

MAPPA

Edinburgh, the Lothians and Scottish
Borders Multi-Agency Public
Protection Arrangements

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2020-2021

MAPPA

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Borders Multi-Agency Public
Protection Arrangements**

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Foreword

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Foreword

The Multi Agency Public Protection Arrangements (MAPPA) brings together practitioners from different sectors and professions to provide an integrated way of working collectively to protect the public from serious harm. Multi-agency working could involve anyone whose job or voluntary work puts them in contact with offenders, children, vulnerable persons or groups. Our utmost priority is to keep the public safe, particularly the most vulnerable members of our communities.

At the start of the year (1 April 2020) due to the pandemic we had to find different ways to continue to work in collaboration with social work, police, health and prison service to ensure the protection of children, vulnerable individuals, and our communities. This included dramatically reducing our face to face contact with partner agencies and placed a new reliance on technology, to ensure that we continued to share information and worked collaboratively to manage the risk of harm presented by MAPPA managed offenders.

Re-offending by registered sex offenders is low, and our staff worked hard during the pandemic to reduce both the risk posed by these offenders and the likelihood of re-offending. It is impossible to eliminate risk and we recognise that the impact on a victim can be profound, long-lasting and reach into all aspects of their lives.

As MAPPA has developed over the years, we have refined and developed our processes and we are committed to strengthening our arrangements, ensuring best practice and effective inter agency working.

I wish to take this opportunity to thank staff from all agencies for their commitment, skills and achievements in working in this often very challenging area of public protection. I hope this annual report helps to illustrate the work undertaken by all agencies in our area and provides an insight into local public protection arrangements, which help to make our communities safer.

Jackie Irvine
Chair Edinburgh, the Lothians
and Scottish Borders
Strategic Oversight Group

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What is MAPPA?

Multi-Agency Public Protection Arrangements in Edinburgh, the Lothians and Scottish Borders

Multi-Agency Public Protection Arrangements (MAPPA) provide a framework to manage the risk posed by registered sex offenders and restricted patients (mainly violent offenders, with a small number of sex offenders). On 31 March 2016, the Scottish Government published new MAPPA Guidance. This guidance reflects the new risk of serious harm category 3, for offenders who by reason of their conviction are subject to supervision in the community, and 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.

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MAPPA brings together professionals from the police, social work, housing, health and the Scottish Prison Service in Edinburgh, the Lothians and Scottish Borders. These agencies are known as the 'responsible authorities'. While the arrangements are co-ordinated by a central unit based in Edinburgh, the practical management of offenders remains the responsibility of these agencies at local level.

Community Justice Authorities ceased to exist on 31 March 2017, however, MAPPA continue to operate under the Management of Offenders etc (Scotland) Act 2005 and the boundaries previously covered by the Edinburgh, Lothian and Scottish Borders Community Justice Authority will remain. The area covered by our arrangements incorporates the local authority areas of the City of Edinburgh, East Lothian, Midlothian, West Lothian and the Scottish Borders, representing a mixture of urban and rural areas.

The responsible authorities represented are:

- » The City of Edinburgh Council
- » East Lothian Council
- » Midlothian Council
- » West Lothian Council
- » Scottish Borders Council
- » Police Scotland
- » Scottish Prison Service
- » NHS Lothian
- » NHS Borders

There are three MAPPA management levels to ensure that resources are focused where they are needed most to reduce the risk of harm. Over the course of this annual reporting year, we managed 899 registered sex offenders under MAPPA; 91.10% (819) at Level 1; 8.79% (79) at Level 2; and 0.11% (1) at Level 3.

Over the past year, there have been 72 online MAPPA Level 2 meetings across Edinburgh, the Lothians and Scottish Borders, which managed RSOs and serious risk of harm violent offenders. Each Level 2 meeting will consider a number of offenders. A Level 3 meeting will only consider one offender and there were 6 Level 3 meetings convened during the reporting year, of which 2 meetings related to an RSO and 4 meetings related to serious risk of harm violent offenders.

The 2020/21 MAPPA National Annual Report provides a picture of the main national developments in relation to MAPPA and can be viewed on the Scottish Government website under recent publications.

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Roles and Responsibilities

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The responsible authorities for each area are required to involve other key agencies in the management of offenders. This is an important part of MAPPA, involving the exchange of information and drawing on the collective knowledge and expertise of numerous agencies. The roles and responsibilities in relation to MAPPA in our local area are outlined below.

During the pandemic agencies have continued to monitor offenders in line within their respective roles and responsibilities taking cognisance of the need to protect the public from serious harm balanced against the prevailing COVID-19 health advice at that time.

Police Scotland is responsible for the enforcement of the notification and compliance requirements of the Sexual Offences Act 2003 (sex offender registration), and for policing activities, including risk assessment, preventative/monitoring strategies, coupled with investigation and prosecution of any registered sex offender who re-offends. Responsibilities include: maintaining an accurate record of those offenders resident in each local authority area subject to the notification requirements; the creation of risk management plans to mitigate or reduce risk; making enquiries where such persons fail to comply with the requirements placed on them and managing sex offenders whose current behaviour is of concern. Police Scotland is the lead responsible authority for those community-based registered sex offenders who are not subject to any other form of statutory supervision. These duties are carried out in partnership with all responsible authorities and 'duty to co-operate' agencies.

The local authority is the responsible authority for registered sex offenders who are subject to statutory supervision. The Council's justice social work service is responsible for the supervision of such offenders, but housing, adult social care and children and families services also play a key role in the management of sex offenders in the community.

Justice social work makes a significant contribution to public protection by supervising and managing registered sex offenders in accordance with the requirements of MAPPA and other public protection-related legislation.

Social workers supervise offenders on community payback orders and prisoners who have been released subject to formal supervision. Social workers are required to use accredited risk assessment tools, and in collaboration with other agencies, develop plans for the risk management and supervision of offenders. Social workers can request that additional requirements or conditions be placed on orders and licences by the courts and the Parole Board. These requirements and conditions can range from restrictions relating to accommodation and employment, to instructions to avoid certain locations or victims, or to attend counselling or treatment programmes. These requirements and conditions allow social workers to monitor and influence aspects of offenders behaviour, as breaches of requirements or conditions can lead to the court or Parole Board returning the offender to custody.

Each local authority in Edinburgh, the Lothians and Scottish Borders has a Sex Offender Liaison Officer (SOLO) or Lead Officer, in the justice social work service, who acts as a single point of contact for information relating to registered sex offenders. They are responsible for chairing risk management case conferences and liaising with other agencies as appropriate.

Local authority housing SOLOs are responsible for offenders access to housing, which includes accessing temporary accommodation and identification of suitable permanent housing.



Registered social landlords, as 'duty to co-operate' agencies, work with the local authority housing SOLO to identify positive housing solutions, which contribute to public protection.

The role of the housing service is to contribute to the 'responsible authorities' management of risk through:

- » providing suitable accommodation
- » contributing to environmental risk assessments to ensure accommodation is appropriate
- » liaising with the responsible authorities regarding the ongoing management and monitoring of the risk of the offender as a tenant, including any tenancy moves or evictions
- » having regard to community safety and having in place contingency plans for when a property is no longer suitable and/or the offender's safety is at risk.

The local authority is responsible for ensuring the development of a strategic response to the housing of sex offenders. However, in any local authority area there is likely to be a multiplicity of housing providers, and local authorities must involve and consult registered social landlords in their area when developing their strategic response.

It is the responsibility of the local authority to provide an initial single point of contact for accommodation requests from other responsible authorities. This single point of contact is the housing SOLO, whose role involves:

- » identifying the most appropriate housing provider, following risk assessment
- » ensuring that when an appropriate housing provider has been identified, they are included by the responsible authorities in liaison arrangements relevant to the identification of appropriate housing and the management of risk
- » liaising pro-actively with responsible authorities and housing providers regarding ongoing risk management and community safety issues.

NHS Lothian continues to play an important role in MAPPA locally, through being the responsible authority for mentally disordered restricted patients, and in fulfilling its wider duty to co-operate in the management of violent offenders and registered sex offenders.

NHS Lothian has a Public Protection structure (including child protection, adult protection and MAPPA), which is the responsibility of the Executive Nurse Director at Health Board level. There is a Director for Public Protection, a Clinical Nurse Manager, a MAPPA Health Liaison Officer, alongside Designated Consultants for MAPPA (who are consultant forensic mental health clinicians). The aim of the NHS Lothian structure and input is to provide governance for NHS Lothian's contribution to Public Protection and to ensure that health issues (including mental health, physical health, staff and patient safety, information sharing) that arise in relation to MAPPA cases are dealt with appropriately. The Director of Public Protection attends all level 3 MAPPA meetings; SOLS representatives attend all level 2 and level 3 MAPPA meetings; and the Health Liaison Officer attends all level 2 and some level 3 MAPPA meetings.

NHS Borders also makes an important contribution to MAPPA. A consultant clinical psychologist from the learning disability service and a nurse consultant from the vulnerable children and young people service attend all Level 2 meetings, and the associate director of nursing attends all Level 3 MAPPA meetings.

Community Intervention Services for Sex Offenders (CISSO)

This service continues to support the risk management of partner agencies through the delivery of community-based group treatment programmes and individual interventions, addressing the behaviour and attitudes associated with sexual offending. In addition, staff provide assessments and offer advice and consultation to criminal justice social workers in Edinburgh, the Lothians and Scottish Borders.

In response to the pandemic the project has adapted the ways in which it delivers services. With groupwork suspended throughout 2020, the team focused on offering 1:1 assessments and interventions both remotely via the telephone and video-calling alongside face-to-face appointments in locality offices. The project worked closely with the National Treatment Managers Delivery Group for MF:MC to consider interim ways in which interventions may be safely offered that reflected local needs and arrangements. In Edinburgh, one of the Justice Social Work buildings re-opened in September 2020, which allowed for face-to-face work to recommence in line with a priority system. In West Lothian, the group work room in Livingston was also made available to the team one-day per week for MF:MC work and CISSO were able to start seeing people as required in East Lothian, Scottish Borders and Midlothian. The priority was to continue programmed interventions with people who had commenced work on their sexual offending behaviour prior to the pandemic. Other work was prioritised for people who either had short timescales on Justice Social Work (JSW) supervision or were presenting with acute risk factors for sexual offending.

Work was also undertaken to be able to respond to an anticipated increase in technology-mediated sexual offending during lockdown restrictions. CISSO developed and contributed materials to a NOTA toolkit around technology-mediated offending.

Alongside other groupwork services in Edinburgh, CISSO has now embedded routine screening assessments of trauma and mental health into the induction process. This assessment combines use of a semi-structured interview alongside established measures of childhood experiences (adverse and benevolent); trauma and mental health in order to start building a collaborative formulation of a person's needs and strengths. This is an important part of the service moving

to operate at a Trauma Enhanced level under the NES Framework. Staff have also received additional training in the use of Psychological First Aid for people experienced distress and Safety and Stabilisation skills for people with complex trauma histories. The demand for this type of intervention has been significant due to the impact of the pandemic and also fits with current good practice approaches in working to address sexual offending behaviour.

Training delivery has also continued through the pandemic, albeit with a focus on essential training, including Risk Matrix 2000 / Stable & Acute 2007 and Moving Forwards: Making Changes facilitator training. Training has used a blended model of online resource packs; virtual delivery and face-to-face. It is anticipated that this blended model of delivery will allow for more flexible training events in the future.

Keeping Children Safe

The Community Disclosure Scheme provides that parents, carers and guardians of children under 18 can ask for information about a named person who may have contact with their child if they are concerned that he or she might have convictions for sexual offences against children (e.g. if a parent wants to find out more about a new partner). Police officers discuss the concerns of the applicant in a face-to-face meeting and offer advice and support.

In this reporting year, police in Edinburgh, the Lothians and Scottish Borders received 37 applications under this scheme.

Further information can be found at: <https://www.scotland.police.uk/about-us/police-scotland/strategic-planning/children-and-young-people/safety-and-protection/>

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Achievements in Developing Practice

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Training and Promoting MAPPA

During this reporting year, we have held a number of on line multi-agency training events.

In October 2020, a Consultant Clinical Psychologist from the NHS Lothian SOLS and the MAPPA Co-ordinator facilitated an online workshop attended by the Detective Inspector and Detective Sergeants who manage officers who are based within the Lothian and Borders Sexual Offences Policing Unit. The aim of the workshop was to review practice and share learning relative to the assessment of risk.

In February and March 2021, Edinburgh, the Lothians and Scottish Borders Strategic Oversight Group commissioned three online training sessions delivered to police officers and justice social workers across the five council areas. The aim of the training was to enhance our understanding of risk formulation and scenario planning within the context of completing the National MAPPA risk management plan template. These events were well attended and very positive feedback was received.

In March 2021, officers from the Edinburgh Sex Offender Policing Unit (SOPU) delivered four online training sessions to justice social workers across the five council areas in Edinburgh, the Lothians and Scottish Borders in regards to the inspection of offender's devices, usage of same and specific guidance in regards to the mechanics of intrusively inspecting and retrieval of information. These sessions were well received by justice social workers and feedback was very positive.

Developing the use of remote electronic monitoring equipment

Due to advance in technology the internet can be accessed through a variety of devices. The monitoring of devices is the responsibility of the 'responsible authority'. Where the Parole Board or Court have granted a condition or requirement to monitor an offender's electronic

devices for example within a Community Payback Order or a Sexual Offences Prevention Order, then remote electronic monitoring of their internet enable devices can be considered.

eSafe is managed monitoring service that tracks the individual's use of their I.T. devices to detect signs of inappropriate and/or criminal behaviour. eSafe is only deployed in cases where it is an agreed strategy of the risk management plan. In all cases, installation and monitoring are undertaken with the knowledge of the offender. Where there is an initial detection of a potential offence or breach of the order then the lead agency will be informed. If there are concerns relative to imminent or ongoing contact offending or any concerns relative to a suicide risk or serious self-harm, eSafe will notify the police via the 999 system.

Police Scotland and all five local authorities within the Edinburgh, the Lothians and Scottish Borders are developing their use of remote electronic monitoring software.

Developing the use of Sexual Offences Prevention Orders (SOPO)

The SOPO is an order granted by the Court. It places conditions on an offender's behaviour, provides a power of arrest if breached and enhances the police role in managing such offenders. SOPOs could initially only contain prohibitive measures, however, a change in legislation in November 2011 allows for these orders to contain positive obligations as well as prohibitions.

For some offenders, the existence of a SOPO is enough to provide structure to their daily life, through which they may avoid further offending. On 31 March 2021, there were 82 SOPOs in place in our area.

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Edinburgh, the Lothians and Scottish Borders – Strategic Oversight Group

This group is responsible for the overview and co-ordination of the Multi-Agency Public Protection Arrangements, ensuring the sharing of best practice and learning from significant case reviews. The group also provides a strategic lead for developing local multi-agency policy and strategy in relation to shared priorities regarding the management of offenders.

Edinburgh, the Lothians and Scottish Borders – MAPPA Operational Group

This multi-agency operational group supports the work of the Strategic Oversight Group. Its remit is to share learning, develop best practice and ensure consistency of practice.

Offender Management/Reducing Re-offending Committees

These committees monitor the performance and quality of local service delivery; they provide strategic direction to local member agencies; and develop local policy and practice. These committees include representatives from all key agencies, a number of whom are also members of the local child and adult protection committees, ensuring effective communication across public protection.

NHS Lothian Public Protection Action Group (PPAG)

The main aim of this group is to ensure NHS Lothian discharges its responsibilities for Public Protection including MAPPA. This group provides a general forum to discuss important practice issues, in addition to developing good practice in relation to the management of high-risk offenders in the health care setting. PPAG reports to the NHS Board through the Healthcare Governance Committee.



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Statistical Information

Unless stated, the statistics recorded are for the reporting period 1 April 2020 to 31 March 2021.

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Table 1: General

REGISTERED SEX OFFENDERS (RSOs)		No.
a) Number of:	I. at liberty and living in the area on 31 March	708
	II. per 100,000 population on 31 March	70
b) The number having a notification requirement who were reported for breaches of the requirements to notify		32

Table 2: Civil Orders applied and granted in relation to registered sex offenders

THE NUMBER OF	No.
a) Sexual Offences Prevention Orders (SOPOs) in force on 31 March	82
b) Risk of Sexual Harm Orders (RoSHO) in force on 31 March	1
c) Sex offenders convicted of breaching SOPO conditions between 1 April and 31 March	16
d) Number of people convicted of a breach of RSHO between 1 April and 31 March	0
e) Foreign Travel Orders imposed by the courts between 1 April and 31 March	0
f) Notification Orders imposed by the courts between 1 April and 31 March	9

Table 3: Registered sex offenders by level, re-convictions and notifications

REGISTERED SEX OFFENDERS (RSOs)		No.
a) Number managed between 1 April and 31 March		899
I. Level 1 – Routine Risk Management		819
II. Level 2 – Multi-agency Risk Management		79
III. Level 3 – MAPPP		1
b) Convicted of a further Group 1 or 2 crime	I. MAPPA Level 1	13
	II. MAPPA Level 2	1
	III. MAPPP Level 3	0
c) Returned to custody for a breach of statutory conditions (including those returned to custody because of a conviction of Group 1 or 2 crime)		14
d) Indefinite registrations reviewed under the terms of the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011 between 1 April and 31 March		24
e) Notification continuation orders issued under the terms of the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011 between 1 April and 31 March		13
f) 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		207
g) Number of RSOs subject to formal disclosure		3

Table 4: Restricted Patients

RESTRICTED PATIENTS (RPs):		No.
a) Number of RPs;	I. Living in the area on 31 March	32
	II. During the reporting year	32
b) Number of RPs per order	I. CORO	32
	II. HD	0
	III. TTD	0
c) Number within hospital/ community;	I. State Hospital	8
	II. Other hospital no suspension of detention (SUS)	15
	III. Other hospital with unescorted SUS	7
	IV. Community (Conditional Discharge)	10
d) Number managed by category on 31 March (does not include patients from Lothian in the State Hospital)	Level 1 – Routine agency risk management	30
	Level 2 – multi-agency risk	2
	Level 3 – MAPPP	0
e) Number of RPs convicted of a further crime of Group 1 or 2 crime	I. MAPPA Level 1	0
	II. MAPPA Level 2	0
	III. MAPPP Level 3	0

RESTRICTED PATIENTS (RPs):		No.
f) Number on suspension of detention;	I. who did not abscond or offend	21
	II. who absconded	1
	III. who absconded and then offended	0
	IV. where absconding resulted in withdrawal of suspension of detention	1
g) Number on conditional discharge;	I. who did not breach conditions, not recalled or did not offend	10
	II. who breached conditions (resulting in letter from the Scottish Government)	0
	III. recalled by Scottish Ministers due to breaching conditions	0
	IV. recalled by Scottish Ministers for other reasons	0

Table 5: Statistical Information – other serious risk of harm offenders

SERIOUS RISK OF HARM OFFENDERS:		No.
a) Number managed between 1 April and 31 March	1. MAPPA Level 2	18
	2. MAPPA Level 3	3
b) Number of offenders convicted of a further Group 1 or 2 crime	1. MAPPA Level 2	1
	2. MAPPA Level 3	0
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)		2
d) Number of notifications made to DWP under the terms of the Management of Offenders etc (Scotland) act, 2005 (Disclosure of Information) Order 2010 between 1 April and 31 March		12



Table 6: Registered sex offenders managed in the community under statutory conditions and/or notification requirements on 31 March 2021

CONDITIONS	Number	Percentage
On statutory supervision	210	29.67
Subject to notification requirements only	498	70.33

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