

SOUTH WEST SCOTLAND

**MULTI AGENCY PUBLIC
PROTECTION ARRANGEMENTS**

ANNUAL REPORT
2020-2021



FOREWORD



On behalf of the Responsible Authorities and agencies with a Duty to Cooperate across South West Scotland, and as Chairperson of the South West Scotland MAPPA Strategic Oversight Group, I am delighted to present this, my second Multi-Agency Public Protection Arrangements (MAPPA) Annual Report.

The report aims to provide a statistical overview of MAPPA activity from 1st April 2020 until 31st March 2021 and an update of what we have achieved since my last Annual Report. During this entire period our service provision was affected by the Covid 19 pandemic.

MAPPA has been in place for fourteen years now, and are a set of arrangements that allow us to align and coordinate the efforts of the key stakeholders involved in Public Protection. All MAPPA partners work together closely to manage and reduce the risk posed to the community by sexual offenders, restricted patients in the community and "Other Risk of Serious Harm Offenders". I hope that the information within this report goes some way to reflect the level of commitment and illustrate the amount of work carried out by the staff in all the partner agencies in respect of this complex and challenging work.

It is vital that those who work within the MAPPA remain positively committed to managing the risks posed by the people placed under the arrangements and, despite the challenges we have faced there can be no room for complacency; we can never drop our guard. None the less, it must be acknowledged that it is simply not possible to eliminate risk entirely. The public expect that all reasonable steps will be taken to reduce the risk of harm and history has shown that by coordinating our efforts through MAPPA, we are far more effective than the sum of our parts.

This annual report aims to reflect the contributions made by all of the agencies involved in MAPPA across South West Scotland. It highlights our commitment to continue to develop strong partnerships and to explore new ways of working in order to meet the challenge of protecting the public from serious harm. Due to the pandemic we have been forced to adapt our work practices and balance the risks associated with physically meeting with people and finding other ways to engage with them to maintain rapport and establish any factors in their lives that may have a bearing on the risk they present.

Prior to the pandemic, the administrative processes around the way MAPPA operates involved many face to face meetings with all the professionals involved in each case. Such face to face meetings were later deemed unsafe so we have reverted to a technological solution and now routinely use secure on-line video conferencing.

In my last annual report I highlighted the difficulties that were being posed by the activities of community groups who, though social media platforms, were organising demonstrations outside the homes of individuals they believed to be sex offenders.

I am pleased to report that I have been in dialog with the administrators of some of the more active community groups and have been able to reassure them around the work that is put into keeping our communities safe through MAPPA. This does not mean that these demonstrations will cease to occur but, by working with the organisers of the demonstrations and with police advice, when these events do occur, they can be managed to ensure the safety of those who attend and the safety of those they wish to protest about.

Finally, I would like to take this opportunity to thank all those member of staff from all agencies, who have, despite the risk to themselves and their families, worked tirelessly throughout the period of lockdown to ensure public safety by supervising and managing the risks posed to the public by those subject to the MAPPA.

Marion MacAulay,
Chair
South West Scotland MAPPA SOG



CONTENTS



What are the Multi-Agency Public Protection Arrangements (MAPPA)?

MAPPA are a set of statutory arrangements that allow for the assessment and management of the risk posed by people convicted of certain sexual and violent offences. In Scotland, MAPPA were established by Sections 10 and 11 of the Management of offenders etc. Scotland act 2005. The MAPPA brings together the Police, Local Authority Social Work Justice Services, NHS and Prison Service. In addition, some other agencies are under a duty to co-operate with the Responsible Authority in respect to the arrangements. These include, local authority housing, the Reporter to the children's hearing, certain registered social landlords and electronic monitoring providers.

| | |
|-----|--|
| 06. | MAPPA IN SOUTH WEST SCOTLAND |
| 08. | MAPPA CATEGORIES |
| 10. | MAPPA MANAGEMENT LEVELS |
| 12. | SOUTH WEST SCOTLAND MAPPA STATISTICS 2021: KEY POINTS |
| 14. | VISOR |
| 15. | MAPPA GOVERNANCE |
| 16. | THE RESPONSIBLE AUTHORITIES |
| 19. | LOCAL AUTHORITIES |
| 20. | DUTY TO CO-OPERATE AGENCIES |
| 24. | RISK MANAGEMENT & CASE STUDIES |
| 27. | WORK STREAMS |
| 30. | SOUTH WEST SCOTLAND MAPPA GOING FORWARD |

MAPPA IN SOUTH WEST SCOTLAND

Since the enactment of the Management of Offenders etc. Scotland Act 2005, Local Authorities, Scottish Prison Service, Police and Health Boards have worked together to assess and manage people who pose a risk of serious harm to the public.

This Annual Report outlines how MAPPA operates in South West Scotland, provides statistical information about the numbers of people we deal with, explains the MAPPA categories and shows how the arrangements work in practice. While it must be acknowledged that it is never possible to eliminate risk completely, all the agencies involved in MAPPA work tirelessly to ensure that every reasonable step is taken to reduce the risk of serious harm to the public. The end result of this is that MAPPA help keep our communities safe. As Responsible Authorities we are required to keep MAPPA under review and to publish an annual report. This report allows us to publicly demonstrate how effectively we manage those people who present a risk to the public. It also outlines the steps being taken to refine and improve our practice and procedures and the way we adapt to changing circumstances; the pandemic being the most obvious example.

The protection of the public and management of people convicted of violent and sexual offences is a difficult

and challenging task. By working together and making use of our joint expertise and resources, the synergies achieved mean we can deliver a service which is more effective in reducing risk than it would be if were merely the sum of its parts. In Scotland, the MAPPA arrangements encompass the management of Restricted Patients, Registered Sex Offenders and others who pose a risk of serious harm to the public. All the agencies involved in this work are highly motivated to ensure that practice and procedures are scrutinised and reviewed to minimise the risk presented to the community.

All Responsible Authorities are required by law (Management of Offenders etc. Scotland Act 2005: <http://www.legislation.gov.uk/asp/2005/14/contents>) to have local MAPPA arrangements in place. These arrangements ensure we share information in order to manage risk (Scottish Government, MAPPA Guidance <http://www.scotland.gov.uk/Topics/Justice/public-safety/protection/reports>).



MAPPA CATEGORIES



The law in Scotland identifies three categories of offenders who must be managed under the MAPPA:

Category 1 - Registered Sex offenders (RSO).

These are people who have been convicted of a specified sexual offence and/or to whom the notification requirements under Part 2 of the Sexual Offences Act 2003 apply.

Category 2 – Restricted Patients

Those under:

- An order restricting discharge under section 59 of the Criminal Procedure (Scotland) Act 1995 (a compulsion order with a restriction order);
- An order under section 57(2) (b) of the Criminal Procedure (Scotland) Act 1995 (imposition of special restrictions in disposal of case where accused found to be insane);
- A hospital direction under section 59A of that Act (direction authorising removal to and detention in specified hospital);
- A transfer for treatment direction under section 136 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (transfer of prisoners to a specified hospital for treatment for mental disorder).

Category 3 - Other Risk of Serious Harm Offenders

These are people who do not qualify under Category 1 or 2 but have been assessed as currently posing a risk of serious harm to the public. The link between the offence they have perpetrated and the risk that they pose means that they require active multi-agency risk management.

Potentially Dangerous Persons (PDP)

Due to the effects of the Covid 19 restrictions placed upon the courts, a backlog of untried cases has built up. Many people who may, in the past, have been remanded into custody have been released back into the community, albeit under strict bail conditions, until a trial diet can be arranged and their case heard. Some of these individuals have been assessed as presenting a high risk of serious harm to the public but, as they have not been the subject of any trial they are therefore innocent in the eyes of the law. In order to manage the risk such people may pose the Police have made use of a provision whereby the MAPPA arrangements can be used to managed people in the community who are

considered by the authorities to be Potentially Dangerous Persons (PDP)

Such people are not formally identified in the legislation as being MAPPA qualifying offenders, but the Multi-Agency Public Protection Arrangement can be used to identify and manage any risks they may pose; the Public would expect nothing less. The information sharing that occurs in relation to MAPPA qualifying offenders is required by section 10 and 11 of the 2005 act. The information sharing that takes place around a PDP is done on the basis of the overriding principle of public safety. The number of such cases remains very small but is part of our adaptations to accommodate Covid 19 restrictions.



MAPPA MANAGEMENT LEVELS

The level of risk posed by those managed under MAPPA varies. The level of risk is assessed using risk assessment tools and analysis of the nature of all previous offending and circumstances unique to each person. Once the level of risk has been assessed and agreed, and to ensure that they receive appropriate supervision and support, each person is

monitored according to their risk level. Each individual subject to the MAPPA is risk assessed and reviewed regularly through the MAPPA process.

There are three MAPPA management levels and these allow us to effectively deliver a level of service appropriate to need.

LEVEL ONE

Where a person can be safely managed, mainly, by one agency. However it is often the case that more than one agency is involved in compiling the risk management plan. People subject to Level 1 management are managed within the normal arrangements applied by whichever agency supervises them. However information sharing between agencies still takes place and any risk is actively and dynamically managed with risk level being escalated if required.

LEVEL TWO

Where more than one agency is required to implement the risk management plan. The Risk Management Plans (RMP) for such people requires the active involvement of several agencies via regular MAPPA meetings. People managed at Level 2 are usually more complex and may involve risks related to mental health issues, substance misuse, unsuitable or unstable home circumstances and/or domestic abuse.

LEVEL THREE

Where a range of agencies are involved at a senior level to allocate the necessary resources to manage the case. Some cases require involvement from senior officers to authorise the use of additional resources and provide ongoing senior management oversight. The assessed imminence of re-offending and the potential to cause serious harm, together with the complexity of the case, are carefully considered before referral to Level 3 is made. Level 3 Multi Agency Public Protection Panels (MAPPP) are chaired by a Senior Manager from the Responsible Authority.

Assessing and managing risk is complex with professional judgement and practice wisdom being an essential part of this. Whilst the primary function of the MAPPA is to ensure, as far as is possible, the public is protected, this can be challenging to achieve. Many offenders present with difficult and unpredictable behaviours and engage in covert and devious activities. Multi-agency collaboration and information sharing is the key mitigation against many of these complexities. Teamwork and cooperation allows a fuller assessment of risk and offers greater opportunities for early intervention by agencies when required.

MAPPA agencies use a range of methods to manage people including:

- Regular multi-agency meetings to share information, take action and reduce the risk of harm;
- Police and Justice Social Work visits/ interviews, both announced and unannounced;
- Continual reviews of the level of risk posed by each offender;
- Multi-agency environmental scanning to inform decisions on accommodation;
- Focused interventions to reduce re-offending;
- Possible recall to prison for any breach of the conditions of release or court order;
- Use of electronic tagging and conditions such as curfews;
- Control of the way in which information about specific offenders is shared with the public or key community representatives;

The police and prison service receive notification from the courts following conviction. All people convicted of sexual offences are subject to registration, and those in the community must register as such with the police within three days of their conviction or release from prison. Failure to register is an offence, which can lead to a term of imprisonment. Following conviction, each person is risk assessed and reviewed through MAPPA. Once a risk assessment has been carried out a Risk Management Plan is formulated and the required management level agreed.

SOUTH WEST SCOTLAND MAPPA STATISTICS 2021: KEY POINTS

THE TOTAL NUMBER OF PEOPLE MANAGED WITHIN THE MAPPA BY CATEGORY ON 31 MARCH 2021

On 31 March 2021 686 people were being managed under the MAPPA in South West Scotland. This figure includes all such people be they in the Community, in Prison or in a Hospital. This is a decrease of 25 on last year's total of 711.

By Category

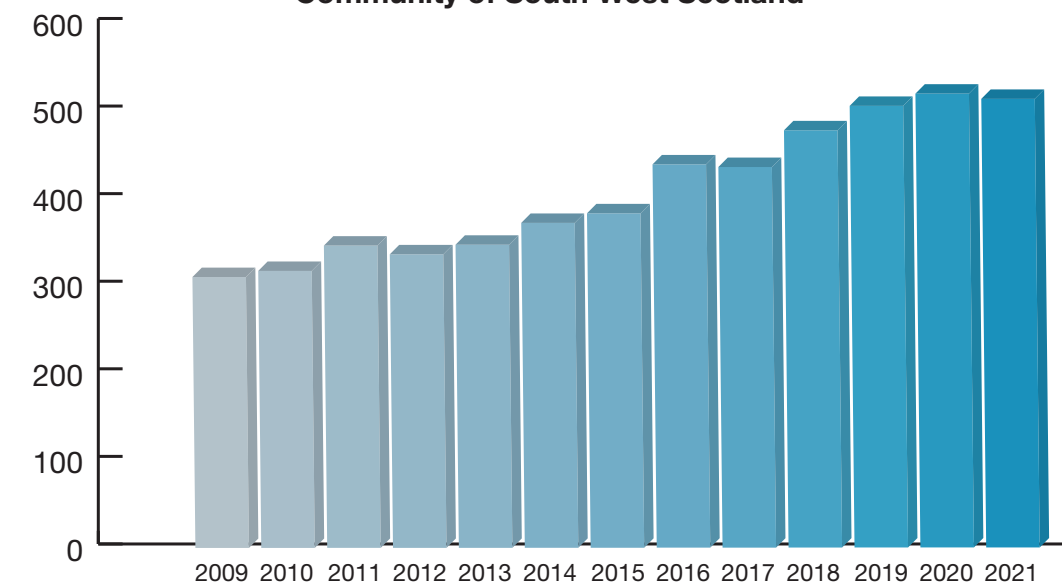
- **669 (97.5 %) were Category 1 (Registered Sexual Offenders); 25 less, a 3.7% reduction on last year's total of 694.**
- **15 (2.1%) were Category 2 offenders (Restricted Patients) and;**
- **1(0.14%) was a Category 3 (other risk of serious harm offenders).**
- **PDP 1 (not previously counted)**

Looking specifically at Registered Sex Offenders by management level:

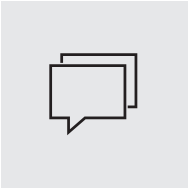
- **636 registered sex offenders were being managed at MAPPA Level 1;**
- **27 at Level 2 and;**
- **6 at Level 3.**

Since 2009, the number of **Registered Sex Offenders** being managed under the MAPPA in South West Scotland has continued to increase at an average annual rate of around 6%. However, this year and almost certainly as a result of the delays in the justice process caused by the restriction imposed to manage the pandemic, the number of people being placed under Sex Offender Notification Requirements actually fell by 25 this being a 3.7 % reduction on last year. That said, it would seem likely that once the courts systems return to normal service, the numbers will return to their previous upward trajectory.

**Number of RSOs living within the
Community of South West Scotland**



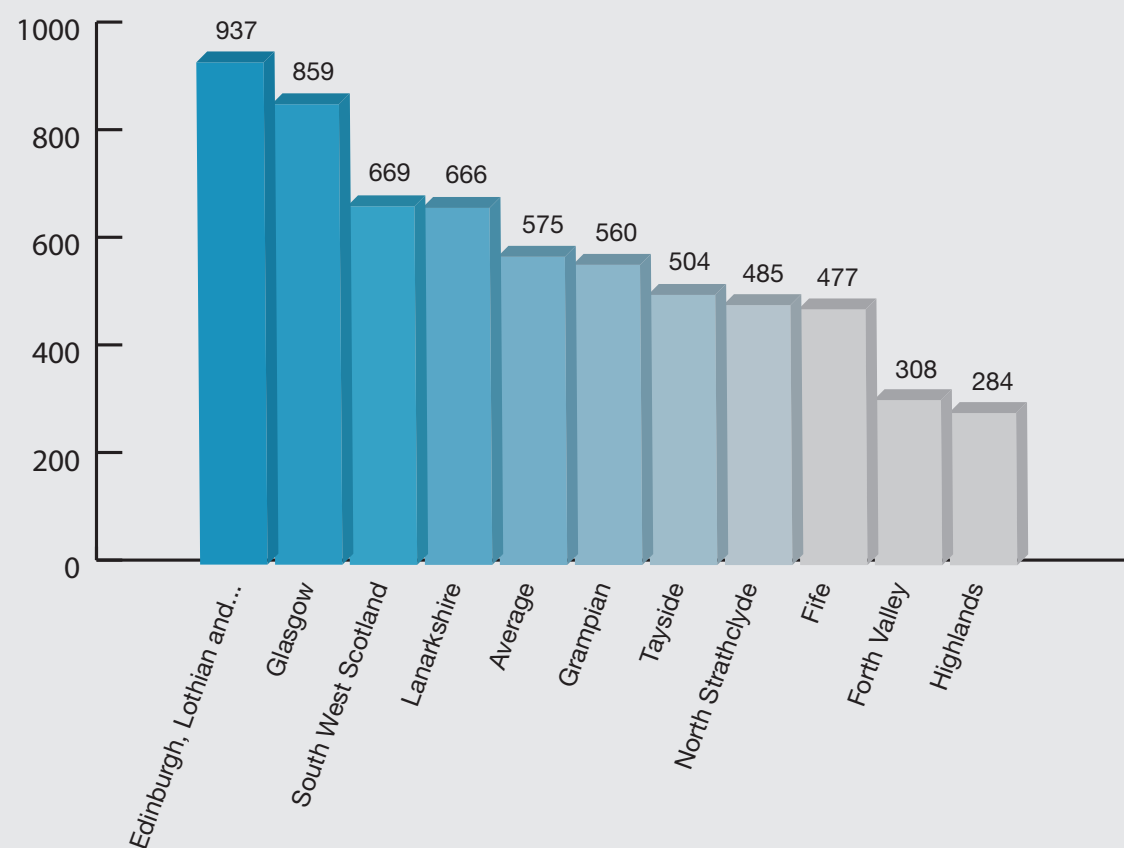
VISOR



ViSOR is the Violent and Sexual Offenders Register, often referred to as the “Sex Offenders Register”, which, in Scotland, is used to manage, Registerable Sexual Offenders, Other Sexual Offenders and Offenders who pose a risk of Serious Harm to the community, Restricted Patients, Registerable Terrorist Offenders and other Potentially Dangerous Persons. It allows each agency to

share information with relevant partner agencies and contribute to the risk management of people in real time. Information can be drawn from ViSOR to allow analysis of trends and to provide information that will allow more effective resource allocation. The following graph is based upon information drawn from ViSOR and provides a comparison between areas in Scotland.

Number of RSOs in each MAPPA area 31/3/21



MAPPA GOVERNANCE

MAPPA does not operate in a vacuum; it is a part of the wider Public Protection arrangements. The chair of the MAPPA SOG provides regular reports to all four Public Protection Chief Officers Groups and strong links have been established between MAPPA and the various Child Protection, Adult Protection and Public Protection Lead officers across the four local authority areas. The operation of MAPPA involves a complex interplay between different, and often

competing priorities, cultures and professional objectives. Nonetheless, the South West Scotland MAPPA SOG has been able to deliver a consistent and effective service across the region by dynamically balancing increasing workloads and decreasing resources.

Roles and responsibilities

MAPPA in South West Scotland (SWS) operates with a two tier structure; operational and strategic. Senior representatives of the Responsible Authorities form the Strategic Oversight Group (SOG) who scrutinise and govern the arrangements. The MAPPA Operational Group (MOG) oversees the day to day operation of the arrangements.

The SOG is responsible for the strategic development of MAPPA and monitoring communications between MAPPA and other Public Protection partnerships such as Child Protection and Adult Support and Protection. Joint working and information sharing between agencies is the most critical part of the arrangements. Whilst the Police and Local Authority Justice Services are the principal lead agencies for the management of registered sex offenders in the community, SPS and SERCO are the responsible authority for those offenders within the Prisons estates. Health Boards are the responsible authority for Restricted Patients and held to be under a "duty to cooperate"

in respect of other classes of offenders. A summary of the roles and responsibilities in relation to Multi Agency Public Protection in South West Scotland is provided below.

In the our area, there are four Chief Officers Groups operating within the respective local authorities: Dumfries and Galloway, East Ayrshire, North Ayrshire and South Ayrshire. Dumfries and Galloway also operates a Public Protection Partnership, within which, the Public Protection Committee incorporates the previous responsibilities of the Child Protection Committee, Adult Protection Committee, Domestic Abuse and Violence against Women and Girls Partnership. The Public Protection Committee reports to Chief Officers Group: Public Protection. Further information is available at www.dgppp.org.uk. The chair of the SOG is responsible for providing the chief officer groups with regular updates on the operation of MAPPA.

THE RESPONSIBLE AUTHORITIES

Health: Restricted Patients

The care of all restricted patients within South West Scotland is managed through the Care Programme Approach (CPA), whether they are detained in hospital or living in the community. The mandatory CPA process for restricted patients involves regular multi-disciplinary/multi-agency review meetings (CPA meetings) with standardised documentation for Care Plans incorporating risk issues and contingency plans. The police, and other relevant agencies, are involved in the CPA process.

Health Boards

Dumfries and Galloway Health Board and Ayrshire and Arran Health Board each have nominated a single point of contact for MAPPAs in South West Scotland. The single point of contact, who is a senior manager within the Health Board, either chairs the MAPPAs meetings for restricted patients or attends all level MAPPAs meetings for Category 1 or 3 offenders. All Restricted Patients have a Mental Health Officer (MHO) and a Responsible Medical Officer (RMO) with specific responsibilities in relation to the case. They attend MAPPAs meetings alongside other persons from the clinical team, Housing Services or any other agency that might be involved. The State Hospitals Board for Scotland is also included in the legislation as a Responsible Authority but, as with Health Boards, only in respect of Restricted Patients.

The Scottish Prison Service (Including private prisons)

The SPS (or private sector provider, Serco Ltd,) is the Responsible Authority for Category 1 registered sex offenders and Category 3 other risk of serious harm offenders whilst they are in prison. While a person is in custody, Prison Based Social Workers will apply the appropriate risk assessment tools. These tools are crucial in determining how a person should be managed during their sentence and for pre-release planning. The SPS and Serco Ltd also work in partnership with the local justice services supervising officer during sentence and in preparation for release. This process of sentence planning is referred to as Integrated Case Management (ICM).

Parole

Parole is a system that enables people to be released on licence in the community under the supervision of a community based social worker. If a person is released on parole, they are subject to be recalled to prison at any time if they breach the terms of their licence. Parole is only granted where the Parole Board is satisfied that the risk presented by the person can be managed in the community.

The Parole Board for Scotland is a Tribunal Non-departmental Public Body whose members are appointed by the Scottish Ministers. The Board has a number of statutory functions but operates independently from the Scottish Government. Directions made to Scottish Ministers by the Board about early release of a person are binding, with the exception of deportation cases and applications for compassionate release where the Board will offer advice only. Those people who are sentenced to less than four years in prison, known as "Short Term" prisoners, are released into the community unconditionally at the half way point in their sentence. The Parole Board has no role in these cases. Short term sex offenders are released on licence at the half way point and their licence conditions are set by the Scottish Government Justice Directorate. The Parole Board will only become involved if the person breaches their licence and are recalled or are seeking re-release following recall. Those serving more than four years are entitled by law to be considered for parole once they have served half of their sentence.

This is known as the Parole Qualifying Date. If early release is not directed at the first review then the Board will reconsider the person's case at no more than 12 month intervals until the person reaches their

- Earliest Date of Liberation
- The two thirds point of their sentence
- Or 6 months before the expiry of the sentence depending on when they were sentenced;
- At which point the Scottish Ministers are legally required to release the person into the community on licence.

Some people have Extended Sentences which means that they are given a custodial part and an extended part of sentence by the court. The Board will deal with two types of extended sentence offenders. Those sentenced to a short term custodial part but the extended part takes the sentence overall to more than 4 years will be referred to the Board for licence conditions only. If the custodial part is more than 4 years they will be considered in the same way as long term determinate offenders. Their licence will run to the end of the extended part of the sentence.

A person sentenced to life sentence is told at the time of sentencing in the court what the minimum period is they must spend in prison. This is known as the punishment part of the sentence. They will have their case considered by a Tribunal of the Board as soon as possible after the punishment part has expired. If they are not released at the first review they are required by law to have a further review within 2 years. Subsequent reviews will be set by the tribunal.

More information on Parole can be found at <https://scottishparoleboard.scot/faq>

The Police

The responsibilities of the Police in relation to registered sex offenders include maintaining the ViSOR records of those persons in Scotland who are subject to the notification requirements of the Sexual Offences Act 2003 and to initiate enquiries where such persons fail to comply with the requirements placed upon them. The Police, as one of the Responsible Authorities within the MAPPA, has an important role in assessing and managing the risk presented by sex offenders in the community and a responsibility to develop, in conjunction with partner agencies, risk management plans for the purpose of monitoring and managing those people. Where someone in the community is subject to no other form of statutory supervision, the police assume the role of lead responsible authority for that person. This includes sharing the responsibility for assessing all Registered Sex Offenders, within the community. The assessment is carried out by officers working within the Sex Offender Policing Unit, and colleagues within Justice Services, who have been trained in the use of specialised risk assessment tools. The Police also play an important role in the management of restricted patients, and people assessed as other risk of serious harm, particularly with regard to risk assessment and the ratification of risk management plans.



LOCAL AUTHORITIES

Justice Social Work Services

The Local Authorities provide a range of social work and social care services, including the provision of justice services. The core justice social work responsibilities are:

- The provision of reports to the Court and Parole Board;
- Supervision of Community Payback Orders and Supervision and unpaid work requirements;
- Supervision of post-custodial licences.

Whilst public protection and the risk management of registered sex offenders is a core objective of justice social work services, the primary aims of Justice Services are of resettlement and rehabilitation. Justice Services have responsibility for the risk assessment and management of all registered sex offenders subject to community supervision. The Irving Report recommended that when the risk assessment was undertaken on a registered sex offender this should be done jointly with the police; the police should be notified of any change to the risk assessment and at the end of

supervision another risk assessment should be undertaken. All persons leaving custody are entitled to apply for voluntary aftercare up to 12 months after leaving custody. National Objectives and Standards for Justice Services lay down that reports to Court or the Parole Board should include a risk assessment and any action plan for someone on probation or a post-custodial licence should include a risk management plan aimed at reducing the risk of re-offending or the risk of serious harm. Supervision of these orders or licences should be informed by the risk management plan.

In cases where a person is subject to sex offender registration and is also subject to statutory supervision in the community by the local authority, responsibility for the case is shared by Police Scotland and local authority Justice Services. When Justice Services supervision ends and the risk of serious harm remains, the police will become the responsible authority but the person will still be managed under the MAPPA for the registration period.

Child Protection

The protection of children is the responsibility of all. National guidance and each organisation will have local nuanced procedures in accordance with national guidance. Senior personnel from Children and Families Social Work Services attend MAPPA meetings and share information with other agencies where there are concerns about young people who may be considered to be actual or potential victims. This information will be shared for the purpose of developing comprehensive risk management plans of which a robust victim safety plan is a central component.

Adult Support and Protection

The Adult Support and Protection (Scotland) Act 2007 provides measures to support and protect adults who are seen to be at risk of harm; be it physical or psychological harm, neglect, sexual abuse or financial exploitation. The Act places a duty on Local Authorities to make the necessary inquiries and investigations to establish whether or not further action is required to stop or prevent harm occurring. In addition it is also a requirement for specified public bodies to co-operate with local authorities and each other about adult protection investigations. Where appropriate, Adult Protection legislation will be utilised to protect any adults identified during the MAPPA process as being at risk of harm. It must be remembered the person subject to the arrangements may, in fact, be an adult at risk.

DUTY TO CO-OPERATE AGENCIES

Duty to Co-operate agencies such as Health Boards (in respect of registered sex offenders), Housing Providers, SERCO, and other Voluntary or Private Sector Organisations have a responsibility to share information, search records for any involvement with named

offenders and participate and contribute meaningfully, on a case by case basis, to the Risk Management Plan in accordance with their statutory function.

Health Boards

Whilst Health Boards are a responsible authority in respect of Restricted Patients, they have a duty to co-operate in respect of Registered Sex Offenders and those people identified as posing other risk of serious harm. Registered sex offenders may have contact with the health service in a number of different contexts. The majority of contacts with the NHS are via General Practitioners (GP's) outpatient or inpatient attendance at District General Hospitals. This will also include, for a few individuals, contact with Mental Health Services where people receive treatment voluntarily or under the Mental Health (Care and Treatment) (Scotland) Act 2003 or, for example, addiction services. Where a person has contact

with the health service then the health service has a duty to co-operate with other agencies in terms of information sharing and contributing to risk management. Where there are specific issues (i.e. a disability or enduring health diagnosis) that requires the provision of services to people, or where there are concerns about risk to staff or other patients, then this is communicated by the MAPPA Health representative, or single point of contact, to health service staff so that appropriate arrangements to manage any risk to staff or patients are put in place. Equally, where health staff have information that is pertinent to risk management, then this is shared with other agencies within MAPPA.

Electronic Monitoring Services

It is recognised electronic monitoring has an important part to play in supporting individuals to comply with their licence. Electronic monitoring ("tagging") ensures a person adheres to the curfew component of his/her order or licence. A transmitter and receiver provide information confirming that a person is present at a specified address at specified times. It can be used either to restrict a person to a specified address or to keep a person away from an address, or a combination of both.

Electronic Monitoring can be used:

- as an alternative to custody in conjunction with a range of community sentencing options;

- to provide structure in a person's day;
- to provide support to a person in the community, and;
- to assist in the transition of a person from a custodial environment to the community.

Electronic monitoring restricts the movements of a person within specified times. It should be noted this measure is only used where appropriate and not for all Registered Sexual Offenders.

The Management of Offenders Scotland Act 2019 once fully implemented will allow greater powers around electronic monitoring, including provisions enabling the use of technology to allow Global Positioning Satellite (GPS) tracking of offenders.

Housing Agencies

Housing agencies, under a duty to co-operate, are Local Authority housing services and providers and Registered Social Landlords. Their role is to contribute to the management of risk identified by Responsible Authorities by providing accommodation, liaising with the Responsible Authorities on the ongoing management and monitoring of the risk of the person as tenant (including any tenancy moves or evictions) having regard to community safety and having in place exit strategies where a property is no longer suitable and/or the person's safety is at risk.

In the South West Scotland area, each local authority has recruited a dedicated Sex Offender Liaison Officer (SOLO) who works directly with person subject to MAPPA arrangements. These officers have proven to be critical to the overall risk

management of registered sex offenders. Indeed, the SOLOs have worked closely with the MAPPA Coordinators and the Responsible Authorities in SWS to further strengthen their risk assessment processes to ensure community safety is at the heart of all procedures.

In South West Scotland, Environmental Risk Assessments (ERA) are carried out on every property that is potentially available (with all partners participating), in order to minimise any risks. Victim issues are the primary focus of the ERA. SOLOs are standing members of all MAPPA meetings, with Registered Social Landlords and supported accommodation providers additionally represented where appropriate. This collaborative approach minimises the potential for a person to be released from custody and accommodated within the same locality as a victim.

What if someone commits an offence while they are managed under the arrangements?

Initial Case Review (ICR)/ Significant Case Review (SCR)

Reoffending rates of those subject to MAPPA tend to be very low but sadly they are not zero. Whenever any person managed under MAPPA goes on to commit a further sexual offence, causes some other form of serious harm or, where as a result of their status as a Registered Sex Offender the person themselves become the victim of serious crime, the MAPPA SOG must review the management of that person in order to identify any learning points that may prevent such circumstances arising again. The review process is designed to examine the actions or processes employed by the agencies involved to ensure that all reasonable steps had been undertaken and to capture any learning. The level of review undertaken is determined by the nature and seriousness of alleged further offending. The review process employed by South West Scotland Strategic Oversight Group involves peer scrutiny of such cases by personnel from another local authority. Although challenging to administer, this system has been very successful and provides reassurance to the SOG that standards within the four local authorities are consistent and high.

Disclosure

Occasionally it is necessary to disclose information regarding a person's status to protect another person or persons. This may be done in circumstances where there are child and adult protection concerns or if a person's employment brings him/her into contact with children or other vulnerable people – this will be influenced by the nature of their offending.

Disclosure of an offender's status can happen in four ways:

- self-disclosure;
- by the Chief Constable;
- by Social Workers where there is an overriding concern regarding the safety of a child, and;
- through the Sex Offender Community Disclosure Scheme.

Decisions are made carefully on a case-by-case basis with a number of factors taken into account such as;

- The type, frequency and pattern of offences;
- How well a person complies with the conditions or restrictions of his sentence;
- Behaviours which may indicate further offending is likely;
- The harm further offences would cause;
- Potential negative consequences of disclosure to an individual, their family and whether or not they would be considered vulnerable;
- The range of conditions on the licence or order and;
- Whether disclosure could lead to a person absconding.



RISK MANAGEMENT

Risk Management Plans increase a person's capacity to control their behaviour and manage the risk they pose to the public. This requires a balanced approach making use of both restrictive measures and supportive measures. The supportive measure available generally amount to skill building, assisting the individual to seek appropriate employment, securing stable housing, providing treatment for any mental health issues, physical health

issues or addictions that may be factor in their offending. The restrictive measures usually amount to a legal order of some description. A variety of different statutory measures can be imposed (i.e. parole licence, non-parole licence, extended sentence, Supervised Release Order, Community Payback Orders and civil preventative orders) where the risk presented by an individual makes additional, enforceable measures necessary.

Civil Preventative Orders

Currently, in Scotland, we have four Civil Orders at our disposal.

If people fail to comply with the

restrictions provided by these orders, they will be arrested and can be returned to prison. The orders are:

- Sexual Offences Prevention Order (SOPO) - this places restrictions (such as approaching or communicating with children) on the behaviour of the person;
- Risk of Sexual Harm Order (RSHO) - designed to protect children (under 16) from

those who display inappropriate behaviour towards them;

- Notification Order – used when a person who has been convicted of a relevant sexual offence abroad comes to live in the United Kingdom. The person is then listed on the sex offenders register;
- Foreign Travel Orders (FTOs) - police can apply for a foreign travel order to prevent convicted offenders from committing further sexual offences either in this country or against children abroad. These orders can either ban travel to specific countries or they can be more wide-ranging, banning all overseas travel.

CASE STUDIES

This year it was decided to include in the Annual Report examples of MAPPAs in practice and the positive impact this has had on the individual concerned. It is hoped that these examples will inform the public in South West Scotland of how those individuals who have committed relevant offences are managed.

Example One

Person X has been at liberty for twelve months; this is the longest period person X has spent in the community during their adulthood. MAPPAs Agencies were prepared

to be met with a challenging individual on release and several meetings were held in anticipation. Over the last year MAPPAs has sought to support person X by following up on advice issued from the Scottish Prison Service in respect of addressing potential behavioural and personality disorders, as well as enabling person X to access appropriate trauma related counselling. Person X's MAPPAs level and risk level has decreased over the last year as they continue

to engage well with supporting services and refrain from reoffending. Person X's case has changed from being reviewed every six weeks to every twelve as a result. Enabling person X access to both psychology and psychiatry through MAPPAs pathways has undoubtedly helped both person X and agencies to further understand and manage the risk. Person X has been faced with challenges, both personal and in relation to the global pandemic, throughout their period in the community and has employed agreed risk management strategies to maintain offence free. MAPPAs's set of working arrangements have allowed us to align and coordinate the efforts of the key stakeholders involved in Public Protection to manage and reduce the risk posed to the community.

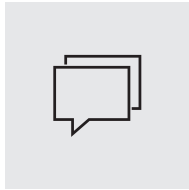
Example Two

Person Y was released in March 2020 and had been referred to MAPPAs as a High Risk Level 2, which was accepted.

It was suspected that due to childhood brain injuries that Person Y may have an intellectual disability and this would need to be factored into their risk management plan and any coping strategies. Through the MAPPAs process, Psychological Services became involved and completed various assessments with Person Y which allowed for the creation and implementation of a robust and appropriate risk management

plan. National lockdown due to Coronavirus occurred shortly after Person Y's release and there was concern how this would impact services and support offered to Person Y. It was agreed through dialogue at MAPPAs meetings that adult social work would be approached and a suitable package put in place to support Person Y and encourage pro social behaviours. The assessments provided by psychology coupled with an appropriate support package from adult services have enabled Person Y to remain offence free, have meaningful discussions with supervising officers and as a result see their MAPPAs level reduce to a Level 1 Medium.

WHAT WE HAVE ACHIEVED SINCE THE LAST ANNUAL REPORT



During the entire time since the publication of the last Annual Report, staff have been forced to work within the constraints of the continually evolving restrictions necessary to control the spread of Coronavirus. The use of a secure on-line video conferencing application has proved highly successful and has allowed MAPPAs meetings to take place securely whenever required. Individuals subject to the arrangements have been visited whenever it was felt necessary, and risk assessment and the free flow of highly confidential information has continued without interruption.

The continuing development of the arrangements in South West Scotland

has been driven by a series of three year plans. The plans have identified the Strategic Goals the SOG wishes to achieve. It then falls to the MOG to drive the work that will lead to these goals being achieved. In the past this was done through four separate work-streams. However, during the planning of the 2021-24 plan, the effectiveness of the work-stream model was reviewed and it was decided that, rather than have predetermined work-streams, it may be better to create ad hoc short life working groups as directed by the SOG to take forward any particular pieces of work thought necessary. The work achieved by these ad hoc short life working groups will be reported upon in the next annual Report.



WORK STREAMS

Training and Development Work Stream

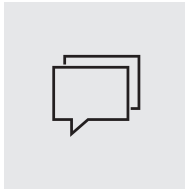
The Training and Development Sub Group devised a tiered training strategy that should provide guidance to all MAPPAs partner agencies around the way they provide training to staff. It aims to ensure that staff in all agencies receive appropriate levels of training to allow them to do their job with maximum efficiency but also to provide staff in all agencies with an understanding of the MAPPAs process as a

whole. However as repeated frequently in this report, the delivery of training as been largely halted by the pandemic. However, at time of writing the restrictions upon us are being lifted and it is hoped this year we can provide our staff with face to face training around the issue of internet offending and how to deal with it.

MAPPAs Chairs training

As mentioned in the last annual report, there is a need for MAPPAs level 2 and level 3 chairs to have an understanding of current risk assessment processes and risk practice. While those MAPPAs Chairs who deal with such work on a daily basis are highly competent, other MAPPAs chairs, particularly at level 3, who are all Senior Officers are largely now removed from the operational practice. In particular Senior Police Officers who do not have a background in risk practice, may feel ill equipped when faced with decisions around very high risk offenders. South West Scotland MAPPAs SOG has lobbied the Scottish Government to

consider providing bespoke training for level 2 and level 3 MAPPAs chairs. As a result, the Risk Management Authority and Community Justice Scotland are now developing, in consultation with Professor Hazel Kemshall, Professor of Community and Criminal Justice at De Montfort University, a MAPPAs level 2 and 3 training package. As with many things this year, progress on this has been impeded by the covid 19 pandemic and it will not, as initially hoped, feature as a requirement in the next iteration of the MAPPAs Guidance but it is hoped to have the training rolled out before the next Annual Report is published.



Public Information and Engagement Work Stream

As mentioned in my foreword, the activities of dedicated community activists who, through the use of the internet and social media, organise demonstrations at the homes of individuals they believe to be sex offenders has been a challenge for all agencies involved in the MAPPAs. Such actions cause significant difficulties for the MAPPAs agencies and a great deal of hurt and distress to those targeted, indeed in some instances people have been incorrectly identified as offenders leading to shocking distress for them and their families. The Public Information and Engagement Work Stream formed a sub group which was specifically directed at responding to the activities of the community activist who organise demonstrations via Social Media Platforms. The Sub Group met to discuss this issue and has made a number of recommendations to the SOG which are now under considerations. It was this sub group that linked directly with the Police Gold Command Group, Operation Tinto and drove engagement

with the community activists which has led to a better understand of how they operate and what motivates them and hopefully provided them with a better understanding of MAPPAs. The sub group, with the assistance of Police Corporate Communication and under the banner of the Police Gold Command Group, "Operation Tinto" arranged for key MAPPAs personnel to be interviewed by local journalists. This led to the publication of two balanced and fair articles regarding the MAPPAs in the local press. While I cannot speak for them, I believe that as a result of our engagement, an understanding was reached that has led to a significant reduction in the number of "On Line" Outings. Where they do occur, through Police liaison work, the demonstrations are smaller, carried out within the bounds of the covid regulations and less likely to lead to an increase in risk to the community. Further work to develop these relationships is under consideration by both the SOG and the activists.

South West Scotland Media Protocol

The Public Information and Engagement Sub Group also drove the review of the South West Scotland Media Protocol which was amended slightly but has again been adopted as policy by the SOG. It was this document that was relied upon by Operation Tinto when dealing with the local press.

The Performance Work Stream

The MAPPAs office provides statistical information to the MOG and SOG on a quarterly basis. Information such as the number of people managed in each category, their risk levels and management levels is provided. This information allows the SOG to judge the resources required to manage these risks. It is however recognised the current statistics do not offer any indication of the effectiveness of MAPPAs in terms of effecting change within people thus reducing the risk of reoffending.

The Performance work-stream of the MOG has been tasked with exploring quantitative and qualitative measures that may provide assurance and evidence the MAPPAs interventions in a person's life are effective and have led to a reduction in risk. This work is currently in progress although, like many other

things has been impacted by the resource requirements of dealing with the pandemic. An initial piece of work was carried out which involved the Police, The Scottish Prison Service and East Ayrshire Justice Services. The product to of this was then given to an academic at the Centre for Youth and Criminal Justice within Strathclyde University. Although significantly delayed by a variety of unforeseen developments, it is hoped to progress this initial piece of work towards becoming a fully-fledged piece of academic research that will provide the SOG with a validated tool with which to measure and judge the effectiveness of out engagement. Obviously this will be a long term project but one that will hopefully produce a useful and insightful outcome.

Operational Practice and Process Work Stream

Memorandum of Understanding and Information Sharing Agreement

I am particularly pleased to report the South West Scotland Memorandum of Understanding and associated Information Sharing Agreement have been agreed by all partner agencies. Due to the legal complexities around information sharing, the introduction of the General Data Protection Regulations (GDPR) and the Data Protection Act 2018, this was a significant undertaking which took a lot of work and perseverance to achieve. These documents provide our staff with a clear framework upon which to base any decisions regarding information sharing. The Operational practice and process sub group has worked continually to get this completed and I am grateful for their efforts.

South West Scotland Inter Authority Temporary Transfer Agreement

Another piece of work that has been completed is the agreement between the four Local Authority Chief Officers to sign up to the South West Scotland Inter Authority Temporary Transfer Agreement. The creation of this document has also been years in the making and has been driven largely by the need to offer each other mutual support when faced with the disruption caused by Community Activist Groups persistently targeting an individual to the point that local housing option become exhausted. In such cases we will have the option to consider moving an individual to another local authority area if that is deemed the best option in terms of public safety.

SOUTH WEST SCOTLAND MAPPA GOING FORWARD

The Management of Offenders (Scotland) Act 2019 extends the potential for the use of electronic monitoring, both in terms of what other measures it can be combined with, and the use of new Global Positioning Satellite (GPS) tracking technologies. This will increase the options available to manage and monitor those serving all or part of their sentence in the community. The provisions in relation to new technology have yet to be commenced but following consultation with partners, it is anticipated they will become law in 2021.

MAPPA GUIDANCE REVIEW.

The Scottish Government is in the process of updating the MAPPA National Guidance in collaboration with key justice partners and stakeholders. It is intended this will help to bring greater clarity to MAPPA procedures. However, progress was impeded as a result of the need to assist with the national response to Covid-19. None the less, the first draft of the new guidance was issued for comment in May 2021 and it is hoped will be finalised before the next annual report is published.



MAPPA STATISTICS 2020-21

Table 1: Registered Sex Offenders

| REGISTERED SEX OFFENDERS (RSO's) | NUMBER of RSO |
|---|---------------------|
| a) Number of Registered Sex Offenders: | 669 |
| 1) At liberty and living in your area on 31st March : | 515 |
| 2) Per 100,000 of the population on 31st March: | 129 |
| b) The number of RSO's having a notification requirement who were reported for breaches of the requirements to notify between 1 April and 31 March: | 30 |
| c) The number of "wanted" RSOs on 31st March: | reported nationally |
| d) The number of "missing" RSOs on 31st March: | reported nationally |

Table 2: Civil Orders applied and granted in relation to RSOs.

| | Granted by the courts? |
|---|------------------------|
| a) Sexual Offences Prevention Orders (SOPO'S) in force on 31 March | 92 |
| b) SOPO'S granted by courts between 1 April & 31 March | 25 |
| c) Sexual Harm Prevention Orders in Force 31st March | 28 |
| d) SHPO imposed by the courts between 1/4/20 31/3/21 | 2 |
| e) Number of Sexual Offenders convicted of breaching SOPO/SHPO conditions between 01/04/20 & 31/03/21 | 7 |
| f) Risk of Sexual Harm Orders in force 31/03/21 | 1 |
| g) Sexual Risk Orders in force on 31/03/21 | 0 |
| h) Number of people convicted of breaches of RSHO/SRO between 01/04/20 and 31/3/21 | 0 |
| I) Foreign Travel Order imposed by the courts between 01/04/20 and 31/03/21 | 0 |
| j) Notification Orders imposed by the courts between 01/04/20 and 31/03/21 | 2 |

Table 3: Registered Sex Offenders

| REGISTERED SEX OFFENDERS (RSO's) | Custody | At Liberty | Total |
|--|---------|------------|-------|
| a) Number of RSOs managed by MAPPAs level as at 31 March: | | | |
| 1) MAPPAs Level 1: | 132 | 500 | 632 |
| 2) MAPPAs Level 2: | 15 | 15 | 30 |
| 3) MAPPAs Level 3: | 6 | 0 | 6 |
| b) Number of Registered Sex Offenders convicted of a further group 1 or 2 crime between 1st April and 31st March: | | | |
| 1) MAPPAs Level 1: | 2 | 4 | 6 |
| 2) MAPPAs Level 2: | 1 | 3 | 4 |
| 3) MAPPAs Level 3: | 0 | 1 | 1 |
| 3) MAPPAs Level 3: | 1 | 0 | 1 |
| c) Number of RSO's returned to custody for a breach of statutory conditions between 1 April and 31 March (including those returned to custody because of a conviction for a group 1 or 2 crime): | 10 | 2 | 12 |
| d) Number of individuals subject to the SONR indefinite period review process (under the terms of the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011) between 1 April and 31 March: | 1 | 4 | 5 |
| e) Number of notification continuation orders issued for individuals subject to SONR for an indefinite period (under the terms of the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011) between 1 April and 31 March: | 1 | 0 | 1 |
| f) 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 and 31 March: | N/A | 131 | 131 |

Table 4: Restricted Patients

| RESTRICTED PATIENTS (RP'S): | NUMBER |
|--|--------|
| a) Number of RP'S: | |
| 1) Living in your area on 31st March: | 12 |
| 2) During the reporting year: | 14 |
| b) Number of RP's per order: | |
| 1) CORO: | 13 |
| 2) HD: | 0 |
| 3) TTD: | 1 |
| c) Number within hospital/community: | |
| 1) State Hospital: | 7 |
| 2) Other hospital no suspension of detention (SUS): | 1 |
| 3) Other hospital with unescorted SUS: | 0 |
| 4) Community (Conditional Discharge): | 4 |
| d) Number managed by MAPPAs level on 31 March: | |
| 1) MAPPAs Level 1 | 10 |
| 2) MAPPAs Level 2 | 2 |
| 3) MAPPAs Level 3 | 0 |
| e) Number of RPs convicted of a further group 1 or 2 crime between 1 April and 31 March: | |
| 1) MAPPAs Level 1: | 0 |
| 2) MAPPAs Level 2: | 0 |
| 3) MAPPAs Level 3: | 0 |
| f) No of RPs on Suspension of detention: | |
| 1) who did not abscond or offend: | 8 |
| 2) who absconded: | 0 |
| 3) who absconded and then offended: | 0 |
| 4) where absconsion resulted in withdrawal of suspension of detention: | 0 |
| g) No. of RPs on Conditional Discharge: | |
| 1) who did not breach conditions, were not recalled, or did not offend: | 6 |
| 2) who breached conditions (resulting in letter from the Scottish Government): | 0 |
| h) recalled by Scottish Ministers due to breaching conditions: | 0 |
| I) recalled by Scottish Ministers for other reasons: | 0 |

Table 5: Delineation of RSO'S by age on 31 March:

| Age | RSO Number | RSO Percentage % |
|--------------|------------|------------------|
| a) Under 18 | 2 | 0.3 |
| b) 18-21 | 10 | 1.49 |
| c) 22-25 | 33 | 4.93 |
| d) 26-30 | 71 | 10.61 |
| e) 31-40 | 142 | 21.23 |
| f) 41-50 | 117 | 17.49 |
| g) 51-60 | 150 | 22.42 |
| h) 61-70 | 97 | 14.50 |
| I) over 70 | 47 | 7.3 |
| Total | 669 | 100 |

Table 6: Delineation of population of RSO's by gender on 31 March:

| Sex | RSO Number | RSO Percentage % |
|------------------|------------|------------------|
| a) Male | 659 | 98.51 |
| b) Female | 7 | 1.05 |
| c) Other | 2 | 0.3 |
| d) Data not held | 1 | 0.15 |
| Total | 669 | 100 |

Table 7: Delineation of RSO's by ethnicity on 31st March:

| Ethnic Origin | RSO Number | RSO Percentage % |
|--|------------|------------------|
| White Scottish | 518 | 77.43% |
| Other British | 103 | 15.40% |
| Irish | 8 | 1.2% |
| Polish | 1 | 0.15% |
| Other white ethnic group | 15 | 2.24% |
| Any mixed or multiple ethnic group | 1 | 0.15% |
| Pakistani, Pakistani Scottish or Pakistani British | 4 | 0.6% |
| Indian, Indian Scottish or Indian British | 1 | 0.15% |
| Other Asian | 2 | 0.3% |
| African, African Scottish or African British | 1 | 0.15% |
| Other African | 0 | 0% |
| Other ethnic group | 2 | 0.3% |
| Not Known | 0 | 0% |
| Data Not Held | 1 | 0.2% |
| Total | 669 | 100% |

Table 8: Number of RSO's managed under statutory conditions and/or notification requirements on 31st March:

| Number of RSO's | Number | Percentage % |
|---|------------|--------------|
| a) On Statutory supervision: | 198 | 29.60% |
| b) Subject to notification requirements only: | 471 | 70.4% |
| Total | 669 | 100 |



**Thank
you.**