



States of  
Guernsey

# **MAPPA**

**Multi-Agency Public Protection Arrangements**

## **Annual Report 2018**

**(including Notification Requirements, MAPPA and relevant Civil Orders)**

### **MAPP Unit contact details**

Gemma Lockwood  
MAPP Unit Manager/Senior Probation Officer  
Police Station MAPP Unit Direct Line: 01481 719421  
Police Station: 01481 725111  
Probation Service: 01481 724337  
Mobile: 07781 110475  
Email: [gemma.lockwood@gov.gg](mailto:gemma.lockwood@gov.gg)

PC117 Robert Dover  
MAPP Unit Police Officer  
Police Station MAPP Unit Direct Line: 01481 719421  
Police Station: 01481 725111  
Mobile: 07839 740014  
Email: [Robert.Dover@guernsey.pnn.police.uk](mailto:Robert.Dover@guernsey.pnn.police.uk)

Karen Solway  
MAPP Unit Support Officer  
Police Station MAPP Unit Direct Line: 01481 719421  
Police Station: 01481 725111  
Probation Service: 01481 724337  
Email: [Karen.Solway2@gov.gg](mailto:Karen.Solway2@gov.gg)

This Report is provided to the MAPPA Strategic Management Board by Gemma Lockwood, MAPP Unit Manager.

## **Foreword by Responsible Authority**

The Multi Agency Public Protection Unit is a partnership between the Probation and Police Service designated to implement relevant sections of the Sex Offender Law including notification requirements (the 'sex offender register') and Multi Agency Public Protection processes.

This is the fourth annual report.

Section 34 of the Sex Offenders Law, implemented on 1<sup>st</sup> July 2015, put in place a duty to establish arrangements for monitoring and managing risk posed by certain offenders.

The Responsible Authority charged with making these arrangements are designated in the Law as the Chief Officer of Police, the Chief Probation Officer and the Governor of the Prison (Section 34(1)).

Since April 2015 when the new unit was established, the statutory provisions of the new Law have been implemented. All known convicted sex offenders who came under the transitional provisions were registered at the beginning of July 2015 when the law was commenced, and systems have been put in place for safe, effective registering of all those subsequently convicted by local courts or travelling to the Bailiwick from other jurisdictions.

Data on representation and attendance rates at MAPPA meetings is added this year. The commitment from States and non-States agencies to the MAPPA process is generally excellent, reflecting the importance placed on the process. The European General Data Protection Regulations (GDPR) and consequent changes to local legislation within the Data Protection (Bailiwick of Guernsey) Law 2017 came into force in 2018. Significant work on ensuring all processes are compliant with GDPR has been completed and the crucial exchange of relevant information has been maintained.

A MAPPA Fair Processing Notice is published on the States of Guernsey Internet.

The effective management of risk is an arduous and skilled task and as the Responsible Authority we commend the work of the Probation and Police staff undertaking this work. We also thank the range of other statutory and voluntary agencies who commit their time and expertise to Multi Agency Public Protection.

Anna Guilbert, Chief Probation Officer  
Ruari Hardy, Head of Law Enforcement  
David Matthews, Prison Governor

Responsible Authority.  
April 2019.



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# 1 Introduction and Background

- 1.1 The MAPP (Multi-Agency Public Protection) Unit is a partnership between the Guernsey Probation Service and Guernsey Police Service. It was set up in April 2015 with responsibility to implement where relevant, and thereafter co-ordinate, three aspects of The Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013 (hereafter referred to as the Law). The three aspects are:
- a. Notification Requirements for those who present a risk of sexual harm (sex offender register)
  - b. Civil Orders for those who present a risk of sexual harm, and
  - c. MAPPA (Multi-Agency Public Protection Arrangements) to monitor and manage those presenting a risk of sexual harm or a serious risk of physical harm.
- 1.2 The Unit is comprised of a Senior Probation Officer who manages the Unit, a Police Officer, and an Administrator/Support Officer, and is co-located at the Probation Service Offices and the Public Protection Unit at the Police Station.
- 1.3 This report reflects the work of the MAPP Unit during 2018.

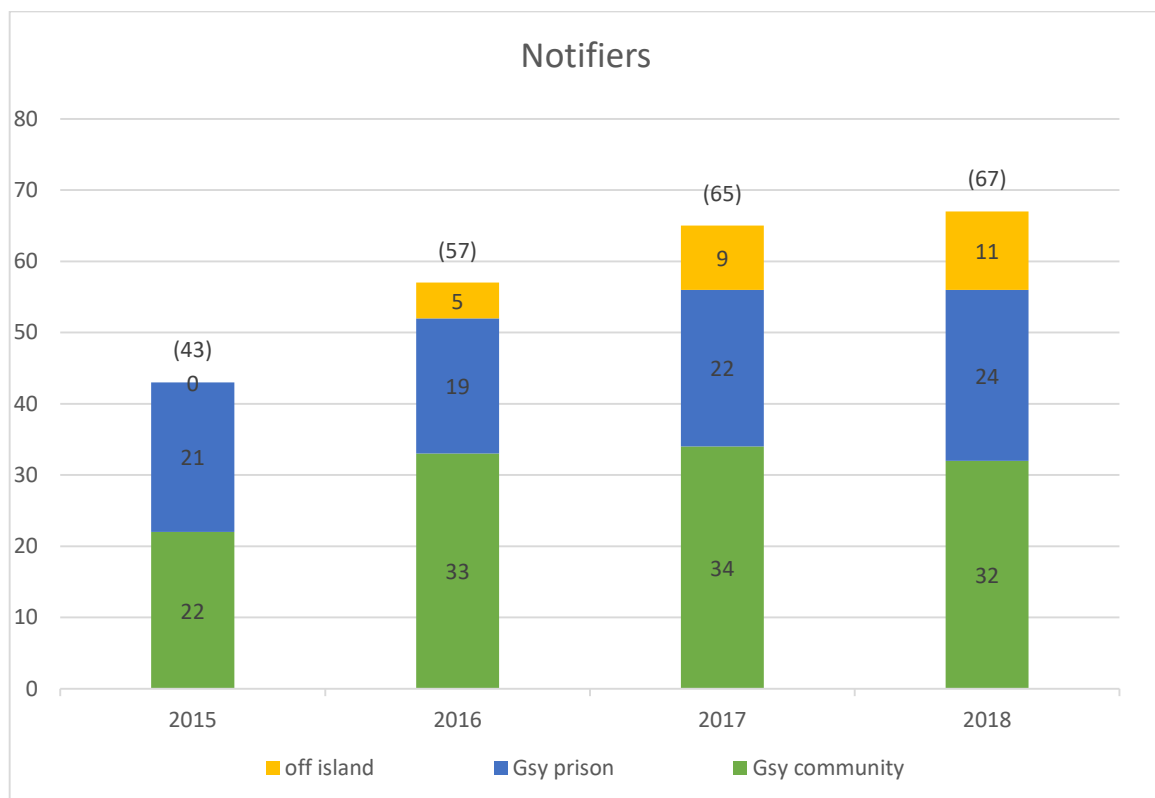
## 2 Notification Requirements - Comment, Statistics and Analysis

2.1 Parts 1 - 3, and section 50, of the Law lays down provision for Notification Requirements (sex offender registration). The day to day management of the Notification Requirements falls to the MAPP Unit Police Officer.

2.2 All persons subject to Notification Requirements are additionally managed under the auspices of MAPPA (see section 3).

### 2.3 Notifier Caseload (Guernsey Notifiers)

2.3.1 At the end of 2018 there were a total 67 persons subject to Guernsey Notification Requirements. 56 of these were resident in Guernsey (32 within the community, and 24 within the prison). There are now 11 persons subject to Guernsey imposed Notification Requirements living off-island, who either because of their potential to return, or minimum periods under the legislation, are not suitable/eligible to be de-registered.



2.3.2 Overall numbers have started to plateau as de-registrations have started to balance with new registrations.

2.3.3 These totals are marginally lower per capita than Jersey's Notifier population, potentially as a consequence of Guernsey legislation being newer, and differences between de-registration processes.

2.3.4 Location-wise, Jersey have higher numbers of Notifiers resident within their community than Guernsey (58% of Notifiers in Jersey reside in the Jersey community and 19% in prison, 47% are within the community in Guernsey and 35% in prison (the remainder are off island in both jurisdictions)).

2.3.5 Notifiers range between 17 and 91 years of age, and all are male.

## 2.4 De-Registrations

2.4.1 In Guernsey, application for review of the necessity for notification requirements can be made by the Notifier to the Chief of Police after their minimum period of Notification is passed. This is a risk assessment based decision and Notifiers will remain subject to Notification if their risk of further sexual harm remains such as to require continued monitoring under the auspices of Notification. The Police can also apply for someone's notification requirements to be removed if necessary.

	No of de-registrations
2017	7
2018	3

2.4.2 The reduction noted between 2017 and 2018 is not surprising given that 2017 was the first year that de-registration could occur, and as such attracted a number of appropriate individuals to apply to do so. It is too early to draw any other comparisons within the Guernsey data.

2.4.3 Additionally, comparison cannot be made with other jurisdictions given the differences in how people cease being subject to requirements (in the UK, unless indefinite periods are in place, Notification ends automatically at the end of the Notification period. Jersey have a review process in place but currently this relies on application to the Court rather than the Chief of Police which affects numbers applying for de-registration when eligible).

## 2.5 Convictions for Offences of Breaching Notification Requirements

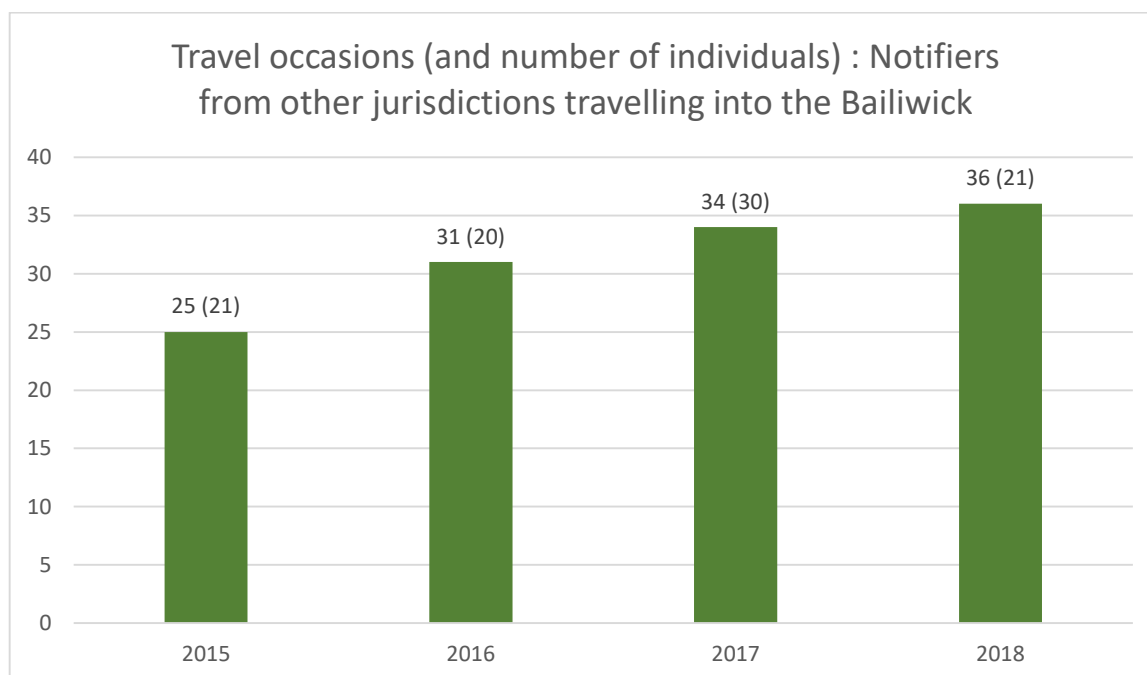
	No. of convictions
2015	2
2016	1
2017	2
2018	0

2.5.1 There is no significant change to data for breach of notification requirements over the years such as to draw any reliable conclusions or raise concerns.

## 2.6 Travelling Notifiers

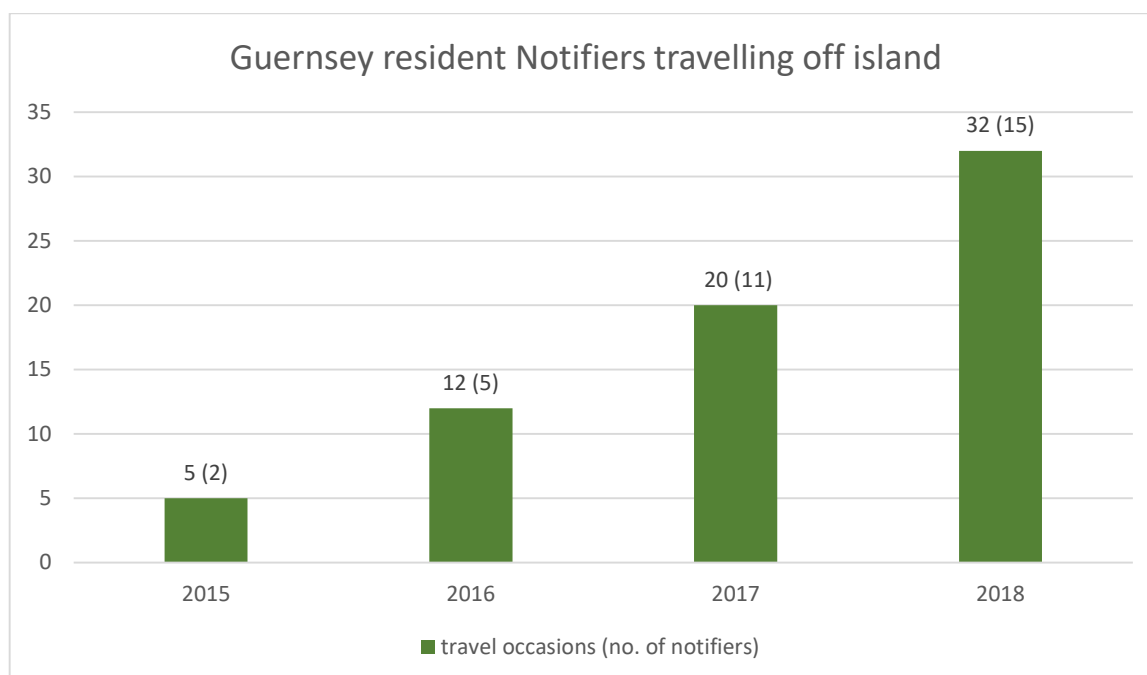
2.6.1 There are two forms of travel being recorded here. Firstly, persons subject to Notification Requirements in a prescribed jurisdiction (England and Wales, Scotland, Northern Ireland, Jersey and

the Isle of Man) who travel to Guernsey have to notify on arrival in Guernsey and will be managed under Guernsey Law for the period of their stay. Secondly, there is a collation of statistics on Guernsey resident Notifiers travelling out of the Island for short periods.



2.6.3 There were 36 occasions whereby persons subject to Notification requirements elsewhere travelled to Guernsey during 2018. These 36 'travel occasions' equate to 21 people, a proportion of those having travelled to Guernsey on a number of occasions during 2018 (relating to family living locally or having legitimate business on island).

2.6.4 Liaison occurs between Guernsey Police and the prescribed jurisdiction in advance of a Notifiers' travel so that Notifiers are fully briefed as to the expectations placed on them within the Bailiwick, and plans are made for their arrival and management on Island. Please note that the presence of Notification Requirements alone cannot veto someone's travel, rather they allow for tracking and risk management within relevant jurisdictions (including Guernsey). We do however work closely with the 'home' jurisdiction in relation to risk management requirements for the period of their stay on island.



- 2.6.4 Overall, 15 Guernsey resident Notifier's travelled out of Guernsey during 2018, a total of 32 trips between them. The significant increase in trips off island are a consequence of a small number of individuals travelling a high number of times rather than indicative of increased travel across the population of Notifiers.
- 2.6.5 Advance warning is provided to the receiving jurisdiction in case any risk management strategies need to be employed in that jurisdiction for the period of their stay.

### 3 Multi-Agency Public Protection Arrangements (MAPPA) – Comment, Statistics and Analysis

- 3.1 Part VII of The Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013 (implementation date 1/7/15) provides the legal framework for ‘arrangements for monitoring and managing risks posed by certain offenders’. These arrangements are known locally as MAPPA. They are designed to protect the public, including victims of crime, from serious harm by sexual and violent offenders. The new Law provides a legal framework for MAPPA, and puts a duty on the Probation Service, Police Service and Prison (the ‘Responsible Authority’) to make the arrangements. It places a legal obligation on States Departments to work together, as well as allow for the sharing of information with States and non-States bodies for the purpose of risk management.
- 3.2 The arrangements are co-ordinated by the MAPP Unit. Full MAPPA guidance and Information Sharing Guidelines for professionals are published on the States Intranet.
- 3.3 Risk of serious harm is defined under the auspices of MAPPA as “harmful behaviour of a violent or sexual nature, which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, may reasonably be expected to be difficult or impossible”.

#### 3.4 MAPPA Caseload

- 3.4.1 There are three categories of MAPPA subject:

**Category 1:** Notifiers under The Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013.

**Category 2:** Persons sentenced to prison or youth detention for any sexual offence, and/or persons sentenced to 12 months or over (prison or youth detention) for a violent offence. There are also provisions here for person subject to certain orders under the Mental Health law.

**Category 3:** Other dangerous persons – i.e. persons who the Responsible Authority considers may cause serious harm to the public **AND** who requires multi-agency management.

- 3.4.2 As of the end of 2018 there were 101 people residing in Guernsey registered under MAPPA, comparing by category and location to previous years as follows:

	Category 1	Category 2	Category 3	Total		Total in prison	Total in community	Total
2015	43	33	7	83		35	48	83
2016	50	28	13	91		27	64	91
2017	61	24	14	99		37	62	99
2018	59	31	11	101		40	61	101

- 3.4.3 Please note that the category 1 registrations slightly outweigh the number of Notifiers currently resident on island recorded in section 2. Some Notifiers who have moved off island have remained registered under MAPPA locally as a consequence of likely return or ongoing risk presented on island despite their departure.
- 3.4.4 For clarity, if an individual meets criteria for category 1 and 2, they are recorded under the criteria prompting their initial registration (i.e. convicted sex offenders are predominantly recorded under category 1 regardless of whether they also fit category 2).
- 3.4.5 The above accounts for 24 new individuals registered under the auspices of MAPPA, and therefore 22 being either de-registered or transferred off island for example.
- 3.4.6 There has been a slight increase in the number of persons subject to MAPPA as a consequence of a relevant sentence for a serious conviction for violence (largely those indicated as 'category 2' within the table, but generally overall totals remain on a par with last year (subsequent to a gentle rise in numbers since the MAPPA legislation was enacted in 2015 and the more formal procedures put in place).
- 3.4.6 MAPPA registrants range from 17 to 91 years of age; 3 are female and 98 are male.

### 3.5 MAPPA case management

#### *Lead Agency*

- 3.5.1 Whilst the MAPP Unit is responsible for the co-ordination of MAPPA, it is not responsible for the co-ordination of individual cases. That role falls to a 'lead agency' identified by the Unit - either the Police or Probation (delegated to Youth Justice if appropriate).
- 3.5.2 By year, lead agency breaks down as follows.

	Police	Probation	Youth Justice
2015	4	76	3
2016	20	68	3
2017	22	77	0
2018	22	76	3

- 3.5.3 Initial intention was that the prison would be lead agent in some cases. However, as a consequence of Guernsey Probation Service's responsibilities for offender management extending to the Guernsey Prison Service (unlike in other jurisdictions), it has made sense for the MAPPA responsibility to remain with the Probation Service during an individual's incarceration.

### *Management level*

3.5.4 The management of all MAPPA cases relies on good communication between relevant agencies and shared input into risk assessment and management planning. There are three management levels defined as follows:

**Level 1** - Single agency management. Lead agency is responsible for co-ordinating the risk assessment and risk management plan on the MAPPA subject. Communication between agencies is paramount to aid this process, but this is done without the need for a full MAPPA meeting.

**Level 2** – Multi-agency meeting(s). - MAPPA registration. Lead agency is responsible for co-ordinating the risk assessment and risk management plan on the MAPPA subject. Communication between agencies remains key to this, but in addition it is felt that the complexity of the case requires MAPPA meeting(s).

**Level 3** – Senior representative multi-agency meeting(s) - MAPPA registration. Lead agency is responsible for co-ordinating the risk assessment and risk management plan on the MAPPA subject. Communication between agencies remains key to this, and it is felt that the complexity of the case requires MAPPA meeting(s). In addition however the case requires exceptional resources from agencies only sanctionable at senior management level. Level 3 cases are for ‘the critical few’.

3.5.5 The management level can be subject to change over time, something determined at formal reviews (in the case of level 1’s) or MAPPA meetings (in the case of level 2’s and 3’s). Please note that the level necessary to manage a MAPPA subject does not solely correlate to the risk they present, it refers to the complexity of the case and risk management plan. For example, a subject could present a high risk of harm, but due to a relatively stable risk management plan and good communication between relevant agencies, meetings are not necessary to maintain the plan and contain the risk. Conversely, a subject could present a medium risk, but have complex needs with an unstable presentation/lifestyle, precipitating the need for regular meetings to share information, update assessments and modify the risk management plan in the most time efficient way.

	Level 1	Level 2	Level 3
2015	67	14	2
2016	78	11	1
2017	87	11	1
2018	87	13	1

3.5.6 Relevant serving prisoners will usually be identified as MAPPA Level 1 cases, and will be reviewed to determine whether their level needs to be increased for risk management purposes prior to release into the community. Please note that the above table indicates 14 subjects remained managed via a meeting as of 31<sup>st</sup> December 2018 and is therefore not reflective of the number of meetings that have occurred over the year (at which, for example, a decision may have been made to manage the case subsequently at level 1):

### *MAPPA formal reviews and meetings*

3.5.8 Please note this section records frequency of MAPPA reviews. In between reviews MAPPA subjects will be seen by a variety of professionals, for example for treatment sessions to attempt to reduce their likelihood of re-offending, and/or for monitoring of risk levels and compliance with any additional conditions imposed by the Courts.

3.5.9 When managed at level 1 (non-meeting management), cases are reviewed between the MAPPA manager and lead agent regularly (largely at minimum 6 to 12 months depending on the status of the MAPPA subject). Total numbers of level 1 reviews are not currently collated, but intention is for data to be provided for 2019.

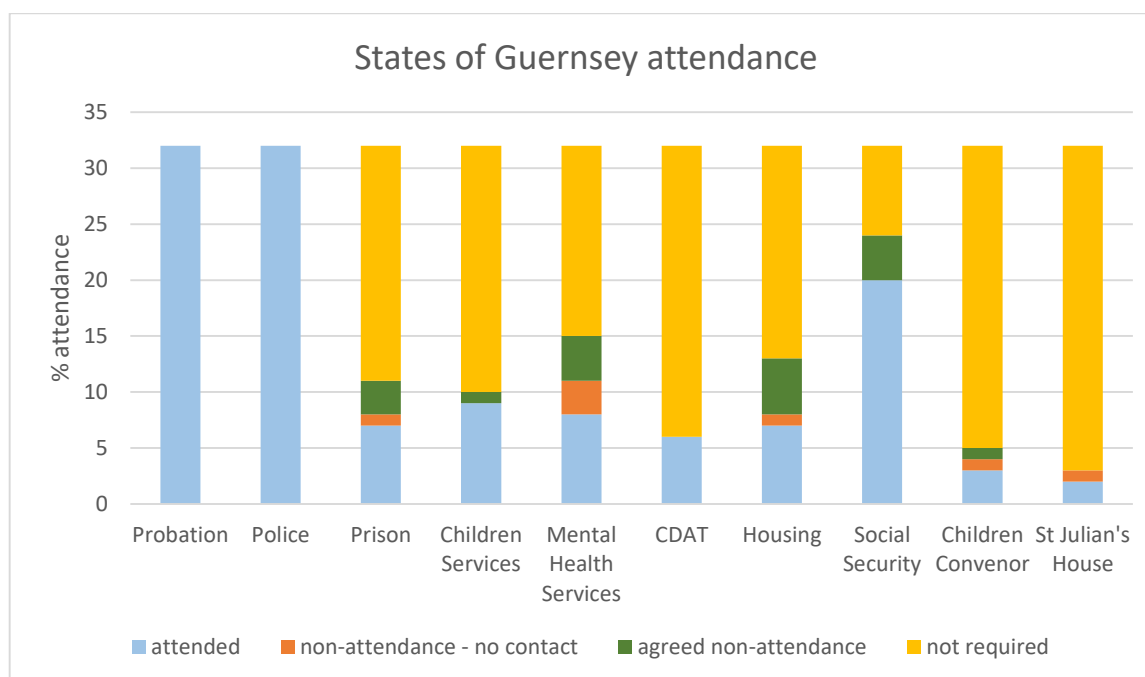
3.5.10 A total of 32 full MAPPA meetings (either at level 2 or 3) took place during 2018, comparing to previous years as follows (please note 2015 data only records part of the year given that legislation and data collection only started part-way through 2015):

	Level 2 or 3 meetings
2015	17
2016	54
2017	46
2018	32

3.5.11 There has been a steady reduction in number of meetings occurring since 2016 (the initial jump between 2015 and 2016 being a consequence of data only being collated for a part-year). There could be a number of reasons for this, including potential increase in the confidence of professionals in level 1 risk management (and therefore a full meeting not being required). I also note my comments in section 6 regarding an apparent increase in information flow, which indicates increased recognition of the importance of information exchange for MAPPA purposes regardless of management level.

3.5.12 Some of these meetings will have involved the same case, but please also note that a proportion of these meetings will have subsequently re-defined the case as only requiring level 1 (non-meeting) management because of stable risk management. This is why the number of meetings outweighs the number of level 2 and 3 MAPPA's identified within the snapshot at the end of 2018 (paragraph 3.5.5 and 3.5.6 above).

3.5.13 2018 attendance rates for representation from States of Guernsey departments are as follows:



3.5.14 Attendance rates when agencies are involved in the case and therefore expected to be in attendance is generally good, with communication occurring in advance if attendance cannot be achieved – whilst not ideal as the relevant agency could play an important part in the risk management planning section of the meeting, at least written or verbal data is available in order for those that are in attendance to consider.

3.5.15 The orange sections of the graph are where the primary concern would lie as it indicates non-attendance but with no communication in advance – there is ergo a potential for lack of involvement in risk management planning as well as the potential for the meeting to be missing valuable information. This data is shared with members of the Strategic Management Board for any necessary action to be taken within their own departments.

3.5.16 Please note that in addition to States of Guernsey agencies, MAPPA involves representation at meetings from non-States bodies (churches and charitable organisations for example) who can play a valuable part in risk assessment and risk management. Statistics regarding their attendance level are not included herein.

### 3.6 Risk profile

3.6.1 MAPPA is designed to manage risk of serious harm, which is defined as “harm which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, may reasonably be expected to be difficult or impossible”.

3.6.2 Persons subject to MAPPA are allocated a risk level within these definitions:

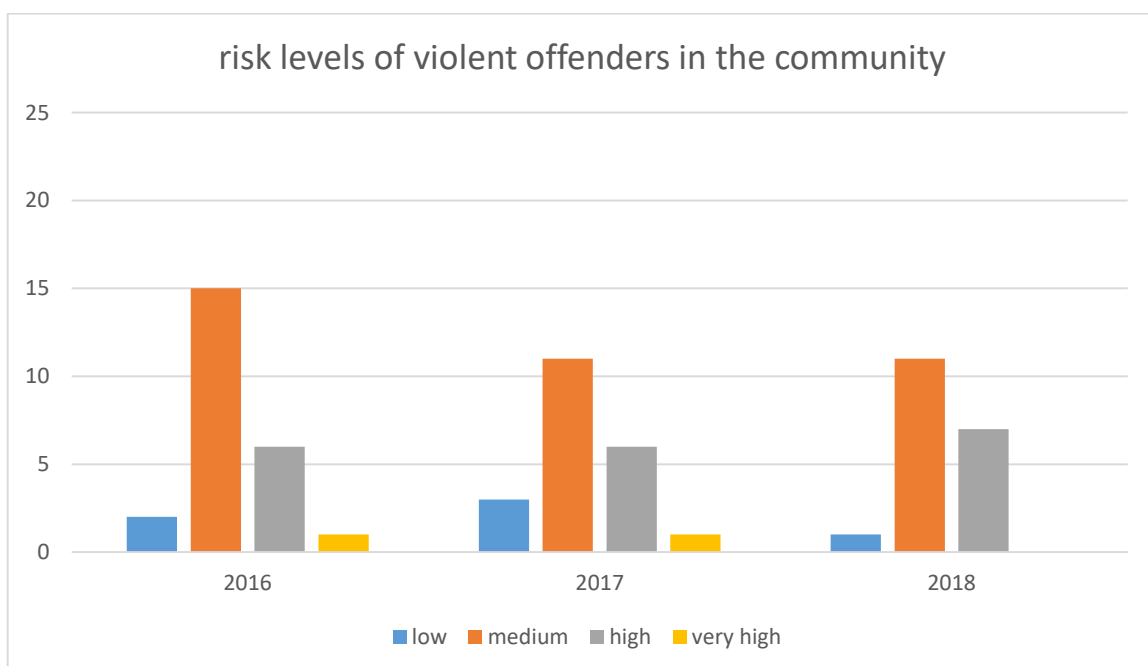
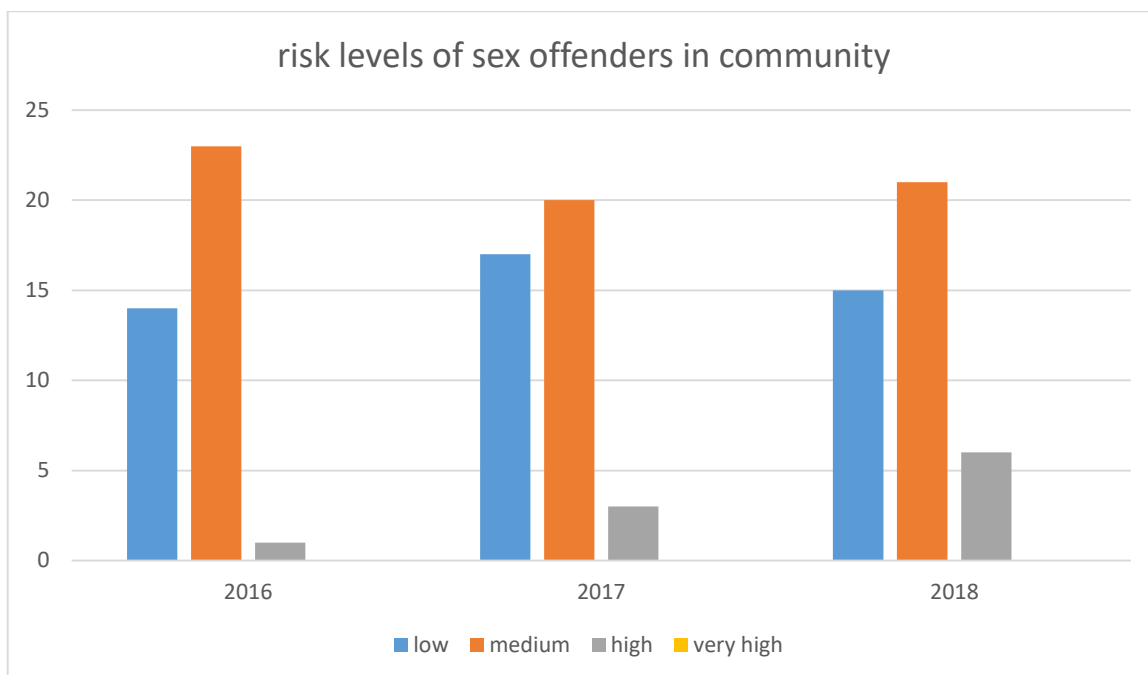
**Low:** Current evidence does not indicate a likelihood of causing serious harm

**Medium:** There are identifiable indicators of serious harm. The offender has the potential to cause such harm, but is unlikely to do so unless there is a change in circumstances

**High:** There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious

**Very high:** There is an imminent risk of serious harm. The potential event could happen at any time and the impact would be serious

3.6.3 Risk levels are reviewed regularly as described in section 3.5 above, and will be subject to change over time, but as an end of year snapshot, the risk profile breaks down as follows (please note this data is provided for community cases only):



## 4 Civil Orders – Comment, Statistics, and Analysis

- 4.1 The Law provides the ability for the Court to impose Civil Orders for the prevention of sexual harm, for cases where a sexual risk is presented and conditions are necessary to protect (for example if a Prison sentence and subsequent Licence imposed at sentence is not long enough to manage sexual risks presented; or risk assessment indicates that conditions are still required to manage someone's sexual risk once their Licence has finished). Please note therefore that a lack of a Sex Offender Prevention Order (SOPO) does not mean that a sexual offender is not subject to conditions, just not conditions under the auspices of a SOPO (the scope of the MAPP Unit is to collate data relating to Civil Orders such as SOPOs only – the Probation Service collates data relating to persons subject to other Licences and Court Orders imposed by way of sentence).
- 4.2 2018 saw the Courts impose three Sex Offender Prevention Orders (SOPOs), all at the point of sentence. This means that as of the end of December 2018, there was a total of 12 persons subject to SOPOs under Guernsey legislation.

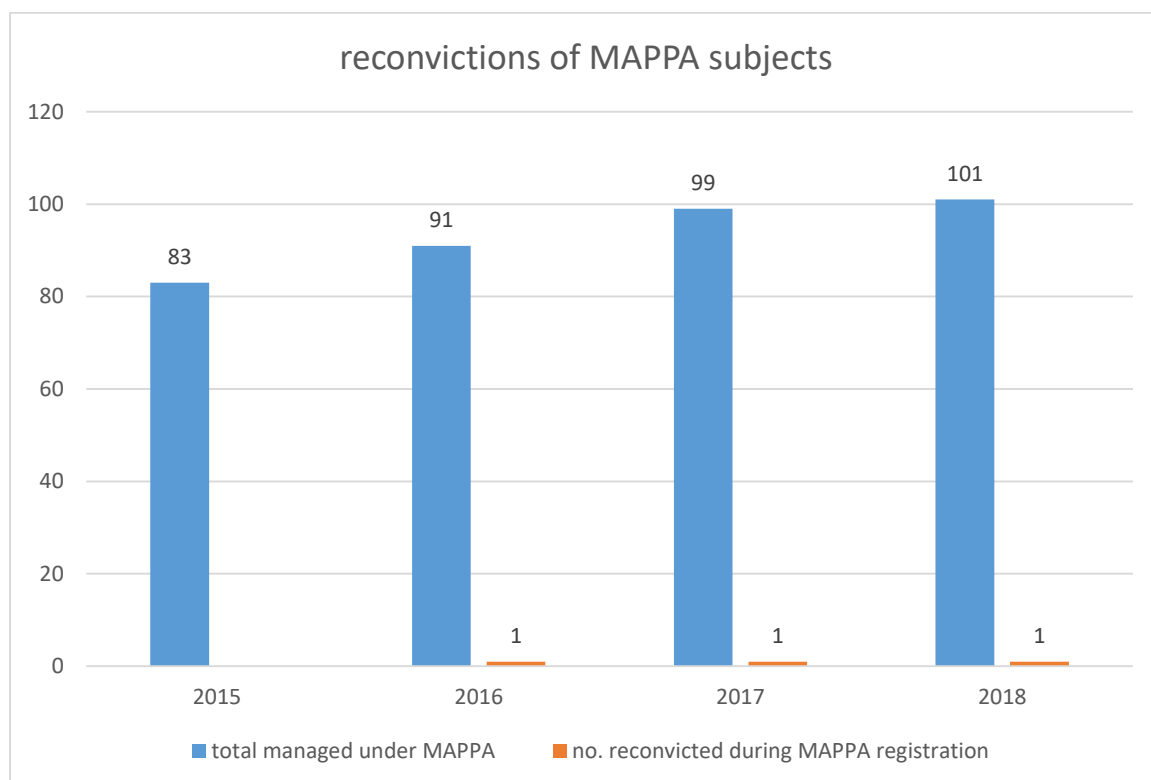


- 4.3 All of these cases become subject to Notification as a consequence of the SOPO, and are managed under MAPPA. As such they all form a part of the statistics referred to in sections 2 and 3 above. All of the current caseload of Civil Orders are managed by the Probation Service. None imposed thus far have reached the end of the imposed period, hence why numbers remain on the increase.
- 4.4 During 2018 there was one breach of a SOPO which resulted in a prison sentence being imposed by the Court. This breach involved an offender's non-compliance with a condition in place to prevent him from re-offending. Conditions are individual to the relevant offender and dependant on risks associated with their likely re-offending scenario – all conditions are ultimately in place to ensure that the individual is not engaging in behaviour which increases their likelihood of offending. Being able to intervene with criminal sanction when someone may be 'heading towards' offending is hugely beneficial for risk management. As mentioned previously, similar sanction/action is available when offenders are subject to the conditions of community supervision or post-custodial licence, and whilst the management of those orders/licences feeds into risk management under MAPPA, breach data for those orders/licences is not within the remit of this report.

## 5 Further Offending

- 5.1 MAPPA is designed to manage serious risks presented by certain individuals, and will endeavour to do so as best as reasonably possible. However, risk cannot be eliminated and there will be times when a person managed under MAPPA will commit a further offence.
- 5.2 Record is kept regarding any convictions for new serious offences by MAPPA subjects (see chart 5.4).
- 5.3 A Serious Case Review will be required by the MAPPA Strategic Management Board when a new offence is one of murder, attempted murder, manslaughter, rape or attempted rape, and can be required in other cases at the discretion of the Strategic Management Board. Alternatively learning outcome reviews can be undertaken at the discretion of the Strategic Management Board as a means of good practice to aid future risk management.
- 5.3 0 Serious case reviews, automatic or discretionary were necessary during 2018.

5.4



- 5.5 Re-conviction rates are low compared to other jurisdictions.

## 6. Learning Outcomes

- 6.1 The use of technology (and technological awareness) to aid in police and probation risk management and monitoring of those subject to computer usage prohibitions remains a key priority going into 2019. Investigations into options occurred during 2018 and training and development of our preferred option is being pursued.

- 6.2 The European General Data Protection Regulations (GDPR) and consequent changes to local legislation within the Data Protection (Bailiwick of Guernsey) Law 2017 came into force in 2018. There has been increased recognition across the island (and elsewhere) about the importance of protecting individuals data. Work has therefore been required to ensure MAPPA complies with the new legislation, whilst ensuring that information is continued to be exchanged for the legal purpose of protecting the community from serious harm. A MAPPA Fair Processing Notice is published on the States of Guernsey Internet.
- 6.3 New data protection regulations had the potential to impact negatively on information exchange under MAPPA regardless of the legality, but this does not appear to have happened (outside of professionals appropriately asking how MAPPA fits with the new data protection legislation). Indeed multi-agency information exchange seems to have increased in volume over 2018. There are a number of reasons for this - some related to certain previously vacant posts in various departments being filled and therefore enabling those departments to be more pro-active in communications; some related to a recognition by professionals of the need to share information and the positive impact on risk management of doing so. Regardless of what the driver for increased information exchange is, it is valuable in gaining a full picture of a MAPPA registrant's profile. Consequently there is the increased ability to either apply safeguarding measures if individuals are identified as being at risk from an offender, or the enabling of earlier intervention to occur in an attempt to disrupt or counter any behaviour that could indicate a pathway towards re-offending. Clearly this makes the whole process more robust and should be maintained.