



To: Safer and Stronger Renfrewshire Thematic Board

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Report by:

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Extension of the Multi Agency Public Protection Arrangements

1. Summary

- 1.1 The purpose of the report is to update the Board of the extension of the Multi Agency Public Protection Arrangements (MAPPA) that was introduced on 31 March 2016.

2. Recommendations

- 2.1 The Safer and Stronger Renfrewshire Thematic Board is asked to note the contents of the report.

3. Background

- 3.1 Multi Agency Public Protection Arrangements (MAPPA) was introduced in April 2006 as a result of the Management of Offenders etc (Scotland) Act 2005. This requires the Police, Local Authorities, Health Boards and the Scottish Prison Service as the Responsible Authorities to establish multi-agency arrangements to assess and manage the risk posed by certain categories of offender.

- 3.2 Since 2006 this has related to registered sexual offenders who required to notify under sexual offences legislation, and mentally disordered restricted patients. However from 31 March 2016 Section 10(1)(e) of the above act extends the arrangements to include 'other' offenders who are:

- a) Convicted of an offence and considered by the responsible authorities to be a person who may cause **serious harm** to the public. **And**
- b) By virtue of that conviction required to be under supervision by any enactment, order, or licence. **And**
- c) The risk of serious harm posed is assessed as requiring active multi-agency management at MAPPA level 2 or 3.

3.3 The definition of serious harm being:

'There is a risk of harmful behaviour which is life threatening and/or traumatic and from which the victim's recovery, whether physical or psychological, can be expected to be difficult or impossible'. (RMA/FRAME)

There is no automatic or statutory inclusion in this category, it is for the Responsible Authorities to decide, based upon the published criteria, to whom they wish it to apply.

3.4 New National MAPPA Guidance was published on 3 March 2016 and is available at: www.gov.scot/Publications/2016/03/6905/

Changes from the previous 2014 issue of the guidance largely relate to the inclusion of a chapter for the new risk of serious harm offender category, and updates to the chapters on the significant case review process and offenders in the prison system, reflecting application of the new category.

3.5 The criteria for carrying out an Initial Significant Incident Review and deciding whether an Significant Case Review is appropriate has changed now including all offenders charged with an offence which falls within Schedule 3, of the Sexual Offences Act 2003 i.e. any offence which would result in Sex Offender Notification. The previous criteria within the MAPPA 2014 Guidance was "an offender managed under MAPPA at any level is charged with murder, attempted murder or a crime of serious sexual harm". Given the changes to the criteria there is likely to be an increase in the number of offenders being notified and considered for such reviews.

3.6 The content of the chapters relating to the process for management of restricted patients and registered sex offenders remain unchanged, although the latter's chapter has been reformatted to improve clarity and provide consistency with that created for the new offender category.

3.7 The chapter relating to the Violent and Sex Offender Database (ViSOR) has also been updated to highlight its function as the MAPPA information sharing and storage system and therefore the agreed primary means of the responsible authorities in meeting their obligations to share information under Section 10 of the 2005 Act.

3.8 A full review of the national guidance will be undertaken throughout 2016 to reflect findings in relation to the National Thematic Review of MAPPA. A number of related workstreams are planned or are underway nationally to take forward the recommendations of this report. The thematic review report can be found at: www.hmics.org/publications/joint-thematic-review-mappa-scotland

3.9 The criteria for 'other' offenders reflects that this extension will consider the critical few nationally, it is not an extension for all violent offenders. Initial consideration of including terrorists has not been adopted. The extension will only be relevant to individuals who are subject to criminal justice statutory orders.

- 3.10 Initial commencement nationally relates to those being released from custody from 31 March, with existing cases being added incrementally. Multi-agency discussions have been undertaken locally to ensure that arrangements are in place for those where release timescales are known, and those where sudden release could be anticipated.

4. Resources

- 4.1 The Safer and Stronger Renfrewshire Action Plan identifies the resources requirements for each individual action.

5. Prevention

- 5.1 The Action Plan framework allows the Safer and Stronger Renfrewshire Thematic Board to plan resources and direct investment towards prevention and early intervention.

6. Community Involvement/Engagement

- 6.1 The Action Plan has been developed through the Safer and Stronger Renfrewshire Thematic Board and sub groups whereby the third sector is widely represented.

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