



**Annual Report 2018-2019**

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## *Introduction*

Welcome to the 2018 / 2019 MAPPA Annual Report covering the North Strathclyde MAPPA Area.

MAPPA has been in place for twelve years, and is a statutory process that reflects the commitment of key stakeholders involved in Public Protection. Police Scotland, Local Authorities, Scottish Prison Service and NHS work closely together with other key partners to manage sexual offenders, restricted patients in the community and other Risk of Serious Harm Offenders. These agencies, share information and prepare or contribute to risk assessments and reviews which in turn support robust risk management plans. The information within this report reflects the commitment and efforts of staff in all agencies to this challenging and complex activity.

Throughout the reporting period 2018/19, MAPPA has remained committed to managing the risks posed by offenders. Every effort is made to ensure the effective deployment of resources, within the context of more people with convictions being managed through MAPPA alongside the well-known but increasingly significant financial pressures facing the public sector.

It is never possible to eliminate risk entirely. However, the public can expect that all reasonable steps are taken to reduce the risk of harm to the public from known offenders. This is a difficult, complex and challenging task which is why the priority given to working together and the sharing of information and expertise through MAPPA is so important.

This annual report reflects the contributions made by all of the agencies involved in MAPPA across North Strathclyde and sets out our commitment to continue to develop strong partnerships and explore new ways of working to face the challenges of protecting the public from serious harm.

I hope you find this annual report helpful in understanding how agencies across North Strathclyde are working together to protect the public.

Kate Rocks  
Chair  
MAPPA Strategic Oversight Group

## 1. WHAT IS MAPPA?

MAPPA stands for Multi-Agency Public Protection Arrangements and its primary purpose is to maintain public protection and the reduction of serious harm. The protection of children, adults at risk and other members of the public are paramount. MAPPA is a model of organising and co-ordinating information and creating and reviewing risk management plans of individuals subject to the Sex Offender Notification Requirements (SONR) and mentally disordered offenders (restricted patients).

Legislation defines responsible authorities and those with a duty to co-operate (DTC). In North Strathclyde the responsible authorities are:

- Police Service of Scotland
- Inverclyde Council
- Renfrewshire Council
- East Renfrewshire Council
- West Dunbartonshire Council
- East Dunbartonshire Council
- Argyll & Bute Council
- Greater Glasgow and Clyde Health Board and Highland NHS (for Restricted Patients)
- Scottish Prison Service (SPS)

Responsible authorities are tasked with the responsibility for assessment and management of offenders who are subject to MAPPA.

Duty to co-operate authorities include:

- Scottish Children's Reporter Administration
- Electronic Monitoring Providers i.e. G4S
- Health Services/NHS
- Social Rented Landlords
- Department of Work and Pensions

These agencies are required to accept, provide and share appropriate information to support the risk management planning of MAPPA offenders.

## *2. How MAPPA works in North Strathclyde?*

[Section 10 \(1\) \(a - e\) of the Management of Offenders etc. \(Scotland\) Act 2005](#) sets out three broad categories of offender who can be subject to MAPPA.

However in Scotland only Category 1 and Category 3 are managed under MAPPA

- Category 1: Sex offenders subject to SONR (Sex Offender Notification Requirements)
- Category 3: Other Risk of Serious Harm Offenders

This guidance relates to the operation of the provisions for the following Categories of offenders:

Registered Sex Offenders (RSOs) – those offenders convicted of an offence Listed in Schedule 3 to the Sexual Offences Act 2003 and required to comply with the sex offender notification requirements (SONR) set out in Part 2 of the 2003 Act. Those made subject to a Sexual Offences Prevention Order (SOPO), or are convicted of a breach of a Risk of Sexual Harm Order (RSHO).

Mentally Disordered Restricted Patients – this category of offender is detailed in chapter 10 and comprises those subject to any of the following orders or directions:

Patients who are detained following conviction under section 57A and section 59 of the Criminal Procedure (Scotland) Act 1995;

Patients who are detained under section 57(2) (a) and (b) of the Criminal Procedure (Scotland) Act 1995 Compulsion order with a Restriction Order following a finding of unfitness for trial or acquittal by reason of mental disorder; and

Prisoners detained in hospital on a Hospital Direction under section 59A of the Criminal Procedure (Scotland) Act 1995 or a transferred prisoner on a Transfer for Treatment Direction under section 136 of the Mental Health (Care and Treatment) (Scotland) Act 2003.

Other Risk of Serious Harm Offenders - offenders not required to comply with the SONR or are a mentally disordered restricted patient; who by reason of their conviction are subject to supervision in the community by any enactment, order or licence; are assessed by the responsible authorities as posing a high or very high risk of serious harm to the public, which requires

active multi-agency management at MAPPA level 2 or 3.

There are three management levels intended to ensure that resources are focused upon the cases where they are most needed, generally those involving the higher risks of serious harm. The levels are described as follows:

- **Level 1:** routine risk management – where the risks can be managed by a single agency or multi-agency but do not require the attendance or commitment of resources at a senior level.
- **Level 2:** multi-agency risk management – where the risks require multi-agency involvement and management oversight along with the resource input of senior management.
- **Level 3:** Multi Agency Public Protection Panels (MAPPP) – For the critical few where the risk presented can only be managed by a plan which requires close co-operation at a senior level. This would be due to the complexity of the case and/or because of the unusual resource commitments required. It can also be where there are high levels of media scrutiny and/or public interest in the management of the case.

When an offender is placed on the SONR, the MAPPA Co-ordinator receives a MAPPA notification. Where a MAPPA offender meets the Level 2 or 3 Criteria, a referral is also made. A Level 3 MAPPA meeting must be held within 5 days of a referral being made, and a level 2 meeting held within 20 days.

Coordination is a crucial element of the MAPPA and ensures that the relevant functions of the framework operate effectively.

The Coordinator facilitates the responsible authorities in their statutory responsibility to do the following:

- Receive referrals of RSOs, other risk of serious harm offenders and restricted patients who pose a risk of serious harm which needs to be managed at either Level 2 or Level 3;
- Share information relevant to the management of the risk of serious harm With other agencies within MAPPA on the basis that the information will Be held securely and used by appropriate personnel within those Agencies for public protection purposes only;
- Receive the risk management plans and minutes from all relevant Level 2 and Level 3 meetings, showing clearly the status of each offender, the Agencies which are delivering components of the plan, timescales, Review arrangements and the point at which the offender is due to exit The multi-agency risk management process;
- Provide a single point of contact for advice on all aspects of MAPPA.

### **3. STRATEGIC OVERSIGHT GROUP**

MAPPA responsible authorities are required to establish local strategic boards which are primarily in place to have oversight of the arrangements including performance management and quality of MAPPA in their area. Their duties also extend to providing strategic decision making in strengthening and improving the MAPPA process. The SOG has responsibility for the formal review of significant cases including the commissioning of Significant Case Reviews and making recommendations on any subsequent findings

The North Strathclyde SOG provides leadership for MAPPA locally and from its different agency representation assists forming and ratifying protocols and procedures for how MAPPA should operate. The SOG has clear links with other local strategic multi-agency groups and communicates joint arrangements i.e. local child and adult protection committees. The SOG provides an oversight function that supports public reassurance and the identification of good practice in all areas of MAPPA.

The North Strathclyde SOG membership includes representation from senior management from the following agencies:

- Local Authorities
- Police
- Health
- SPS
- Housing
- MOG Chair
- MAPPA Coordinator

In order to support a robust and accountable reviewing process in cases where further serious offences have or may have been committed by offenders subject to MAPPA, the SOG has established an Initial Case Review Executive Group

The purpose of this group is to consider all Initial case Reviews and form a view on whether a Significant Case Review (SCR) is required. The group's membership is made up of the following:

- SOG Chair
- Deputy SOG chair
- Community Forensic Mental Health Manager
- MAPPA Co-coordinator
- Police/Social Work Service Manager (where appropriate)

The group will review all the information and evidence available and identify any learning opportunities and instances of good practice. Any areas of practice that require developed are recorded and feedback to the MOG for action. The Scottish Government Sex Offender Strategy Team are notified

and any issues that have a wider significant impact on MAPPA are taken forward for discussion at the National SOG.

In relation to criminal justice social work cases the Care Inspectorate will also be notified when the offence has caused serious harm. This provides a defensible, robust and accountable reviewing process in cases where further offences may or have been committed by offenders subject to MAPPA.

### **Initial Case Reviews –**

The SOG has built on national guidance in developing its arrangements for reviewing all Initial Case Reviews (ICRs). An ICR takes place when the following occur:

- When an offender managed under MAPPA at any level, is charged with an offence that has resulted in the death or serious harm to another person, or an offence listed in Schedule 3 of the Sexual Offences Act 2003;
- Significant concern has been raised about professional and/or service involvement, or lack of involvement, in respect of the management of an offender under MAPPA at any level;
- Where it appears that a registered sex offender being managed under MAPPA is killed or seriously injured as a direct result of his/her status as a registered sex offender;
- Where an offender currently being managed under MAPPA has died or been seriously injured in circumstances likely to generate significant Public concern.

A SOG Executive ICR group has been established to consider all instances that meet the above criteria. This group consists of the SOG chair, vice chair (Police Scotland), Health representative and CJSW Head of Service. Formal guidance for the Responsible Authorities has been created to support them through the process of providing information and presenting it to the Executive ICR Group. Within the review the Responsible Authorities will undertake there is an expectation of reflection on practice and multi-agency working, with the opportunity for them to consider areas of improvement, if necessary and good practice. On completion of an ICR, the Executive ICR group will provide a review of the information provide conclusions and recommendations for future development.



#### **4. MAPPA OPERATIONAL GROUP**

MAPPA within the North Strathclyde area is managed by the MAPPA Operational Group (MOG). This group is made up of the responsible authorities mentioned in section 2 at Local Authority Service Manager and Police Detective Chief Inspector level. It also has representation from the MAPPA Co-ordinator, Victim Support, Local Authority Housing and the Department of Work and Pensions.

The MOG's primary functions are to ensure the operational functioning of MAPPA is effective, through gathering of information pertinent to the delivery of MAPPA processes within its area.

The MOG has devised three Thematic work groups which cover the following areas.

1. Quality Assurance and Performance Management
2. Practice, Training and Development
3. Partnership Working

The above provides a structured approach to effectively integrate with the work of the Strategic Oversight Group (SOG) and allows priorities to be identified from both the strategic and operational levels. This structure also allows SOG members to oversee and direct the MOG regarding any issues that require addressing.

Any processes or amendments to existing procedures agreed by the MOG require to be taken to the SOG for final ratification.

## 5. LOCAL DEVELOPMENT

North Strathclyde MAPPA MOG and SOG have progressed all the projected areas of development set out in 2018/2019's annual report.

### 5.1 Key achievements during this year (2018/2019):

In last year's annual report we stated that the following key areas of business would be undertaken. In every case these have been completed or with further development planned.

<b>Key Objectives 2018/2019</b>	<b><u>Development in Area</u></b>
Case File Audit	New Audit Tool developed and being implemented on a monthly basis.
Review of Quality Assurance	Review of stats provided to MOG and SOG. Review of MAPPA Document Set. Survey Monkey Questionnaire for staff. Questionnaire prepared for service users.
ICR Training	A training exercise was developed by the MAPPA Unit and presented to multi-agencies from all six local authorities.
Increase MAPPA awareness within partner agencies	Continue to develop closer relationships with RSL's and present further awareness events to partner agencies.

## **5.2 Additional Achievements for 2018/2019**

### **MAPPA Case File Audit 2019**

A new case file audit tool has been developed and is now being implemented throughout North Strathclyde and the rest of the country. This new tool is more intrusive than the previous tool and provides more in depth information for the MAPPA Operational Group and the Strategic Oversight Group.

The audit is now conducted on a monthly basis instead of the annual review, this allows us to identify issues at an early stage and put processes in place to remedy them.

Awareness inputs were conducted with NHS Highland staff covering the four Hospitals, Dunoon, Lochgilphead, Campbeltown and Oban. This coincided with inputs to Argyll and Bute COGPPU which later led to the identification of a senior member of staff from NHS Highland attending the North Strathclyde Strategic Oversight Group.

Children 1<sup>st</sup> and Sports Scotland invited the MAPPA Unit to their National conference where the MAPPA awareness presentation was well received. This has led to closer working with both of these organisations.

## **5.3 Future Aims and Objectives for 2018/2019**

Quality Assurance is another area that we will develop further this year with a short life working group to be established to build on the work successfully completed by the previous group who produced the plan that reviewed MAPPA from a practitioner and Offender point of view.

To work closely with Argyll and Bute Local Authority and NHS Highland to establish and provide a remit for an NHS Manager to be located within this local authority area.

To continue to expand the MAPPA Awareness training throughout the North Strathclyde area in line with the Thematic Review recommendations to increase public awareness of the MAPPA process.

The MAPPA national guidance is due to be reviewed and updated. Clearer process maps will feature in the new version.

## **5.4 Training Plan for 2018/2019**

The MAPPA Practice, Training and Development Working Group meet on a quarterly basis in order to identify and plan the delivery of training on, and awareness of, MAPPA at a local level.

Throughout 2018/2019 the working group has successfully provided training to Responsible Authorities and Duty to Cooperate agencies on internet offending, MAPPA extension, ICR, new document set, chair training, Trauma Informed Practice and MAPPA awareness.

The Training Working Group are committed to improving the knowledge and skills of practitioners via multi-agency training and have devised a training plan for 2018/2019

The learning and development emanating from both Initial Case Reviews and Significant Case Reviews will continue to be shared with Responsible Authorities and Duty Cooperate Agencies via the MAPPA quarterly newsletter. To ensure practitioners have the required knowledge multi-agency training has been organised with Children and Families, Youth Justice and Health on learning from significant case reviews.

To increase internal and external agencies knowledge of what MAPPA is and MAPPA processes and procedures awareness days will continue to be provided. This will include development days with Children and Families, Youth Justice, Local Authority Library Staff, Unpaid work staff, Responsible Social Landlords, Victim Support and Scottish Prison Service. The MAPPA unit along with Health are developing an introductory level training for health and care staff this will include online training and MAPPA awareness training event both for NHS Greater Glasgow and Clyde and NHS Highland.

A formal training process is being developed for Public Protection Units which will include MAPPA. Adult Protection and Child Protection. This will be rolled out throughout North Strathclyde.

To support the ongoing MAPPA commitment to maximise the benefit of Visor , localised refresher training will be offered to all ViSOR trained users.

## ***ANNUAL REPORT 01/04/2018 to 31/03/2019***

Sections 3 (10) and 11 of the [Management of Offenders etc. \(Scotland\) Act 2005](#) sets out the legislative requirements in respect of the publication of an annual report and the provision of information to Scottish Ministers.

The report is the responsibility of the Community Justice Authority and the report should be made readily accessible to the public. The reporting period is from 1 April to 31 March every year. Unless stated the statistics recorded are for the reporting period 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2019.

National MAPPA Annual report 2018/19 can be found on the Scottish Government website under publications.

The Scottish Government will compile and publish on the Scottish Government website an annual statistical bulletin which will also contain a summary of matters or events which have had national significance within the reporting period.

The following tables set out the information required by Scottish Ministers.

Explanations of information are at the end of this report.

Due to reporting changes the figures include offenders who are in custody and in the community unless stated differently. Previous Annual Reports included figures of offenders in the community only.

<b>Table 1: Registered Sex Offenders</b>	
<b>REGISTERED SEX OFFENDERS (RSO's)</b>	<b>NUMBER</b>
<b>a) Number of Registered Sex Offenders:</b>	468
1) At liberty and living in your area on 31st March 2019:	357
2) Per 100,000 of the population on 31st March 2019:	72
<b>b) The number of RSO's having a notification requirement who were reported for breaches of the requirements to notify between 1 April 2018 and 31 March 2019:</b>	16
<b>c) The number of "wanted" RSOs on 31<sup>st</sup> March 2019:</b>	0
<b>d) The number of "missing" RSOs on 31<sup>st</sup> March 2019:</b>	0

**Table 2: Civil Orders applied and granted in relation to RSO's.**

<b>The Number of</b>	<b>Granted by the Courts</b>
<b>a)</b> Sexual Offences Prevention Orders (SOPO'S) in force on 31 March 2019	39
<b>b)</b> SOPO'S imposed by courts between 1 April 2018 & 31 March 2019	11
<b>c)</b> Risk of Sexual Harm Orders (RSHO's) in force on 31 March 2019	1
<b>d)</b> Number of RSO's convicted of breaching SOPO conditions between 1 April 2018 & 31 March 2019	2
<b>e)</b> Number of people convicted of a breach of a RSHO between 1 April 2018 & 31 March 2019	1
<b>f)</b> Number of Foreign Travel Orders imposed by courts between 1 April 2018 & 31 March 2019	0
<b>g)</b> Number of Notification Orders imposed by courts between 1 April 2018 & 31 March 2019	0

**Table 3: Registered Sex Offenders**

<b>REGISTERED SEX OFFENDERS (RSO's)</b>	<b>NUMBER</b>
<b>a)</b> Number of RSOs managed by MAPPA level as at 31 March 2019:	
1) MAPPA Level 1:	431
2) MAPPA Level 2:	34
3) MAPPA Level 3:	3
<b>b)</b> Number of Registered Sex Offenders convicted of a further group 1 or 2 crime between 1st April 2018 and 31st March 2019:	
1) MAPPA Level 1:	11
2) MAPPA Level 2:	1
3) MAPPA Level 3:	1
<b>c)</b> Number of RSO's returned to custody for a breach of statutory conditions between 1 April 2018 and 31 March 2019 (including those returned to custody because of a conviction for a group 1 or 2 crime):	7

<b>d)</b> Number of indefinite sex offenders reviewed under the terms of the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011 between 1 April 2018 and 31 March 2019:	3
<b>e)</b> Number of notification continuation orders issued under the terms of the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011 between 1 April 2018 and 31 March 2019:	4
<b>f)</b> Number of notifications made to Jobcentre Plus under the terms of the Management of Offenders etc. (Scotland) Act, 2005 (Disclosure of Information) Order 2010 between 1 April 2018 and 31 March 2019:	65
<b>g)</b> Number of RSO subject to formal disclosure between 1 <sup>st</sup> April 2018 and 31 <sup>st</sup> March 2019	0

<b>Table 4: Restricted Patients</b>	
<b>RESTRICTED PATIENTS (RP'S):</b>	<b>NUMBER</b>
<b>a)</b> Number of RP'S:	
1) Living in your area on 31 <sup>st</sup> March 2019:	6(17)
2) During the reporting year:	6(18)
<b>b)</b> Number of RP's per order:	<b>b)</b> Number of RP's per order on 31 <sup>st</sup> March 2019:
1) CORO:	29
2) HD:	0
3) TTD:	0
<b>c)</b> Number within hospital/community:	<b>c)</b> Number within hospital/community on 31 <sup>st</sup> March 2019:
1) State Hospital:	6
2) Other hospital no suspension of detention (SUS):	11
3) Other hospital with unescorted SUS:	6
4) Community (Conditional Discharge):	6
<b>d)</b> Number managed by MAPPA level on 31 March:	<b>d)</b> Number managed by category on 31 March 2019:
1) MAPPA Level 1	28
2) MAPPA Level 2	1
3) MAPPA Level 3	0

<b>e) Number of RPs convicted of a further group 1 or 2 crime between 1 April and 31 March:</b> 1) MAPPA Level 1: 2) MAPPA Level 2: 3) MAPPA Level 3:	<b>e) Number of RPs convicted of a further Group 1 or Group 2 crime between 1 April 2018 and 31 March 2019:</b>
	0
	0
	0
<b>f) No of RPs on Suspension of detention:</b> 1) who did not abscond or offend: 2) who absconded: 3) who absconded and then offended: 4) where absconsion resulted in withdrawal of suspension of detention:	<b>f) Number of RPs between 1 April 2018 and 31 March 2019:</b>
	0
	0
	0
<b>g) No. of RPs on Conditional Discharge:</b> 1) who did not breach conditions, were not recalled, or did not offend: 2) who breached conditions (resulting in letter from the Scottish Government):	<b>g) Number of RPs on Conditional Discharge between 1 April 2018 and 31 March 2019:</b>
	5
	0
<b>h) recalled by Scottish Ministers due to breaching conditions:</b>	1
<b>i) recalled by Scottish Ministers for other reasons:</b>	0

<b>Table 5: Other Risk of Serious Harm Offenders</b>	
	<b>NUMBER</b>
<b>a) Number of managed by MAPPA level as at 31 March 2019:</b> 2) MAPPA Level 2: 3) MAPPA Level 3:	
	3
	1
<b>b) Number of offenders convicted of a further Group 1 or 2 crime:</b> 2) MAPPA Level 2: 3) MAPPA Level 3:	
	1
	0
<b>c) Number of offenders returned to custody for a breach of statutory conditions (including those returned to custody because of a conviction of Group 1 or 2 crime)</b>	3



<b>d)</b> Number of notifications made to DWP under the terms of the <a href="#">Management of Offenders etc. (Scotland) Act, 2005 (Disclosure of Information) Order 2010</a> between 1 April 2018 and 31 March 2019	3
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<b>Table 6: Delineation of RSO'S by age on 31st March 2019:</b>		
<b>Age</b>	<b>RSO Number</b>	<b>RSO Percentage %</b>
Under 18	1	0.21
18-21	19	4.06
22-25	29	6.20
26-30	38	8.12
31-40	112	23.93
41-50	89	19.02
51-60	95	20.30
61-70	53	11.32
Older than 70	32	6.84
<b>Total</b>	<b>468</b>	<b>100</b>

<b>Table 7: Delineation of population of RSO's on 31st March 2019:</b>		
<b>Sex</b>	<b>RSO Number</b>	<b>RSO Percentage %</b>
<b>a)</b> Male	463	98.93
<b>b)</b> Female	5	1.07
<b>Total</b>	<b>468</b>	<b>100</b>

<b>Table 8: Delineation of RSO's by ethnicity on 31st March 2019:</b>		
<b>Ethnic Origin</b>	<b>RSO Number</b>	<b>RSO Percentage %</b>
White Scottish	386	82.48
Other British	47	10.04
Irish	6	1.28
Gypsy Traveller	0	0

Polish	3	0.64
Other white ethnic group	14	2.99
Mixed or multiple ethnic group		
Pakistani, Pakistani Scottish or Pakistani British	0	0
Indian, Indian Scottish or Indian British	1	0.21
Bangladeshi, Bangladeshi Scottish or Bangladeshi British	0	0
Chinese, Chinese Scottish or Chinese British	2	0.43
Other Asian	0	0
African, African Scottish or African British	0	0
Other African	0	0
Caribbean, Caribbean Scottish or Caribbean British	1	0.21
Black, Black Scottish or Black British	0	0
Other Caribbean or Black	0	0
Arab, Arab Scottish or Arab British	1	0.21
Other ethnic group	0	0
Subject declined to define ethnicity	0	0
Subject does not understand	0	0
Data Not Held	7	1.50
<b>Total</b>	<b>468</b>	<b>100</b>

**Table 9: Number of RSO's managed under statutory conditions and/or notification requirements on 31st March 2019:**

<b>Number of RSO's</b>	<b>Number</b>	<b>Percentage %</b>
<b>a) On Statutory supervision:</b>	143	30.98
<b>b) Subject to notification requirements only:</b>	323	69.02
<b>Total</b>	<b>468</b>	<b>100</b>

## **7. EXPLANATION COMMENTARY ON STATISTICAL TABLES**

The totals of MAPPA-eligible offenders, broken down by category, reflect the picture on 31 March 2019 (i.e. they are a snapshot) for offenders who are in custody and in the community unless stated differently. This has been a change from previous years when only figures for community based Registered Sex Offenders were reported. Where it states 1<sup>st</sup> April 2018 – 31<sup>st</sup> March 2019, this will represent the total numbers for that year.

This year the data has been provided by the Scottish Government, Police Scotland, NHS Greater Glasgow and Clyde, NHS Highland and North Strathclyde MAPPA unit.

### **MAPPA-eligible Offenders**

There are a number of offenders defined in law as eligible for MAPPA management, because they have committed specified sexual and violent offences or they currently pose a risk of serious harm. The majority of offenders (92%) are managed under routine agency arrangements (Level 1). These offenders are subject to multi-agency MAPPA meetings, and have recorded risk management plans in place. These offenders are often managed by one or two agencies.

Level 2 MAPPA offenders will require multi-agency involvement in all cases and require the scrutiny of senior Social Work, Police or Health care management in the risk management planning. As of 31<sup>st</sup> March 2019 (7%) of offenders are managed as Level 2.

Level 3 offenders are the critical few, whose risk of serious harm are assessed as very complex and require a significant resource input from services that requires the oversight of Social Work Head of Service/Detective Superintendent or Senior Health Manager. As of 31<sup>st</sup> March 2019 (1%) of offenders are managed as Level 3.

### **Table 1 – Registered Sex Offenders**

**a) Registered Sexual Offenders (RSOs)** – those who are required to notify the police of their name, address and other personal details and to notify any changes subsequently (this is known as the “notification requirement.”) Failure to comply with the notification requirement is a criminal offence which carries a maximum penalty of five years’ imprisonment.

These figures relate to MAPPA offenders who are managed in the community and in custody.

a2) This information is taken from the General Register of Scotland and represents the population as of mid-2018.

b) This figure represents the number of individual RSOs who were reported for failing to register details with the Police over the reporting year. The figures **do not report on whether there were multiple breaches rather counting the offenders who have breached their notification requirements.**

**c) Wanted RSOs** – An offender subject of the notification requirement should be considered as wanted in the following circumstances;

Where it is known that an offender is actively avoiding police in response to police enquiries to trace that individual relative to offences they may have committed or in relation to other matters for which it is required that they be interviewed. This may include those occasions where an offender is the subject of an arrest warrant.

**d) Missing RSOs** - An offender subject of the notification requirement should be considered as Missing in the following circumstances;

Where the current whereabouts of an offender is unknown and Police and other responsible authority's enquiries to establish their whereabouts have been unsuccessful. As a result of these actions the risk management process may not be achievable and there exists a requirement to trace the individual and address the risk they may pose and establish if further offences have been committed.

## **Table 2**

**a/b/d) Sexual Offences Prevention Order (SOPO)** – Sexual Offences Prevention Orders (SOPO's) and interim SOPO's are intended to protect the public from the risks posed by sex offenders by placing restrictions and obligations on their behaviour. An order may restrict the offender from doing anything specified in it, or positively oblige them to carry out a specified act. SOPO's can be obtained by the police on civil application to the court or be issued by the criminal courts at time of sentencing. A SOPO can be made for a maximum period of 10 years.

The restrictions and obligations must be necessary for the purpose of protecting the public or any particular members of the public from serious sexual harm from the offender. The SOPO and interim SOPO also require the offender subject of the order to notify their details to the police as set out in the Sexual Offences Act 2003.

**c/e) Risk of Sexual Harm Orders (RHSO)** - Section 2 of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 provides the power for the Courts to place restrictions or obligations on someone who is behaving in such a way which suggest that they pose risk of sexual harm to a particular child (under 18) or to children (under 18) generally. The person's behaviour need not constitute a criminal offence, and they need not have any previous convictions. The Court may impose on the person any restrictions or obligations which are required to protect a particular child or children generally from sexual harm from that person.

Where a person has a previous conviction for crimes of a sexual nature, a SOPO should be considered rather than a RSHO. Breach of a RSHO is a criminal offence and criminal procedures and penalties apply. The breach of an RSHO also automatically renders an individual subject to the SONR.

**f) Foreign Travel Orders** – these prevent offenders with convictions for sexual offences against children from travelling abroad where this is necessary to protect children from the risk of sexual harm.

**g) Notification Order** – this requires sexual offenders who have been convicted overseas to register with the police, in order to protect the public in the UK from the risks that they pose. The police may apply to the court for a notification order in relation to offenders who are already in the UK or are intending to come to the UK.

## **Table 3**

**c) Breach of Licence** – Sex offenders released into the community following a period of imprisonment over 6 months or more will be subject to a licence with conditions (under Criminal Justice Social Work supervision). If these conditions are not complied with, breach action will be taken and the offender may be recalled to prison. These figures represent MAPPA offenders who have only been in custody for a sexual offence at some point, and who have returned to custody through either

- Group 1 - Crimes of Violence: includes murder, attempted murder, serious assault, robbery and assault with intent to rob, threats and extortion and cruelty to children
- Group 2 - Sexual Offences: includes rape, assault with intent to rape; indecent assault and sexual offences against children.

f) Notifications made to Job Centre Plus (JCP) – Whilst the Department of Work and Pensions/JCP are not duty to co-operate agencies, there is legislation which allows information to be shared in relation to the management of offenders. This is intended to restrict the placing of MAPPA offenders in inappropriate employment or training. These arrangements allow for notifications to be made to JCP by the lead agencies, advising of potential or known risks to JCP staff or other employment and training providers.

The figure of 65 relates to those notification that the MAPPA unit have received between 1<sup>st</sup> April 2018 and 31<sup>st</sup> March 2019.

#### **Table 4**

##### **Restricted Patients –**

The figures contained here are for the South Clyde, East & West Dumbarton areas of Greater Glasgow and Clyde (GGC) Health Board and NHS Highland.

**a2)** It should be noted that 17 of the restricted inpatients are currently in secure inpatient wards in the greater Glasgow area of GGC. Due to this they have been counted in the Glasgow return as 'resident in your area at 31 March'. The North Strathclyde MAPPA unit retains responsibility for the scheduling of meetings for these patients. There are currently 4 Restricted Patients living within the NSCJA area.

It should be noted that we are reporting the accounting year figures from 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2019 for those managed within MAPPA. At the 31<sup>st</sup> March 2019 there were 0 Restricted Patients subject to level 2 MAPPA meetings. There were no Restricted Patients within the areas of NHS Highland that North Strathclyde MAPPA Unit covered during the accounting period.

**b1. CORO (Compulsion Order and Restriction Order)** - Where there is an ongoing risk of serious harm the Court may make a restriction order in addition to a Compulsion Order. A patient on a CORO can only be transferred to another hospital

or given periods of time outside a hospital with the permission of the Scottish Ministers. Where a patient is subject to a CORO they can only be discharged to the community by a Mental Health Tribunal. Usually strict conditions will be placed on a patient on CORO in the community and the Scottish Government closely monitors the management of these patients. While a patient is on a CORO, either in hospital or conditionally discharged to the community, they are a restricted patient.

**b2. HD – (Hospital Direction)** - A disposal which may be made by a criminal Court where a mentally disordered offender is convicted on indictment (i.e. a serious offence has been committed.) The patient is detained in hospital and a prison sentence is imposed which runs in parallel. If a patient no longer requires treatment in hospital they can go to prison to serve the rest of their sentence. If they remain in hospital at the end of the prison sentence then they must be released or if they need to be detained in hospital, then an application is made for a Compulsory Treatment Order. While a patient is on HD they are a restricted patient.

**b3. TTD – (Transfer for Treatment Direction)** A procedure under the Mental Health (Care and Treatment) (Scotland) Act 2003 which allows a sentenced prisoner with a mental disorder to be transferred to a psychiatric hospital for treatment. If the patient no longer requires treatment in hospital then they can go back to prison to serve the rest of their sentence. If they remain in hospital at the end of the prison sentence then they must be released or if they need to be detained in hospital, then an application is made for Compulsory Treatment Order. While a patient is on TTD they are a restricted patient.

**c2. Other hospital no suspension of detention (SUS)** – Suspension of detention is a period of leave either escorted or unescorted following consent of Scottish Government Ministers

## **Table 5**

a) Other Risk of Serious Harm Offenders include offenders who have been convicted of an offence, and by reason of that convictions are required to be subject to supervision in the community by an order or licence; are assessed by the responsible authorities as posing a high or very high risk of serious harm to the public at large and the risk assessed as requiring multi-agency management.

As of 31<sup>st</sup> March 2019 there were 4 Other Risk of Serious Harm Offenders being managed by North Strathclyde.

b/c) These figures represent Risk of Serious Harm Offenders who have breached their Community Based Order or Licence Condition by;

Group 1 - Crimes of Violence: includes murder, attempted murder, serious assault, robbery and assault with intent to rob, threats and extortion and cruelty to children

Group 2 - Sexual Offences: includes rape, assault with intent to rape; indecent assault and sexual offences against children.

There were 3 Other Risk of Serious Harm Offenders who breached their statutory conditions between 1<sup>st</sup> April 2018 and 31<sup>st</sup> March 2019.

d) Notifications made to Job Centre Plus (JCP) – Whilst the Department of Work and Pensions/JCP are not duty to co-operate agencies, there is legislation which allows information to be shared in relation to the management of offenders. This is intended to restrict the placing of MAPPA offenders in inappropriate employment or training. These arrangements allow for notifications to be made to JCP by the lead agencies, advising of potential or known risks to JCP staff or other employment and training providers.

The figure of 3 relates to those new notifications that the MAPPA unit have received between 1<sup>st</sup> April 2018 and 31<sup>st</sup> March 2019.

### **Table 9**

#### **Number of RSOs managed under statutory conditions and/or notification requirements on 31<sup>st</sup> March 2019**

Statutory supervision refers to offenders who are on a form of supervision order or licence managed by Criminal Justice Social Work. Those offenders who are subject to notification requirements only, are supervised by the Police.

## 8. GLOSSARY OF TERMS

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

**Disclosure:** The sharing of specific information about a MAPPA offender with a third party (not involved in MAPPA) for the purposes of protecting the public. There are various methods of disclosure.

**DTC:** Duty To Cooperate. The DTC persons or bodies in Scotland are listed within The Management of Offenders etc. (Scotland) Act 2005 (Specification of Persons) Order 2007.

**DWP:** Department for Work and Pensions.

**GDPR:** General Data Protection Regulations.

**ICR:** Initial Case Review which is conducted to establish if the significant case review process is required.

**MAPPA Co-ordinator:** The coordinator's role is a dedicated function undertaken on behalf of the responsible authorities. The coordinator is accountable to those operating the arrangements through the local MAPPA Strategic Oversight Group (SOG).

**Responsible Authorities:** The responsible authorities are the police, local authorities, health boards or Special Health Boards and the Scottish Prison Service (SPS) (acting on behalf of Scottish Ministers).

**RSL:** Responsible Social Landlord

**SCR:** Significant Case Reviews are considered in the event of an offender being managed under MAPPA who has been charged with Murder, or has been harmed as a result of their MAPPA status or there are sufficient serious concerns relating to the management of that offender.

**SOLO:** Sex Offender Liaison Officer usually a housing officer with a responsibility for liaising with responsible authorities in the identification of appropriate accommodation for sex offenders.

**SONR:** Sex Offender Notification Requirements.