk of Harm section.

For example, if RM 2000 suggests an offender, who committed a sexual offence, is low risk of reconviction; it is not to say that the offender would not re-offend, in particular circumstances. Apply the factors, indicating when risk is greatest, as highlighted in the OASys Risk of Harm section.

If the similar factors/circumstances arise – then clearly the risk of serious harm is higher than that indicated on Risk Matrix. As a guide – the highest level of risk should be recorded as the overall risk of serious harm.

Definition of Risk of Serious Harm:

	All offenders have potential for harm. There is no such thing as NO RISK
LOW	Current evidence does not indicate likelihood of causing <u>serious harm</u>
MEDIUM	There are <u>identifiable indicators of risk of serious harm</u> . The offender has the potential to cause serious harm but is unlikely to do so unless there is a change of circumstances, for example, failure to take medication, loss of accommodation, relationship breakdown, drug or alcohol misuse.

HIGH	There are identifiable indicators of risk of <u>serious harm</u> . The potential event could happen at any time and the impact would be serious.
VERY HIGH	There is an <u>imminent risk of serious harm</u> . The potential event is more likely than not to happen imminently and the impact would be serious.

As with any assessment, it is important that reviews are routinely undertaken, either in line with agency standards (16 weeks for probation and Police cases), when there is a significant change in one of the criminogenic factors that may increase risk or when a further offence is committed.

8. What is Risk Management?

Management of the offender aims to reduce the likelihood of further similar offending behaviour with appropriate and targeted intervention. There needs to be a correlation between the risk assessment, identifying the contributory factors, and the planned intervention.

If an offender is supervised by the probation service, there are two approaches to planning intervention.

- 1) Sentence Planning. This is linked to the social and dynamic factors that have been flagged up within the eleven sections of OASys that have been shown to be contributing to the offending behaviour. They are interventions that the offender has to complete with a view to **changing** his or her behaviour.
- 2) Risk Management Plan. There is a risk management section in OASys risk of harm with specific heading for MAPPA cases that are considered to pose medium, high and very high risk of serious harm. The plan contains interventions that are imposed on the offender, e.g. exclusion zones, no contact orders, hostel residency, social services involvement, with a view to **controlling** his or her behaviour.

Framework for Risk Management Plan:

<p>a) Other agencies involved Provide brief outline of the activity of each agency that can be shared with the offender. Cross-reference should be made to any supporting risk management framework used, e.g. child protection procedures; care plan; PPO scheme etc.</p> <p>b) Existing support/controls In place or can be re activated if offender is being released into community.</p> <p>c) Added measures for specific risks E.g. reference to work with Victim Liaison Unit where appropriate</p> <p>d) Who will undertake the actions and by when Cross reference to any recent or planned MAPPA meeting.</p> <p>e) Additional conditions/requirements to manage the specific risks.</p> <p>f) Level of contact (must correlate with the level of risk). Including frequency of home visits</p>

The actions in the plan must follow the **SMART principles of being specific, measurable, achievable, realistic and time bound.**

It is important that resources follow risk; therefore there should be a link with the risk that the offender presents and the level of intervention. The practitioner should try to avoid vague

objectives like “risk management” instead say “risk management by.....” – the how is key. Active management requires the intervention to be regular and meaningful. The higher the level of risk the more contact agencies should have with the offender.

A management plan must be prepared on prisoners in advance of their release. Depending on the risk status, a prison visit may be required, or contact must be made via letter or prison staff, to ascertain the offender’s view of his/her release plan.

A general rule is the home area would be rightly considered first for resettlement unless this option is precluded by location of the victim or serious risk to the offender. When managing the transfer of a high risk case, the offender manager must refer to Probation Circular 06/2007.

9. MAPPA Co-ordination Panel

Members from the Thames Valley MAPPA Co-ordination Panel (TV Probation Principal Psychologist: TV MAPPA Coordination Manager and DCI Public Protection) review all PP1s received for relevant cases. Feedback to the author of the referral; the Police PPO and the Senior Probation Officer will be received on an Acknowledgement and Feedback Form.

The role of the Panel is to demonstrate public accountability, consistency in assessment and adherence to government expectations in relation to MAPPA. It is also to quality assure the MAPPA process by confirming that assessments are supported by appropriate evidence and are defensible and proportionate. This role is important both for the appropriate level of supervision of dangerous offenders and the probity of MAPPA statistics which are published annually.

10. Membership of MAPPA

Representatives attending meetings should include, among others:

- ◆ Senior Probation Officer and/or Offender Manager Assistant Director
- ◆ Superintendent/DCI Public Protection
- ◆ Representative from prison service in accordance with the Prison Service Protocol
- ◆ Probation officer or other referring/supervising officer/social worker
- ◆ Police/worker with specific responsibility for dealing with offenders subject to this protocol on the police are (Public Protection Officer)
- ◆ Child Protection Co-ordinator or their representative (children services)
- ◆ Management representative or other delegated officer from Local Authority Housing Management Department
- ◆ Representative from Thames Valley Sex Offender Groupwork Programme
- ◆ YOT manager or representative
- ◆ Representative from Mental Health Services e.g. Community Mental Health Team
- ◆ Representative from Probation Victim Liaison Unit
- ◆ Safeguarding in Education Manager (Local Education Authority)

Attendance by a representative of the Prison Service will be in accordance with South Central Prison Region MAPPA Protocol. This confirms that there will be a prison representative at all Level 3 meetings on prisoners held in Thames Valley prisons with Thames Valley addresses for whom the authorities have accepted responsibility. Attempts will be made, where possible, to return prisoners to Thames Valley prisons to facilitate local release. Attendance over and above is at the discretion of the Prison Governor and can be negotiated.

Offenders should be excluded from MAPPA meetings. It is important to be clear that the human rights of offenders should never take priority over public protection. The offender may present written information through their offender/case manager.

NB: This list is not exhaustive but the Chair of each meeting must be satisfied that invitees are able to conform to expectations clarified elsewhere in this protocol regarding the confidential receipt and use of information. Local Chairs should work together to encourage attendance at MAPPA meetings, but if there is continued failure to engage with MAPPA, the Chair must advise the MAPPA Strategic Management Board.

The Duty to Co-operate

Section 325 (1-5) of the Criminal Justice Act (2003) imposes a “duty to co-operate” with the MAPPA responsible authority on various organisations providing public services. This development has been informed and defined in co-operation with relevant government departments and interests.

The purpose of this development is to help strengthen the MAPPA in making defensible decisions about the management of offenders. It acknowledges the crucial role in the resettlement and rehabilitation of offenders that is played by various governmental and other organisations.

It is designed to enable these agencies to work together in order to achieve co-operation rather than “collision”, whereby agencies might unintentionally frustrate or compromise the work of one another through lack of communication or recognition of their responsibilities.

MAPPA in itself is not a legal entity but rather a set of administrative arrangements. Authority and professional responsibility for action remains with the agencies involved and to this end MAPPA seeks co-ordination. This new legislation does not *define* the activities that the duty to co-operate involves but provides *guidance* to this effect. It requires duty to co-operate agencies to co-operate only insofar as this is compatible with their existing statutory responsibilities.

It is vital that different agencies respect each other’s role and the professional responsibilities and limitations that this might involve. Co-operation cannot be based on the command and control of one agency by another. There is a recognition that co-operation between agencies will not always be without tension. Partnerships of the sort embodied in MAPPA can be problematic, particularly when they involve individual offenders who present considerable challenges to the professionals concerned. The aim for the agencies is to work together to protect known victims and the public.

The five key roles of any agency operating within the MAPPA process are:

- a) To provide a point of contact for other agencies.
- b) To provide general advice about an agency’s role and the service it provides.
- c) To provide specific advice about the risk assessment and management of a particular offender.
- d) To co-ordinate its approach as best as possible with other agencies.
- e) To enable every agency, which has a legitimate interest, to contribute as fully as its existing statutory role and function requires, in a way that complements the work of other agencies.

11. Duty to Cooperate Agencies

The following are identified as agencies with a duty to cooperate in MAPPA. Details of their respective roles and responsibilities are given:

Youth Offending Teams (YOTs)

YOTs are multi agency partnerships established by local authorities across England and Wales. They can provide a ‘single agency’ risk assessment and risk management at MAPPA Level 1,

although are required to refer into the MAPPA for young people meeting the requirements of Levels 2 and 3. Further MAPPA involvement may come about in some cases where supervision of the case is being transferred to the probation service (generally those serving Section 91 sentences for very serious offences). YOTs often have separate well established multi agency risk meetings; reference to these meetings should be made in the PP1 management plan to avoid duplication at the MAPP. For the purposes of MAPP however YOT is regarded as one agency.

Jobcentre Plus

This agency was formed in April 2002 by combining the employment service and parts of the benefits agency providing services to people of working age. This agency will be involved in MAPPA under the auspices of Probation Circular 48/1999 (currently awaiting revision) regarding the employment of potentially dangerous offenders. Information disclosed in these cases should be strictly limited to the identity of the offender and the nature of the employment from which s/he should be restricted. Inappropriate further disclosure may be unlawful if not balanced and proportionate.

Local Authority Children's Services Department (Local Education Authorities & Local Authority Social Services)

Following the Children Act (2004), county and unitary level Local Authorities are bringing together all their responsibilities for children under a Director of Children's Services, including education work and children's social care work. Responsibility for adult social care rests with a new post of Director of Adult Social Services.

- a) It has been agreed that the most likely involvement LEA in MAPPA is at either Level 2 or 3 or
- b) In cases where a MAPPA offender may pose a risk to young people for whom they have responsibility.

The Education Service, particularly schools, can make a helpful contribution to the work of MAPPA because:

- Schools are able to provide their pupils with programmes of child protection awareness training i.e. Stranger Danger etc. This training can be re-enforced at times when there is a particular local risk;
- School staff are well placed to be alert and aware regarding activities within the locality that could provide a threat to pupils;
- In particular situations, and with the authorisation of the Police, schools are in a position to warn individuals or groups of pupils, or staff, regarding possible danger;
- Schools are able to provide a safe environment during the daytime for children and young people;
- The local school is often the first port of call for parents who want to voice their concern regarding worrying activities in the area; and
- Schools are often able to provide helpful information to assist the work of MAPPA.

Schools play a key role in safeguarding children. They should have designated a senior member of the leadership team to take lead responsibility for dealing with safeguarding children issues.

The Local Safeguarding Children Board (LSCB) will have policies and procedures in place for safeguarding children for their members to follow. They need to link closely with the Local MAPPA.

Local Housing Authorities (LHAs)

The duty to co-operate does NOT create a duty for LHAs to house offenders. However, the LHA has a role in providing information and allocating long-term accommodation to those who are entitled to it who have become homeless through no fault of their own. This includes some offenders who can be classified as “vulnerable” people if they have spent time in custody. Whilst all LHAs are strategic, and make these kinds of decisions, some are also providers of accommodation, so carry out the role referred to under “Registered Social Landlords” below, as well. Local Authorities also have a role in enforcement, and can obtain Anti-Social Behaviour Orders, injunctions and other sanctions for poor behaviour.

Registered Social Landlords

This group includes housing associations but also includes trusts, co-operatives and companies. Only those which provide accommodation to MAPPA offenders have a requirement to co-operate – normally when considering the offer of housing to such an offender. Once allocated to RSL or LA accommodation, that agency’s housing management service will monitor the tenancy, and support it where required. This can also lead to the delivery of sanctions including, ultimately, eviction – not only for poor behaviour but also, of course, rent arrears.

Each main probation office in Thames Valley should have a PSO to provide housing.

Local Authority Social Services

Links between these agencies and MAPPA are likely to be in the area of child protection and also operate under the auspices of the Local Safeguarding Children Boards. Local authorities under Section 47 of the Children’s Act 1989 have a duty to investigate and if needs be intervene in cases where they have a “reasonable cause to suspect” that a child might be suffering serious harm.

Health Bodies

The Duty to Co-operate is imposed upon a range of Health Trusts and Authorities, and a variety of health practitioners and administrators may be involved in MAPPA.

Mental Health Trusts are the most likely health agencies to be involved in MAPPA as their remit includes mentally disordered offenders, some of whom are MAPPA cases. Liaison between criminal justice agencies and mental health agencies predate MAPPA by many years and such co-working will still apply in many non-MAPPA cases.

Relevant Sexual and violent offenders who receive hospital orders under section 37 of the Mental Health Act (1983) qualify automatically for MAPPA under category 2. Those transferred from prison for psychiatric treatment and who remain there beyond the custodial element of their sentence, are treated as if subject to hospital orders.

Like the YOTs, and unlike other DTC agencies, Mental Health Trusts (together with Social Services) have a statutory supervisory/care role in relation to certain MAPPA offenders. (Care Programme Approach).

The CPA, introduced in 1991, involves a multi-disciplinary approach to care and RA agencies may be involved. This co-operation at Level 1 should continue with referral only once it is clear that the CPA is not equipped to deal with the risks identified. It is likely that most patients subject to hospital orders will be managed within CPA without recourse to MAPPA Levels 2 & 3.

However, experience shows that this cannot be taken for granted and, without appropriate planning and communication, the RA might find itself suddenly dealing with a dangerous offender who has historically been dealt with by a health disposal but who, for a variety of reasons is now considered unsuitable for such an approach.

There is a requirement on the Trust to:

- Identify all offenders who fall within the MAPP arrangements (both those in hospital and those in the community) so that a) the details can be notified to the MAPPA Co-ordinator for insertion on ViSOR; b) that they are well-placed to refer to MAPPA if need be; and c) that they can contribute to the area statistical returns and monitoring;
- Notify the relevant MAPPA Co-ordinator of any decision to discharge or to authorise leave to the offender (and consider MAPPA referral where appropriate). This should occur while the patient is still securely detained, giving as much notice as possible; and
- Flag up and notify the relevant MAPPA Co-ordinator (and consider referral to MAPPA) of any case where a patient is expected to be discharged in the face of objections by the hospital care team and or strong objections by the Secretary of State. Again, this should be notified as soon as it becomes a possibility.

Electronic Monitoring Providers

These groups play an important part in the management of high risk MAPPA cases. Their duty to co-operate is synonymous with their contractual responsibilities. They may provide an input to MAPPA by advising about available electronic monitoring technology and its limitations and also giving advice to MAPPA meetings regarding the requirements of particular cases.

12. Other Home Office/Ministry of Justice Units

Mental Health Unit

This unit takes responsibility for certain types of mentally disordered offender who have been sectioned under various conditions of the Mental Health Act 1983 and thereby become “restricted patients”. In each of these cases the Home Secretary has powers to protect the public from unjustified risk by overseeing the detention of such patients in Special Hospitals (very high security) or Medium Secure Units. Mental Health Review Tribunals are responsible for reviewing the cases of such offenders at regular intervals in order to ensure that their ongoing restriction is appropriate.

This guidance does not take into account amendments under the Mental Health Act 2007 which will be enacted in 2008.

The Parole Board

The Board was set up in 1967 to consider the risk assessment reports prepared by prison and probation staff for the purpose of informing decisions about the release (including setting licence conditions) and recall of specific prisoners i.e. those sentenced under the CJA 1991 to over 4 years, including Life; and those sentenced under CJA 2003 to Public Protection Sentences and Life Sentences. The Board is normally made up of specialist professionals from the legal and forensic fields as well as lay members from the general public.

Amendments to these licence conditions must be requested through the parole board, via the probation offender manager, and not made arbitrarily by local MAPPA meetings.

Pre Release Section (PRS)

Pre Release Section (PRS) forms part of the Public Protection Unit (PPU) in the National Offender Management Service (NOMS) within the Ministry of Justice. PRS was formed in April 2007 as part of an internal restructure of release and recall procedures for life and determinate sentenced offenders. These procedures had previously been the responsibility of the Lifer Review and Recall Section and the Early Release and Recall Section.

Post Release Section

The Post Release Section was also formed in April 2007, continuing much of the responsibilities of the Release and Recall Section. In addition the Section took responsibility for all post release casework including that of indeterminate licensees.

The main bulk of post release work is the recall of offenders subject to determinate, indeterminate, Home Detention Curfew (HDC) and End of Custody (ECL) licences. The section considers breach notification forms sent by supervising Probation Areas, and makes an executive decision to revoke an offender's licence on behalf of the Secretary of State.

Amendments to these licence conditions must be requested through the Prison Governor, via the probation offender manager, and not made arbitrarily by local MAPPA meetings.

The Probation Service has the statutory role in the management of licences and the recall process. They retain the primacy of supervision and responsibility for any recommendations for the revocation of licences. The Police (ACPO) and National Probation Service Joint National Protocol sets out the roles and responsibilities of each service. If recall is initiated the Probation Offender Manager, will prepare a breach report, countersigned by a line manager and senior manager, before sending it to the RRS. The report needs to contain the local police specific point of contact to allow for swift communication, e.g. to dispatch an arrest warrant. The recall procedure is similar for offenders on life licence except the release is by the Secretary of State on the direction of the Parole Board. Consequently, revocation of the licence and recall is by the Secretary of State on either the recommendation of the Parole Board, or in emergency situations on the recommendation of the RRS following receipt of the breach report.

There are standard licence conditions in every prison licence: Keep in touch with supervising officer; receive home visits; reside permanently at home address (and notify in advance of any proposed change, even for one night); undertake approved work (including voluntary); not to travel outside U.K; and be of good behaviour.

Additional conditions can be requested: No contact; prohibited activity; residency; prohibited residency; prohibited contact; programme; drug/alcohol requirement; curfew; exclusion; supervision (provide information to supervising officer to assess risk, e.g. change of car or new relationships) and non association condition.

13. National Intelligence Model

The National Intelligence Model (NIM) ensures that information is fully researched, developed and analysed to provide intelligence which enables senior managers to:

- provide strategic direction
- make tactical resourcing decisions about operational policing and
- manage risk

The Model works at three levels (not to be confused with MAPPA levels);

- Level One - Local/Base Command Unit
- Level Two - Force/Regional
- Level Three - Serious and Organised Crime - National or International

On Basic Command Units (BCU) and Local Police Areas (LPA), Public Protection issues will be considered as part of the Strategic and Tactical Assessments.

Public Protection Officers will act in accordance with the local intelligence requirements and ensure that all relevant information obtained during the course of their work and the MAPPA process is

promptly captured and submitted via form CID72, with proper reliability and dissemination assessment for consideration for the Reader in accordance with Police Intelligence Protocols. It is important that relevant information, from whatever source, is submitted and assessed not just those offences subject to MAPP. For example, a Registered Sex Offender may also be a suspect or involved in other offences which feature the Area Control Strategy, such as burglary. This includes information and intelligence from partner organisations.

Police chairs of MAPP/MAPPP meetings should ensure that agreed bids for policing resources are actioned and forwarded to the Level One Tactical Tasking and Coordinating Group Meetings (T&CG) as required.

Bids for Force resources should be made via a CID51 application to the Force Level Two T&CG. In these cases the DCI Public Protection for the Force should be informed so they can fully explain the bid to the Force T&CG.

In the case of an urgent application for Force resources, contact should be made with the DCI Public Protection or the Force Crime Manager.

14. Sharing Information

When recording, sharing and acting on information it is necessary to consider if it complies with legislation on Human Rights, Data Protection and Freedom of Information, in addition to common law duties of care and confidentiality.

Confident, appropriate and effective sharing of information is a very important part of the duty to co-operate. The effectiveness of the information sharing arrangements will reflect the effectiveness of co-operation within the MAPP. Information sharing is not an end in itself; and it is more than a protocol about how information and what information will be shared, important though those are. The use to which the information shared can be put and the interpretation of its significance is ultimately what is of greatest value. That interpretation or analysis will form the basis of risk assessment and the foundation of the plans to manage risk. The duty to co-operate should not only enable better sharing of information but better interpretation and analysis too. The duty will enable different professional insights to be brought to bear, which can make the assessment and understanding of risk more accurate and more complete. In establishing the duty to co-operate, the emphasis must be placed as much upon the interpretative and analytical skills co-operation can bring, not just the mechanisms for sharing information, very important though they are.

The law requires that personal information:

- is obtained and processed fairly and lawfully;
- is only disclosed (shared) in appropriate circumstances;
- is accurate, relevant and not held any longer than necessary ; and
- is kept securely.

The lawful authority of criminal justice agencies in the context of information sharing in the MAPP is readily understood given the need to assess and manage risk posed by offenders. Moreover, the police, probation and prison services, although different in their own ways, have a common approach to information sharing. This approach can seem very different to “duty to co-operate” agencies whose responsibilities may not normally require or enable them to share information in the same way. Nevertheless, Section 325 of the Criminal Justice Act 2003 makes clear their duty to co-operate within the MAPP, which can include sharing and receiving information where necessary. Other statutes, for example, Section 115 of the Crime and Disorder Act (1998), also provide certain powers to share information.

Critical to the justification of information sharing are the twin requirements of necessity and proportionality. The necessity criterion requires that there is a pressing public protection need. The proportionality criterion requires the information shared must be only that information necessary to achieve the purpose for which it is being shared.

To identify the purpose of sharing information and to ensure that the agencies' obligations to retain and use the information lawfully are fulfilled, it is helpful to keep the following in mind.

The persons with whom information is shared must know:

- ❑ why they have been given it: i.e. the purpose for which the information has been given must be connected either to that person's authority and role as a representative of the duty to co-operate agency; or as someone to whom disclosure is justified because of the exceptional risks posed to them by the offender;
- ❑ that it must remain confidential, be kept safely and retained only for as long as necessary; and
- ❑ what they are expected to do with that information.

Particular attention will need to be paid to the way health professionals approach sharing information. The duty imposed by Section 325 does not create a requirement to disclose in all cases but provides a statutory gateway that permits disclosure when it is necessary, as does Section 115 of the Crime and Disorder Act. (*This guidance is to be understood and interpreted as being consistent with the Department of Health's Code of Practice on confidentiality*).

The legislation:

Section 325 - 327 of the Criminal Justice Act 2003 governs the Multi-Agency Public Protection Arrangements. It sets out the duty of the Police, Prison and Probation Services to work jointly as the Responsible Authority to establish and review the arrangements for the assessment and management of violent and sexual offenders.

Section 325(6) sets out the statutory duty to cooperate to relevant agencies and services as listed previously in Section 11.

The Human Rights Act 1998, specifically where the Act refers to Article 8 of the European Convention on Human Rights which qualifies the right to respect for private and family life as follows:

“There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests ofpublic safety... for the prevention or detection of crime for the protection of health or morals, or for the protection of the rights and freedoms of others”.

The Crime and Disorder Act 1998 (section 17) which places a duty on every local authority to:

“exercise its various functionswith due regard to ... the need to do all that it reasonably can to prevent... crime and disorder in its area”.

Section 115 of the above Act provides legal authority for those agencies involved in MAPPA to share information for the above purpose.

The Data Protection Act 1998 only covers personal information. It allows agencies to process data held by them for their lawful purposes and duty i.e. prevention or detection of crime. Data is not to be shared that puts people at risk of harm or jeopardises the apprehension or prosecution of offenders. The assessment and management of the risk posed by sexual and violent offenders is part of that duty.

The Freedom of Information Act 2000 covers all information except personal information. The act gives levels of access to all records held by public authorities. The act is quite straightforward, in that it gives a person, (whoever they are) the right to request access to any information. **THIS DOES NOT MEAN THEY WILL GET IT.** There are a number of exemptions, the most notable are “law enforcement” and “information provided in confidence”.

If, a person requests personal information on themselves, this is declined, as the request needs to come within the Data Protection Act.

If a person requests personal information on others, the exemption framework within the Data Protection Act applies. It is essential that the information is accurate, supported by evidence and is not mis-leading.

Protective Marking Policy

Each public sector department should have a policy on marking official documents and other data sources to ensure the information is protected and appropriately managed. The Protective Marking Scheme provides a common standard for security marking. It has four levels of marking:

RESTRICTED/CONFIDENTIAL/SECRET/TOP SECRET

Some individual case files may hold RESTRICTED information, for example, material likely to cause substantial distress to individuals; or prejudice the investigation or facilitate the commission of crime; or breach proper undertakings to maintain the confidence of material provided by third parties; and undermine proper management of the public sector and its operations.*

The system holding the compiled personal data must be regarded as CONFIDENTIAL. CONFIDENTIAL data includes material that is likely to prejudice individual security or liberty; or impede the investigation or facilitate the commission of serious crime; or seriously impede the government policies. *

N.B. The originator of the information must indicate the level of protective marking.

**Please see your agency's protective marking policy for the full list of materials that are likely to be considered as RESTRICTED OR CONFIDENTIAL.*

Guidance on security of confidential information

Correspondence/documents

- Each agency must provide a named contact.
- Posted documents containing personal details e.g. agendas and minutes should be placed in two envelopes.
 - The outer envelope should be addressed to the agency.
 - The inner envelope should be marked '**confidential**' and with the **named** individual clearly stated.
- The envelopes are to be sealed securely.
- The sender's details should be on the reverse of both the inner and outer envelopes.
- On receipt, ensure all documents marked confidential are securely filed or shredded.
- Do not use conventional email to send MAPPA documents that are marked as confidential. However an E-mail system Classified to Confidential level may be used or one classified to

Restricted level with written agreement of the Responsible Authority, as the most secure and pragmatic route.

- Confidential information should only go via secure fax machines. (**Restricted** information should only be faxed if the recipient is on hand to receive the documents).

Meetings

- Representatives at the meeting should either form the core membership of the MAPP or be specifically invited to attend to discuss a relevant case. Those invited to the meeting should not be party to discussions regarding other offenders.
- Chairs need to reiterate importance of confidentiality and expectations that all those agencies participating in the meeting have signed the protocol.
- Participants are not expected to take notes during the meeting, as the minutes, should be an accurate representation of the meeting. In exceptional circumstances, notes can be taken e.g. immediate action points.
- Participants need to sign a register of attendance reaffirming the need to adhere to legislation and philosophy related to sharing information.
- Chairs need to have a copy of the protocol to hand for invited representatives to read, specifically the information sharing section.

Any requests for MAPP documentation must go via the Chairs of the meetings. If any information relates to a particular agency, it is important that they are contacted regarding the request. The MAPP Chairs must ensure that they liaise with their respective Freedom of Information and Data Protection Officers in order to follow their Agency's Policy.

15. Circles of Support

Circle of Support and Accountability is a Home Office funded project that has been operating in the Thames Valley for the past four years. Its objective is to work in partnership with both police and probation in the management of MAPPA's high risk sexual offenders. It achieves this objective by training volunteers recruited from local communities to work together as a team. The volunteers create a supportive relationship with the offender through which they can hold him/her accountable for past offending behaviour and monitor future risk. All information relating to recidivist behaviour is then passed directly to the local MAPPA meeting. This objective is achieved through the volunteer's knowledge of the offender's relapse prevention plan; a plan that is the culmination of an intensive and extensive treatment programme that will have identified both the offender's modus operandi and their coping strategies for future risk. The plan is dynamic and therefore will change over a period of time and needs to be shared with "significant others". A Circle of Support and Accountability provides that network of "significant others".

16. Media Strategy

a) Introduction

The purpose of this strategy is to establish an agreed approach between all agencies involved in Multi Agency Public Protection Arrangements (MAPPA) for communicating with the media and the general public on public protection issues and the management of high and medium risk offenders.

Effective communication is important in presenting an appropriate professional image for public protection work and the agencies involved within Thames Valley. This strategy provides an outline approach, general principles and key messages for providing the media with information about MAPPA work in general and on individual offenders subject to MAPPA.

b) Objectives

- To promote media and public confidence in the ability of the partner organisations to safely manage high and medium risk offenders through MAPPA
- To reduce fear of crime created through misinformation and lack of understanding about public protection issues
- To present and maintain a professional, well-informed and cooperative image for MAPPA and all agencies involved
- To ensure a joint approach to dealing with the media on MAPPA issues

c) General principles

The board agrees the following key principles in dealing with the media:

- Thames Valley police, probation and prison services, as the Responsible Authority, will take the lead in dealing with enquiries and promoting the work of MAPPA within Thames Valley
- Close co-operation between all partner agencies in dealing with any media activity is essential
- Any information provided should be accurate, honest and fair
- Information on individual offenders should not be disclosed unless it is in the interest of public safety to do so.
- All partner agencies should aim to publicly support each other and should not comment adversely on another agency's work or handling of individual cases.

d) Key messages

The following key messages regarding MAPPA work should be considered when preparing any statements relating to the work of MAPPA or offenders subject to MAPPA:

- The safety and protection of the public is our first priority at all times.
- The assessment and management of sex offenders is a multi-agency responsibility which includes police, probation and prison services and agencies which have a Duty to Co-operate.
- The Sex Offenders Act 1997 and the Sexual Offences Act 2003 offer partner agencies a range of options to safely manage convicted sex offenders.
- The term 'sex offender' includes a range of sexual offences, not just offences against children.
- MAPPA arrangements include the supervision of violent offenders, not just sex offenders.
- Housing offenders in Approved Premises (formerly probation and bail hostels) is an important factor in protecting the public.
- Thames Valley MAPPA takes enforcement of any orders or licence conditions very seriously and moves swiftly to take action over any breach. This can involve recall to prison.
- High risk offenders who breach the conditions of the licence in a way which threatens public protection can be recalled to prison within two hours.
- High risk offenders living in the community are carefully monitored.
- Community responsibility is shared by both the Duty to Co-operate agencies and MAPPA's three key players – police, probation and prison services.

e) Providing the media with general information about MAPPA

In order to promote a greater understanding of the role of MAPPA, and to increase public and media confidence in our ability to safely manage high and medium risk offenders, it is important to portray clear and consistent messages about MAPPA.

The MAPPA Annual Report is our key communication with public bodies and the media.

Opportunities should be sought throughout the year to provide the media with information to emphasise key messages and aspects of MAPPA work.

Suitable topics might include:

- Features/radio interviews outlining MAPPA's approach to public protection issues.
- The Sex Offenders Register and how it works.
- The role of Approved Premises in protecting the public by providing supervised accommodation.

All partner agencies should:

- Ensure any information they offer to the media about MAPPA issues fits within the key messages outlined within this strategy.
- Ensure the multi-agency approach to public protection is properly reflected within the information.
- Inform other agencies about contact from the media and when the coverage is expected to appear.
- Avoid public criticism of other partner agencies, their approach to MAPPA in general, or their involvement in particular cases.
- Ensure their involvement in MAPPA is included in their public information literature wherever possible and appropriate.

f) Individual MAPPA cases and the media

All risk management and MAPPP meetings now contain an agenda item to consider any possible media interest which individual cases may attract. Where it is felt there may be media interest, Press Offices for the three responsible authority agencies, as well as any other agencies significantly involved in the particular case, should be informed as soon as is practicable.

Under normal circumstances, agencies should not comment or give out information to the media on individual cases, unless it is in the interests of public protection to do so (see sections 7 & 8 on disclosure and legislative implications). However, often what can usefully be done is to offer tailored general comment to demonstrate the effectiveness of MAPPA work: "What typically happens is..."

In addition, it can sometimes be useful to provide the media with guidance on individual cases. This is off the record information supplied to help ensure stories are portrayed accurately, but not to be printed or attributed to individual agencies. Where the media have only part of a story or an inaccurate story, it can be in the interests of public protection to provide guidance, to improve the accuracy of reporting and prevent unnecessary public alarm.

Guidance can include general information about risk management strategies. However, nothing should be revealed which might jeopardise the effectiveness of the ongoing MAPPA arrangements, either for the individual offender concerned or for any other cases.

Before responding to a media enquiry relating to an individual MAPPA case, the agency receiving the enquiry should first:

- Consult with the Press Offices of the other key partner agencies involved in the case.
- Check with other key agencies for any new developments, to ensure they have a full picture of accurate and up to date information on the case.
- Ensure that any statement offered is consistent with the key messages outlined in this strategy.
- Ensure that any statement offered is consistent with statements on the same case issued by other partner agencies.
- Refrain from commenting adversely on the work of other agencies involved in the case.

Where possible and appropriate, agencies should work together to offer joint statements relating to individual cases, to present a united front and actively demonstrate multi agency working.

g) Legislative Implications

*As a general principle, it is important to be clear that the human rights of offenders should **never** take priority over public protection.*

Article 8 of the Human Rights Act gives everyone the right to respect for his or her private and family life, home and correspondence, and release of information or photographs could constitute a breach of this. The article does however allow the publication in accordance with law and as is necessary in a democratic society in the interests of: national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of public health or morals or for the protection of the rights and freedoms of others.

However, the Act requires that action taken under it is *proportionate*, and this is a particular consideration in respect of the nature of any publication (e.g. its geographical reach and longevity). For example, if someone offended only within Oxford, it may be appropriate to issue information to a restricted audience.

The Data Protection Act, Section 29, (1)(a), allows the release of personal data where it is necessary for the prevention or detection of crime or where release is in the public interest. The

'public interest' embodied in promoting the prevention and detection of crime, or the enforcement of a Sexual Offences Prevention Order, may be considered to outweigh the duty of confidentiality.

Section 29 (1) (a) of the Data Protection Act provides an exemption where personal data (such as a photograph) is processed for the prevention or detection of crime. Section 3 of the Act also makes provision for the release of such material for the same purpose.

h) Media Protocol

Thames Valley Area is actively working towards an agreed protocol with key local media, outlining how stories relating to high risk offenders can be responsibly reported.

In signing up to the protocol, editors will agree:

- To inform key partner agencies if they are planning on running a story on a high risk offender.
- To check on the accuracy of information they receive before reporting on it.
- To consider carefully before publishing photos or the address of high risk offenders.
- To avoid publishing the addresses of Approved Premises.

The Responsible Authority will revisit this media protocol as and when necessary, briefing new crime reporters on its existence. If coverage appears which does not adhere to the protocol, the partner agencies concerned may decide to complain to the editor and remind them of the agreed protocol.

17. Disclosure

There is now a clear presumption that disclosure to third parties will take place if an offender presents a risk of serious harm to any identified person(s), particularly children. Unless there are defensible reasons not to do so.

Where cases are managed at MAPPA Level 2 or 3, the collective decision of the MAPPA meeting to disclose, with the reason(s) why and to whom, is sufficient authority unless, as described below, the authority of an ACPO rank officer is required. Consideration will need to be given to:-

- The information to be disclosed
- The management of that disclosure

There will be occasions where authorisation for disclosure from an ACPO rank officer is required; this will be in those cases where the decision is to disclose information about the offender to the media and/or where it includes the publication of the offender's photograph. The Police should refer to the ACPO (2007) – Guidance on Protecting the Public: Managing Sexual and Violent Offenders for further guidance.

For those cases managed at Level 1, ordinary agency management, it will be the responsibility of the lead agency to decide whether disclosure should take place and to ensure it is appropriately managed. Concerns about the offender, which lead to the need to disclose information, may be an indicator that the case should be referred to a Level 2 MAPPA meeting.

Disclosure will form part of the risk management process. The purpose of disclosure of information is: to facilitate the risk management plan, to facilitate public protection and to reduce the risk of serious harm. It is preferable that the offender is informed of disclosure unless doing so could increase potential risk to victims.

Reasons for disclosure or non-disclosure must be fully recorded, this will normally be within the MAPPA minutes.

Specific requests for disclosure must be referred to the Chair of the most recent MAPP meeting. They will be recorded on case management systems and ViSOR.

Disclosure will be reviewed at each MAPPA case review.

18. Roles and Responsibilities within the Responsible Authority

i) MAPPA Strategic Management Board (SMB)

There are five principal activities of the MAPPA SMB. Overarching these activities is the role the SMB has to shape the MAPPA framework within the Area. This involves determining the role and representation of different agencies within the framework. It also includes brokering the protocols and memoranda of understanding which formalise those roles.

- (i) Monitoring (on at least a quarterly basis) and evaluating the operation of the MAPPA, particularly that of the effectiveness of the meetings;
- (ii) Establishing links which support effective operational work with other public protection arrangements, such as local Safeguarding Children Boards, local Crime and Disorder Partnerships and local Criminal Justice Boards;
- (iii) Preparing and publishing the Annual Report (as required by Section 67 (4) and (5)) and promoting the work of the MAPPA in the Area;
- (iv) planning the longer-term development of the MAPPA in the light of regular (at least annual) reviews of the arrangements, and with respect to legislative and wider criminal justice changes;
- (v) Identifying and planning how to meet common training and developmental needs of those working in the MAPPA and;
- (vi) Reviewing MAPPA cases that have committed serious further offences.

MAPPA Performance

The SMB need to be satisfied that the MAPP arrangements within their area are working well. It must also ensure that cases managed under the arrangements meet the defensibility test, meaning that everything which reasonably could have been done, was done, to prevent offenders from re-offending. The RA need to be in a position to demonstrate this empirically. Arrangements are in place for a bi-annual audit which offender managers are required to attend.

ii) Chairs of MAPPs and MAPPAs

The expectation is that level 2 MAPP meetings will be chaired either by a **Senior Probation Officer and/or Police Inspector**. Level 3 meetings should be chaired by either an **Assistant Chief Officer/District Manager (or equivalent) and/or Police Basic Command Unit (BCU) Commander (or equivalent)**.

It is the Chair's responsibility to ensure that the meetings are well organised and that representatives from both Statutory and 'Duty to Co-operate Agencies' attend in order to participate in case discussions.

It is good practice for the nominated Chair to meet with the Police Public Protection Officer responsible for setting the agenda prior to the full meeting. This should ideally be at least seven days before the meeting date in order that appropriate notice can be given to partner agencies to allow for checking of agency records. This meeting provides an opportunity for the Chair to familiarise themselves with the case due to be discussed and to identify important points that need to be resolved. This often serves to identify points which need further clarification before the meeting and to ensure it meets the threshold for inclusion.

At the commencement of any meeting, the Chair should feel satisfied that those in attendance are properly accredited and represent agencies who are signatories to the MAPPA Joint Protocol. No discussions should take place in the presence of persons who do not meet this requirement.

The Chair should invite the most appropriate person present to introduce the case to the meeting. The extent of this briefing will depend on whether the case has been previously discussed by the group. New cases to the agenda will require a more in-depth briefing in respect of previous offending, victim issues and offender management to date. Details of any proposed risk management plan will have been recorded on the referral form and this should be used as the start point for further planning. In considering risk factors, setting actions and management plans the template contained within a PP2 form should be used. This will ensure that each element is considered and also allow the minute taker to accurately record the points raised and agreed.

For cases which have previously been on the agenda, the start point of any further discussion should be from the details recorded on the last minutes. This will identify any actions which were previously identified and provide details of the existing management plan. The meeting should be made aware of any significant incidents or information that has become known since the last meeting. The outcome of each discussion must be captured within the minutes for future reference, as must the thinking and main substance of the discussion.

Cases which are being managed at Level 1 (single agency active/significant) will appear on the agenda. These cases *should not be discussed* unless the single agency involved is seeking additional support which would justify the case being raised to Level 2. In all other cases they will be treated as 'information exchange only' and will not be subject to further discussion or require the recording of a multi agency risk management plan.

The Chair should ensure that discussions remain focused on relevant issues and that no one agency is allowed to dominate proceedings. Representatives from some agencies who have limited experience of the process may need to be supported and encouraged to participate in discussions to ensure that they are able to add value to the process. Where it is evident that a case requires more time for discussion than has been scheduled, the Chair should suggest that a further separate discussion takes place at another time attended by the relevant parties. The product of this discussion can be shared.

It is good practice to ensure wherever possible that the business of the agenda is completed within the time allocated for the meeting; otherwise participants may be discouraged from attending in future. It is also good practice at the outset of the meeting to identify parties who are attending for the purpose of discussing only one or two cases.

Where agencies fail to attend meetings, and this affects the ability of the meeting to fully assess the potential risks of harm and establish an effective risk management plan, or where agencies have not undertaken agreed tasks, that this is followed up with their respective agency and that they are reminded of their "duty to cooperate". Chairs may wish to further raise non attendance with the Strategic Management Board.

Prior to concluding each case discussion the Chair should obtain agreement to the management plan, including responsibilities and resource allocation. Any gaps or disagreement regarding the structured assessment should be passed on to the senior probation officer for discussion with the relevant offender manager.

Minutes of these discussions should be taken and subsequently typed on a minutes form in order to reflect defensible decision-making. Once typed, they should be signed by the Chair prior to further circulation. Each probation co-chair should ensure that the minutes for probation cases reach the relevant offender manager.

iii) **MAPPA Administration**

Level 1 and Level 2 MAPPA administration is conducted locally; either the police or probation take the lead in providing administrative support for running meetings, this function should be shared. When a referral is completed and countersigned, the original must be sent to the MAPPA Coordination Panel with relevant reports and a copy provided to police or probation counterpart. The name must then be added to the agenda for the relevant scheduled meeting. The agenda is normally sent to core members of the Level 2 MAPP a week prior to the meeting to allow agencies to check their databases for information on the offender.

Minutes of the meetings need to be recorded on a Minutes form. It is recommended that a blank form is completed during the meeting to ensure relevant information is captured immediately, particularly the action plans, which can be added to ViSOR following the meeting. People attending the meetings should not be taking additional notes unless immediate action is required of them. This is to ensure that confidential material is managed accordingly by limiting its access and dissemination.

Agendas and Minutes must be kept together with case files within the relevant confidential section. They **must** be kept securely with limited access. If, or when, the MAPPA documentation is no longer needed, they must be destroyed using confidential waste disposal systems (see individual service policies for storing information). All required forms will be available on the ViSOR system from May 2008 and this confidential system will be the primary point of storage. Word versions of referral forms will be available from the Central Public Protection Unit for duty to cooperate agencies.

Administration for Level 3 meetings takes place at the Central Public Protection Unit; coordinated by the MAPPA Coordination Manager.

The MAPPA meeting minutes must not be shared without the prior approval of the Chair of the MAPPA Meeting (see also Disclosure – Section 17 – above). The must Chair construct an executive summary if third party disclosure is decided upon.

iv) **Police Role** (also see Police Guidance on Protecting the Public NPIA 2007).

The police service has a number of responsibilities relating to violent and sexual offenders:

Identifying, assessing and managing risk;
Investigating or prosecuting particular offences;
Providing evidence and information;
Gather intelligence.

Some police actions relating to offender management are most effective if undertaken with other agencies to allow for individual expertise to complement each other, for example, on a joint home visit.

Police Public Protection Officers (PPO) manage registered sex offenders and other MAPPA offenders, when necessary. PPOs need to have links with other police units specialising in investigation, (e.g. domestic violence, child abuse and sexual offences); and special operations, (e.g. surveillance units). In addition, it is essential that strong links are made with their local probation colleagues.

Role of Public Protection Officers with Registered Sex Offender / Other Sex Offenders

- Register, within 3 days at a local police station, all relevant sex offenders who are convicted, cautioned, subject to a hospital order, released from prison. Complete detailed

report (antecedents, description, family circumstances, vehicles, employment, religion, membership in clubs, frequent address, internet access, contact with children etc) registration form and take photographs of offender and distinctive marks, scars and tattoos.

- Research each case thoroughly by accessing all police databases and obtain case papers, probation reports, etc.
- If qualified, provide a static risk assessment using Risk Matrix 2000 and review annually.
- Notification into MAPPa on ViSOR referral form at relevant level for those sentenced to community sentences.
- Carry out home visits (announced or unannounced) on all RSOs (good practice joint agency where possible); the frequency depending on risk assessments and management plan. Complete a report after every home visit with full details of intelligence and any changes to circumstances.
- The frequency of visits depend on level of risk and are minimums, as shown below;

Low	1 a year
Medium	2 a year
High	4 a year

Very high - depends on each case and guidance from the MAPPa meeting, although one visit a month is the minimum standard.

- Ensure RSOs comply with their annual duty of notification at the local police station.
- Attend and provide active input to Level 2 &3 MAPPa meetings (with supervisors), implementing actions from those meetings and contributing to other multi agency arrangements as required.
- Ensure compliance with other registration requirements notification of foreign travel for 3 or more nights; notification of an address which RSOs stay at for 7 or more nights over a 12 month period; and notification of change of address and / or name within 3 days.
- Liaise with family members of RSO who are often in a position to assist with risk management.
- Work with partner agencies that are also involved in management of the case and share relevant information.
- Attend child protection conferences, core meetings or strategy meeting.
- Complete intelligence reports on relevant offenders and ensure police intelligence systems are updated and that local officers are made aware where necessary.
- Update IT systems i.e. ViSOR on all information relating to RSOs.
- Coordinate and manage any breaches of Sex Offender register requirements or Civil Order e.g. Sex Offender Prevention Orders.
- Assist colleagues who investigate sexual offences locally, in particular by identifying possible suspects.
- Liaison with all probation Approved Premises on area.

- Liaise with other forces in relation to RSOs who have links out of force.
- Provide appropriate advice and guidance on RSOs and associated legislation.
- Be the specific point of contact for probation for all relevant offenders they recall to prison.
- Ensure that all RSOs cases that move out of area are transferred correctly.
See Appendix I (PC06/2007 Critical Public Protection Cases) for further guidance.

Guidance on the purpose of home visits.

- Check compliance of notification order and licence conditions.
- Confirm the offender's residency.
- Monitor the risk presented by the offender and fulfil the duty of care to the public.
- Gather intelligence.
- Detect offences.
- Fulfil duty of care to the offender including provision of welfare, monitoring and support.

Observations when conducting home visits.

- Observe the offender for changes in their appearance and demeanour.
- Observe the surroundings for indications that the offender is coping, living alone/with others, drinking or using drugs.
- Observe the offender's behaviour, for example, change in habits, paranoia, obsession, suicidal, breaking curfews or civil injunctions, access to the internet, use of prostitutes, developing relationships, social isolation, planning holidays/trips, children's toys/sweets and keepsakes. This list is not exhaustive.

After each home visit ViSOR should be updated with all necessary information.

(Comprehensive Guidance is available in the NPIA "Protecting the Public: Managing Sexual and Violent Offenders 2007)

v) **The Role of the Offender Manager (Probation)**

The Offender Manager (OM) is responsible for the initial assessment of all offenders subject to Statutory Supervision who meet the MAPPA criteria. The structured assessment, (involving the completion of a full OASys assessment, supplemented by other relevant assessment tools), should form the basis of pre-sentence reports and parole reports. Other specialist assessments (psychopath and psychiatric reports) would also complement the assessment wherever relevant. **Every High risk or Very Risk offender in prison, should have an offender manager outside who has lead responsibility for the case.**

For MAPPA Category 2 cases, input from the Probation's Victim Liaison Unit would normally be canvassed on cases for sexual and violent offenders serving 12 months or more in custody and would be taken into consideration. For cases that have a Community Domestic Violence Programme requirement, input from the Women's Safety Worker needs to be sought. This

assessment would then form the basis for completion of the MAPPAs referral, with the initial risk management plan (RMP) formulated by the OM and endorsed by the Line Manager. The Risk Management Plan (RMP) runs in parallel to the individual sentence plan, which has both the reduction of re-offending and offender rehabilitation at its core. The plan must also include information from other relevant overlapping care plans.

Offenders under supervision or licence are expected to be seen at least weekly for the first 16 weeks from sentence for community cases or release for prison cases. For High Risk/V High Risk of Serious Harm cases the OM should complete a sentence and risk management plan within 5 working days. Other cases the plans must be completed within 15 working days. Reviews are expected either after 16 weeks or an escalation of risk (including any new offences for MAPPAs offenders). Home visits must take place within 5 days of prisoners being released and for community supervision requirements home visits are expected to take place within a year, although if risks are identified home visits should be undertaken as a matter of priority.

When subject to MAPPAs, the OM will continue to manage the offender through the supervisory process in accordance with the RMP, having regard to any actions arising from multi agency review. The OM is responsible for bringing to the attention of MAPPAs any changes in lifestyle/behaviours which impact upon the risk presented by the offender, in order that any other measures to manage the risk may be considered and action as necessary - this may involve changes to the level of management within MAPPAs if/when more agencies become involved.

To enable this to happen, the OM will clearly be in direct contact with the Police PPO in respect of shared intelligence, and with a number of other agencies (Police DVU, CMHT, and Social & Health Care) to exchange information and undertake joint working when appropriate. Interagency meetings of professionals such as Child Protection or Family Support Conferences, Core Groups, Mental Health Reviews etc would also be attended by the OM. Ongoing liaison with the Victim Liaison Unit in respect of periods of leave from custody or visits to potentially sensitive areas is initiated by the OM.

Parts of the RMP may often relate to a duty on the part of the offender to comply with defined requirements, either as part of the Community Order or Licence, following release from custody. The OM is responsible for monitoring compliance with these requirements and taking responsibility for any amendments to these requirements, taking into account any views expressed by other MAPPAs partners (e.g. suitability of accommodation as a condition of licence – ‘to reside as approved by supervising officer’). Sometimes the views of the Police PPO and Housing Authorities may be sought, but the final decision on what conditions to request is the responsibility of the OM as ‘supervising officer’, and their respective Senior Probation Officer. This extends to enforcement action e.g. recall and breach. The OM is the link to the HO Release and Recall Section and Parole Board.

The OM is expected to make input to the MAPPAs review process, either in person or by written briefing to the Chair depending on the level/nature of the current involvement. OM also liaise with other intervention providers for example: programme tutors if offenders are required to attend an accredited programme e.g. Sex Offender Groupwork; Community Domestic Violence; Aggression Replacement Training; Basic Skills providers; Unpaid Work Supervisors etc.

As from May 2008 fundamental to linked risk management will be probation input to the ViSOR system. This will be managed via National ViSOR standards for probation.

vi) **Prison Public Protection Officer**

There are 7 male prison establishments in Thames Valley Area. *(See appendix XVI for contact details).*

- HM YOI Aylesbury
- HMP Bullingdon
- HMP Grendon

- HMP/YOI Reading
- HMP Spring Hill
- HM YOI Huntercombe
- HMP Woodhill

Each establishment has a public protection unit. Set out below is an example of the Prison PPO role in HM Prison Bullingdon.

Public Protection Probation Officer Role – Bullingdon Prison

A guidance pack has been produced on the formation of Offender Management Units in prisons which will shape future structure. The Public Protection Probation Officer role falls within the developing Offender Management at Bullingdon Prison and guided by the Prisoner Service Public Protection Manual. An internal manual has been produced for the day-to-day management of prisoners posing specific areas of risk to the public: Risks to Children, Protection From Harassment, Sex Offenders, MAPPA criteria prisoners, and Notification of the Release of Dangerous Prisoners.

Following identification of a prisoner meeting the MAPPA criteria, the prisoners are allocated to a named individual in either the POPO Team or the Public Protection Team. The work of the team is co-ordinated by the monthly multi-disciplinary Public Protection Committee Meeting which deals with all public protection category prisoners.

Every prison now has a nominated public protection unit, within which will sit the ViSOR facility.

An OASys needs to be completed on all high and very high risk cases. This is normally done by the Offender Manager, although the prison Public Protection Unit will complete an assessment on those prisoners without OASys. OASys informs the sentence planning procedures. Where OASys has been completed in the community or at a previous prison, the Bullingdon team will undertake an annual review.

In addition to this process, a further sift is completed to identify all prisoners who have been convicted or are remanded for offences that indicate a risk to children/under 18s. These prisoners are interviewed under the Safeguarding Children Procedures and their current risk assessed. If they are considered to present a continuing risk to children within the prison system, they are included in the Child Protection Procedures which impose restrictions for contact with children/under 18s. Subject to risk assessment, they are allowed telephone, written contact and visits. Sex offenders against children are only allowed contact with their own children or brother and sisters unless they are their victims. The risk assessment includes photograph identification of the child, consultation with the parent/guardian of the child, Social and Health Care, Police/Domestic Violence Unit, the Probation Service, checking out of telephone numbers submitted by the prisoner. Mail and telephone calls are monitored.

Photographs of children brought or sent into the prisoners convicted or remanded for sex offences against children, must be identified prior to the prisoner being allowed to have them 'in possession' in his cell. If the images on the photographs cannot be identified, then they will be placed in store with his other possessions.

For prisoners convicted or remanded for offences under the Protection of Harassment Act 1997, or subject to a Restraining Order or Civil Injunction, prevention of contact with the victim is managed through the checking out of telephone numbers submitted by the prisoner and monitoring of their mail and telephone calls.

For all other prisoners, where there is a known domestic violence issue but not necessarily any charges or convictions, a standard letter is sent to the appropriate Domestic Violence Unit and the Victim Liaison Unit (on conviction indicating that should the victim/partner request 'no contact' with the prisoner, then this should be put in writing to the Public Protection Team. The prisoner is

informed that mail and telephone calls will be monitored. Where breaches occur, these are dealt with through the prison disciplinary system. If persistent breaches occur, these are reported to the police through the Police Liaison Officer and can result in charges of harassment.

Public Protection Units within Prisons have access to the ViSOR system on a read only basis and are subject to National ViSOR standards.

vii) **Victim Liaison Officer**

The Probation Service offers a service to victim of cases that fall within statutory requirements; when the offender receives a term of imprisonment or detention (including some hospital orders) over 12 months for a violent or sexual offence.

In the first instance, contact should be made with the relevant police representative e.g. Family Liaison Officer (if one is appointed), the investigating officer in the case, the Domestic Violence Unit or any other appropriate agency relating to the case. Initial contact will be made in writing to the victim/s or their family/family spokesperson, within 2 months of sentence

The services available to the victims are:

- A home visit from a Victim Liaison Officer
- Further contact by telephone/in writing
- Information about the offender's sentence and release plans
- Advocacy of the victims' concerns and wishes
- Representation of the victims' rights to prisons, the Parole Board, other local agencies and MAPPA meetings.
- Referrals to support agencies
- Referrals to Restorative Justice where appropriate

The VLO should carry out a risk assessment for the victim's safety and assist in the management and reduction of the risks identified, through the Multi Agency Public Protection Arrangements, including setting victim licence conditions with the victim as appropriate e.g. no contact or exclusion zones.

The VLO should inform appropriate colleagues and agencies of additional risks to others identified by the victim.

viii) **Probation Accredited Programmes**

The Probation Service runs a number of accredited group work programmes, including programmes for drink drivers, (Drink Impaired Drivers); substance misuse, (Offender Substance Abuse Programme) and developing problem solving skills/consequential thinking (Think First). The programmes relating to sexual and violent behaviour are detailed below.

Thames Valley Sex Offender Groupwork Programme (TV-SOGP)

The Programme uses cognitive behavioural methods of intervention which UK research studies have shown to be the most effective in achieving significant clinical impact with sex offenders and the reduction of risk of sexual re-offending.

Elements of the Programme are:

- Risk assessment and management including the use of
 - a) David Thornton Risk Matrix 2000 (R.M 2000), an actuarial instrument based on predominantly static, facts from adult male sex offenders' history to grade them according to the relative risk they present of sexual recidivism

b) and the clinical judgement of the staff, professionally qualified in assessing the dynamic/acute risk factors in sex offending

- Making sex offenders aware of the damage caused to their victims
- Challenging sex offender denial by encouraging the offenders to take full and active responsibility for their sexual offending behaviour.
- Reduction of social adequacy deficits associated with sexual offending
- Development of effective relapse prevention strategies.

The Programme consists of:

- Pre programme work and assessment, which determines the work to be undertaken with the sex offender.
- Psychometric testing before and after the treatment phases.
- An initial intensive two-week full time period of group therapy.
- A semi-intensive period of group therapy two evenings per week for fourteen weeks.
- Relapse Prevention group work undertaken one evening per week for six months.
- Further assessment to evaluate individual risk and change.
- Individual work by Offender Manager

The Programme is available for those convicted (including cautions) male sex offenders who are assessed as suitable for inclusion in the programme. We also include some referrals from agencies such as a Social Services and Mental Health where a conviction has not been possible but concerns are such that the person is considered as needing treatment input and attends on a voluntary basis.

Reports for/to:

- a) the Court/Parole Board, which will address suitability and offence seriousness,
- b) risk assessments to support applications for Sex Offenders Prevention Orders (SOPOs) and for Unpaid Work Requirements in order to assess suitability of offenders for unpaid work hours,
- c) cases where mental health and learning difficulties issues have been identified are also available in addition to the Pre Sentence Report/Parole Assessment Report.

Community Domestic Violence Programme (CDVP)

This programme is based on international research into effectiveness of perpetrator programmes in domestic abuse cases. Research indicates that cognitive behavioural group work delivered as part of a system which holds the perpetrator accountable and enhances the safety of victims is most likely to be effective.

The programme therefore consists of

- Interagency risk assessment and risk management including ongoing information sharing between relevant agencies. The Spousal Assault Risk Assessment (SARA) is used, an internationally validated tool to improve risk assessment in domestic abuse cases.
- Contact with the known victims of the offender to enhance their safety and ensure they are aware of local resources. This is undertaken by dedicated Women's Safety Workers employed through the Probation Service
- Pro-active offender management including the delivery of at least 9 individual programme sessions by specifically trained staff - pre, during and post delivery of the groupwork.

Research indicates the importance of a speedy return to court for failures to comply and the importance of including substance misuse interventions when appropriate.

- 27 groupwork sessions delivered by experienced and especially trained staff

The programme is available for convicted adult male offenders who have committed domestic abuse in the context of a heterosexual relationship. Men are assessed for suitability including their ability to accept some responsibility for their actions.

Aggression Replacement Training (ART)

ART is an internationally researched programme into effectiveness of cognitive behavioural techniques in the treatment of offenders who demonstrate impulsive violence. This programme combines anger control techniques, social skills training and moral reasoning training to provide the offender with a collection of skills and strategies for deal with potentially aggressive/violent situations.

- ART is suitable for male/female offenders aged 18+ who have been convicted of or resulting from an offence involving impulsive violence or aggression. There also need to be a clear pattern of behaviour that demonstrates deficits in anger control.
- ART is not suitable for offenders convicted of sexual offending or offences involving instrumental violence e.g. domestic violence or robbery.
- ART has three components each addressing a different skills deficit. These build to provide a comprehensive set of skills that allow offenders to deal with their feelings of aggression in a pro-social and appropriate manner.
- ART consists of 18 core group sessions delivered up to twice per week by qualified programmes facilitators. In addition to this there are five pre-group sessions and up to five post group sessions delivered by the offender manager. These are designed to prepare the offender for the group and to reinforce the learning.

ix) **Approved Premises and MAPPA**

Located within Thames Valley Probation are six Approved Premises. Five of these are male only units directly managed by Thames Valley Probation Board, with a total capacity of 98 bed spaces. There is also one all female, voluntary managed Approved Premises, with a capacity of 21 beds.

Allocation of places within Approved Premise in Thames Valley is subject to a High Risk Panel, sitting fortnightly constituted by an Assistant Director, Approved Premises Manager and the MAPPA Coordination Manager.

The primary aim of Approved Premises is to protect the public from offenders or bailees posing a high or very high risk of serious harm. The restrictions placed on the offender are for **control** purposes, e.g. curfew times, in addition to offering opportunities within a residential setting to help **change** their offending behaviour. Admission will normally be reserved for offenders or bailees deemed to pose a high or very high risk of harm, based on a full OASys assessment.

For offenders assessed as high or very high risk of harm, residence in Approved Premises should be considered where:

- A period of residence in Approved Premises is identified in the supervision/sentence plan as a method of delivering specific interventions

- A period of residence in Approved Premises is identified in the risk management plan as contributing to the delivery of objectives devised to address specific risks.
- Residence is required to take account of victim's wishes and would enhance victim protection.
- Residence is essential for the co-ordination of services in support of effective resettlement.
- The placement is required as part of a plan to resettle an offender in a new area in line with regional or national arrangements
- An emergency placement is required and the placement is approved in line with national, regional or area protocols or NPD agreement.

It is possible for offenders assessed as medium risk of harm to be considered for residence in Approved Premises but only where:

- There is evidence to justify admission on the grounds that planned intensive interventions can **only** be delivered in the context of a residential regime providing enhanced levels of supervision **and** the placement will not jeopardise the admission of a high/very high risk of harm offender.

For bail referrals the following admissions criteria apply:

- Convicted offenders assessed as high or very high risk of harm, where the placement is necessary either for bail assessment purposes or in the interests of public protection to enable suitable alternative provision to be arranged; such placements will ordinarily be for a period of not more than six weeks, or two adjournments, subject to completion of the bail assessment or the court accepting a new, verified address.
- Non-convicted defendants assessed as medium, high or very high risk of harm where placement is necessary for public protection reasons, or to facilitate specific assessments that *can only* be undertaken in the context of a residential regime providing enhanced levels of supervision; such placements will be reviewed after six weeks, or two adjournments, to determine whether the necessary assessments have been completed or the court has accepted a new, verified address for the remainder of the bail period.

For sentenced offenders the offender manager should, prior to admission, provide the Approved Premises with:

- **A full OASys risk assessment**, augmented by other specialist assessments where available, indicating the nature and level of the risks posed by the offender
- **A supervision plan**, outlining the purpose of the placement, the likely length of stay, the intended move-on plan, and the role that Approved Premises staff will play in delivering the objectives of supervision
- **A risk management plan**, describing the measures that will be deployed to manage the assessed risk of harm, including explicit reference to the role of Approved Premises staff and interventions in delivering the plan and any additional resources that may be required to manage the risk
- Any other relevant information (e.g. about risk of self-harm) that may be necessary to enable Approved Premises staff to support, supervise and manage the resident

For defendants on bail the referring officer should, prior to admission, provide the Approved Premises with:

- A full OASys risk assessment if available, and as a minimum an OASys risk of harm screening assessment
- An indication from the Court of the purpose of the placement, the likely length of stay, the intended move-on plan, and the assessments/interventions that Approved Premises staff are expected to undertake during the bail period
- Any other relevant information (e.g. about risk of self-harm) that may be necessary to enable Approved Premises staff to support, supervise and manage the resident.

x) Thames Valley Probation – Housing Advice, Advocacy and Placement.

1. Context

- i) The demand for housing in the Thames Valley and the continuing stigmatisation and marginalisation of offenders makes housing advice, advocacy and placement work both time-consuming and complex.
- ii) The shortage of accommodation, together with a reluctance of some housing authorities to accommodate unpopular groups of people, directly affects the way statutory homeless duties are interpreted under the law.
- iii) Thames Valley Probation therefore needs to manage access to accommodation solutions based on informed judgement of the particular needs of individual offenders, on a case by case basis, balanced with knowledge of the likely available outcomes in the time frame available.
- iv) The notion that partner agency resources will inevitably be made available to assist the management of an individual who is of concern to the criminal justice system, is increasingly unreliable and does not reference the statutory and resource limitations of partners agencies.

2. The Aim of Housing Advice, Advocacy and Placement in MAPPA casework

- i) A PSO in each probation area has responsibility for providing housing advice to offender managers
- ii) Where practicable they will facilitate the placement of offenders in appropriate community housing and support resources; addressing the presenting risk, social care, support, medical, psychological and victim needs of the case of the case, using the full range of housing options, where this is achievable within agency policies and criteria.
- iii) To advise when and why the objectives cannot be achieved.
- iv) Ensure disclosure issues to housing partners are considered. (See section 7 above)

Appendices

Appendix I

Guidance on Offences Triggering Sex Offender Registration

SCHEDULE 3 – SEXUAL OFFENCES ACT 2003

Please note that ALL offences committed before the 1st May 2004 are subject to the thresholds contained within Chart 1.

CHART 1 (Act and Section in brackets)

Conditional Discharges classed as conviction within this Schedule (s.134 SOA 2003)

SCHEDULE 3 (OFFENCES COMMITTED PRE – 1.5.04)		
CONVICTION	THRESHOLD – ADULT OFFENDERS 18 OR OVER	THRESHOLD – YOUNG OFFENDERS UNDER 18
USI WITH GIRL UNDER 13 (5 SOA 1956)	AUTOMATIC UPON CONVICTION	AUTOMATIC UPON CONVICTION
USI WITH A GIRL BETWEEN 13 –16 (6 SOA 1956)	ONLY IF OFFENDER IS OVER 20	N/A
INCEST BY A MAN (10 SOA 1956)	ONLY IF VICTIM IS UNDER 18	ONLY IF VICTIM IS UNDER 18
BUGGERY (12 SOA 1956)	ONLY IF OFFENDER OVER 20 AND VICTIM UNDER 18	N/A
INDECENCY BETWEEN MEN (13 SOA 1956)	ONLY IF OFFENDER OVER 20 AND VICTIM UNDER 18	N/A
INDECENT ASSAULT ON A WOMAN (14 SOA 1956)	VICTIM UNDER 18 OR 30 MONTH PRISON SENTENCE	VICTIM UNDER 18 OR 30 MONTH PRISON SENTENCE
INDECENT ASSAULT ON A MAN (15 SOA 1956)	VICTIM UNDER 18 OR 30 MONTH PRISON SENTENCE	VICTIM UNDER 18 OR 30 MONTH PRISON SENTENCE
INDECENCY WITH A CHILD (1 IWC 1960)	AUTOMATIC UPON CONVICTION	AUTOMATIC UPON CONVICTION
CAUSE, ENCOURAGE PROSTITUTION / INTERCOURSE / INDECENT ASSAULT OF GIRL UNDER 16 (28 SOA 1956)	AUTOMATIC UPON CONVICTION	AUTOMATIC UPON CONVICTION
ASSAULT W/I TO COMMIT BUGGERY (16 SOA 1956)	ONLY IF VICTIM IS UNDER 18	ONLY IF VICTIM IS UNDER 18
TAKE /MAKE/DIST INDECENT	AUTOMATIC UPON CONVICTION	12 MONTHS IMPRISONMENT

PHOTOS (1 PCA 1978) OR POSSESS INDECENT PHOTOGRAPHS OF CHILD UNDER 16 (160 CJA 1988) OR		
IMPORT INDECENT PHOTOS (170 CEMA 1979)		

CHART 2

**** Including offences committed pre 1.5.04)**

Number in brackets denotes Section of Sexual Offences Act 2003 (or other relevant legislation)

SCHEDULE 3 (OFFENCES COMMITTED POST – 1.5.04)		
CONVICTION	THRESHOLD – ADULT OFFENDERS	THRESHOLD – YOUNG OFFENDERS
** RAPE - ADULT (1 SOA 56 & 1 SOA 2003) OR CHILD (U.13) (5)	AUTOMATIC UPON CONVICTION	AUTOMATIC UPON CONVICTION
ASSAULT BY PENETRATION – ADULT (2) OR CHILD (6)	AUTOMATIC UPON CONVICTION	AUTOMATIC UPON CONVICTION
SEXUAL ASSAULT (3)	VICTIM UNDER 18 OR PRISON SENTENCE OR 12 MONTH COMMUNITY SENTENCE **	12 MONTHS IMPRISONMENT
CAUSE SEXUAL ACTIVITY WITHOUT CONSENT (4) (INCLUDING CAUSE / INCITE A CHILD UNDER 13) (8)	AUTOMATIC UPON CONVICTION	AUTOMATIC UPON CONVICTION
SEXUAL ASSAULT ON CHILD UNDER 13 (7)	AUTOMATIC UPON CONVICTION	12 MONTHS IMPRISONMENT
CHILD SEX OFFENCES COMMITTED BY ADULTS (9 – 12)	AUTOMATIC UPON CONVICTION	N/A
CHILD SEX OFFENCES COMMITTED BY YOUNG PERSONS (U.18) (13)	N/A	12 MONTHS IMPRISONMENT
ARRANGE COMMISSION OF A CHILD SEX OFFENCE (14)	AUTOMATIC UPON CONVICTION	12 MONTHS IMPRISONMENT
MEET A CHILD FOLLOWING SEXUAL GROOMING (15)	AUTOMATIC UPON CONVICTION	AUTOMATIC UPON CONVICTION
** ABUSE OF POSITION OF TRUST (16 – 19)	ANY PRISON SENTENCE OR 12 MONTH COMMUNITY SENTENCE **	ANY PRISON SENTENCE OR 12 MONTH COMMUNITY SENTENCE **
FAMILIAL CHILD SEX OFFENCES (25 – 26)	AUTOMATIC UPON CONVICTION	12 MONTHS IMPRISONMENT

**** DOES NOT INCLUDE - COMMUNITY PUNISHMENT ORDERS**

(BUT DOES INCLUDE - COMMUNITY ORDERS – UNPAID WORK from 4.4.05)**

CHART 2 Contd..

SCHEDULE 3 (OFFENCES COMMITTED POST – 1.5.04 Contd.)		
CONVICTION	THRESHOLD – ADULT OFFENDERS	THRESHOLD – YOUNG OFFENDERS
OFFENCES AGAINST PERSONS WITH MENTAL HEALTH DISORDER (30 – 37)	AUTOMATIC UPON CONVICTION	AUTOMATIC UPON CONVICTION
CARE WORKER OFFENCES (38 – 41)	ANY PRISON SENTENCE OR 12 MONTH COMMUNITY SENTENCE **	12 MONTHS IMPRISONMENT
PAYING FOR SEXUAL SERVICES OF A CHILD (UNDER 16 YEARS) (47)	AUTOMATIC UPON CONVICTION	12 MONTHS IMPRISONMENT
CAUSING OR INCITING CHILD PROSTITUTION OR PORNOGRAPHY (48)	AUTOMATIC UPON CONVICTION	12 MONTHS IMPRISONMENT
CONTROLLING A CHILD PROSTITUTE OR A CHILD INVOLVED IN PORNOGRAPHY (49)	AUTOMATIC UPON CONVICTION	12 MONTHS IMPRISONMENT
ARRANGING OR FACILITATING CHILD PROSTITUTION OR PORNOGRAPHY (50)	AUTOMATIC UPON CONVICTION	12 MONTHS IMPRISONMENT
ADMINISTER SUBSTANCE WITH INTENT (61)	AUTOMATIC UPON CONVICTION	AUTOMATIC UPON CONVICTION
COMMITTING AN OFFENCE (62) or TRESSPASS (63) WITH INTENT TO COMMIT SEX OFFENCE	VICTIM UNDER 18 OR PRISON SENTENCE OR 12 MONTH COMMUNITY SENTENCE **	12 MONTHS IMPRISONMENT
SEX WITH AN ADULT RELATIVE (64 – 65)	ANY PRISON SENTENCE OR 12 MONTH COMMUNITY SENTENCE **	12 MONTHS IMPRISONMENT
EXPOSURE (66) or VOYEURISM (67)	VICTIM UNDER 18 OR PRISON SENTENCE OR 12 MONTH COMMUNITY SENTENCE **	12 MONTHS IMPRISONMENT
INTERCOURSE WITH AN ANIMAL (69) OR SEXUAL PENTRATION OF A CORPSE (70)	ANY PRISON SENTENCE OR 12 MONTH COMMUNITY SENTENCE **	12 MONTHS IMPRISONMENT

**** DOES NOT INCLUDE - COMMUNITY PUNISHMENT ORDERS**

(BUT DOES INCLUDE - COMMUNITY ORDERS – UNPAID WORK from 4.4.05)**

Appendix II

Prescribed Police Stations In Thames Valley
(Public Protection Officers are based at the stations in bold)

Switchboard N° 0845 850 5505

Abingdon Police Station Colwell Drive Abingdon Oxon OX14 1AU	Aylesbury Police Station Wendover Road Aylesbury Bucks HP21 7LA	Thame Police Station Greyhound Lane Thame Oxon OX9 32D
Amersham Police Station Oxford Road King George V Road Amersham Bucks HP6 5AL	Banbury Police Station Warwick road Banbury Oxon OX16 2AE	Witney Police Station Welch Way Witney Oxon OX8 7HN
Bicester Police Station Queens Avenue Bicester Oxon OX26 2NR	Bletchley Police Station Sherwood Drive Bletchley Bucks MK3 6TP	Windsor Police Station Alma Road Windsor Berks SL4 3ES
Bracknell Police Station The Broadway Bracknell Berks RG12 1AD	Cowley Police Station Oxford Road Cowley Oxford OX4 2LE	
Didcot Police Station Mereland Road Didcot Oxon OX11 8BG	High Wycombe Police Station Queen Victoria Road High Wycombe Bucks HP11 1BE	
Kidlington Police Station Oxford Road Kidlington Oxon OX5 2NU	Lodden Valley Police Station Rushey Way Lower Early Reading Berks RG6 4PS	
Maidenhead Police Station Bridge Street Maidenhead Berks SL6 8LP	Milton Keynes Police Station 302 North Row Witan Gate East Milton Keynes Bucks MK9 2DS	
Newbury Police Station Mill Lane Newbury Berks RG14 5QU	Oxford Police Station St Aldates Oxford Oxon OX1 1SZ	

Reading Police Station Castle Street Reading Berks RG1 7TH	Slough Police Station Windsor Road Slough Berks SL1 2HH	
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Appendix III

Prison Public Protection Units

HMP Bullingdon PO Box 50 Bicester Oxon OX25 1WD	Public Protection Probation Officer SPO	Kay Winter kay.winter01@hmps.gsi.gov.uk John Eastwood Paul Drake	01869 353 267 01869 353 257 01869 353 258
HMP Grendon Grendon Underwood Aylesbury Bucks HP18 0TL	PO SPO	Lesley Powell Vacancy	01296 443 000
HMP Spring Hill Grendon Underwood Aylesbury Bucks HP18 0TH	SPO PO	Karen Foster Rosemary Anthony	01296 443 162 01296 443 072
HMP Woodhill Tattenhoe Street Milton Keynes Bucks MK4 4DA	SPO/Public Protection Coordinator	Zareen Hayat	01908 722 000
HMP YOI Reading Forbury Road Reading Berks RG1 3HY		Steven Jones Michelle Pollard	0118 908 5000
HMP YOI Aylesbury Bierton Road Aylesbury Bucks HP20 1EN	MAPPA and PPO Coordinator. SPO	Amy Fox (PSO) Amy.fox@hmps.gsi.gov.uk Charlie Walls	01296 444 084/4254
HMP YOI Huntercombe Huntercombe Place Nuffield Henley on Thames Oxon RG9 5SB	PO	Lyn Foot	01491 643100

Appendix IV

Probation Offender Management Offices in Thames Valley

East Berkshire

James Glaisher House
Grenville Place
Bracknell
RG12 1BP Tel: 01344 420 446

Revelstoke House
Chalvey Park
Slough
SL1 2HF Tel: 01753 537 515

West Berkshire

Greyfriars House
30 Greyfriars Road
Reading
RG1 1PE Tel: 0118 9560466

Mill Lane
Newbury
RG 14 5QS Tel: 01635 43535

Bucks

2a Wynne-Jones Centre
Walton Road
Aylesbury
HP21 7RL Tel: 01296 483 174

Easton Court
23a Easton Street
High Wycombe
HP11 1NT Tel: 01494 436 421

Milton Keynes

Central Milton Keynes
Magistrates Courts
301 Silbury Boulevard
Witan Gate East
MK9 2YH Tel: 01908 679 734

Oxfordshire

15a Canada Close
Marley Way
Banbury
OX16 2RT Tel: 01295 268 436/7

Albion House
Littlegate Street
Oxford
OX1 1JN Tel: 01865 240 750

Temple Cottage
164 Oxford Road
Cowley
Oxford
OX4 2LA Tel: 01865 775 482

1-3 Ock Street
Abingdon
OX14 5 Tel: 01235 535 619