

Agenda Item	7
Report No	HCW-09-24

The Highland Council

Committee: Health, Social Care and Wellbeing

Date: 16 May 2024

Report Title: Multi Agency Public Arrangements (MAPPA) Annual Report 2022 – 2023

Report By: Executive Chief Officer Health and Social Care

1. Purpose/Executive Summary

- 1.1 To highlight the Annual Multi Agency Public Protection Arrangements (MAPPA) report which was published on 27 October 2023 (Appendix 1).
- 1.2 The MAPPA Annual report 2022-2023 sets out the operational and governance arrangements in relation to MAPPA within Highland and Islands, which are well established.

2. Recommendations

- 2.1 Members are asked to:
 - i. Note the content of the report.

3. Implications

- 3.1 Resource – there is no imminency, but Committee should note the potential risk engendered by the increase in Registered Sex Offenders if this trend continues.
- 3.2 Legal – completion of the annual report is a requirement under Section 11 (2) of the Management of Offenders etc. (Scotland) Act 2005.
- 3.3 Community (Equality, Poverty, Rural and Island) – none
- 3.4 Climate Change / Carbon Clever – none
- 3.5 Risk – there are risks if the responsibilities for the management of individuals subject to MAPPA are not met.
- 3.6 Health and Safety (risks arising from changes to plant, equipment, process, or people) – none
- 3.7 Gaelic – none

4. Background

- 4.1 The responsible authorities within the Highland & Islands covered in the MAPPA Annual Report are Highland Council, Comhairle nan Eilean Siar, Orkney Isles Council, Shetland Islands Council, Police Scotland, Scottish Prison Service, NHS Highland, NHS Orkney, NHS Eilean Siar, NHS Shetland and the State Hospital for Scotland.
- 4.2 The operation of MAPPA is directed and overseen by the Highlands & Islands Strategic Oversight Group (HIMSOG).
- 4.3 MAPPA continues to exceed performance indicators outlined within the National MAPPA Guidance (2022). Performance within MAPPA continues to be reviewed by the Strategic Oversight Group (SOG).
- 4.4 All figures within the report cover Highland and Islands.

5. Performance

- 5.1 As of 31 March 2023, there were a total of 332 Registered Sex Offenders (RSO) in Highland - community (99) and custody (233). This compares to 284 as of 31 March 2022. Therefore, although the number of registered sex offenders (RSOs) per 100,000 population still remains within a comparative range across Scotland, there is a near 20% increase in managed offenders within MAPPA from 2021.
- 5.2 Linked to this is the continuing trend of an increasing number of offenders travelling here from areas such as England and Wales. Once legislative orders/licences have been completed, individuals are able to move around the country. MAPPA services and partners are alive to the impact on additional services such as housing, health and support services and work with partners to manage these increases.
- 5.3 During 2022 – 2023, 6 offenders were managed as 'Other Risk of Serious Harm Offenders' with one Restricted Patient. Most offenders subject to MAPPA were managed at Level 1 with 32 managed at Level 2 and only 11 individuals meeting the criteria for Level 3 (10 in 2021 – 2022) – Level 3 is generally reserved for those individuals where there is an imminent risk of serious harm, and the potential event is more likely than not to happen imminently, and the impact would be serious.
- 5.4 The level of further sexual or violent offending committed by RSOs across the Highlands & Islands has remained very low year on year since MAPPA began in 2007. The number of RSOs returned to custody for breaching statutory licence conditions and for breaching their notification requirements were low at 3 and 24 respectively (compared to 2 and 37 in 2021 – 2022).
- 5.5 During the reporting period 2022 to 2023, there were 6 instances of further sexual offending which resulted in an initial notification report to the SOG. In all of these cases the decision was made not to review any further. This was because good risk management procedures were already in place and / or there was no escalation in offending behaviour.

Designation: Executive Chief Officer Health and Social Care
Date: 2 April 2024
Author: James Maybee, MAPPA Independent Chair
Appendices: MAPPA Annual Report 2022 – 2023



HIGHLANDS & ISLANDS
**MULTI-AGENCY PUBLIC PROTECTION
ARRANGEMENTS**

2022/23

MAPPA ANNUAL REPORT

Multi Agency Public Protection Arrangements

We are pleased to present the Annual Report 2022/23 on the operation of the Multi Agency
Public Protection Arrangements (MAPPA) in the Highlands & Islands area

FOREWORD

Welcome to our Multi Agency Public Protection Arrangements (MAPPA) Annual Report for the Highland and Islands area for 2022-2023.

As Chair of the Highland and Islands Strategic Oversight Group, I thank all those involved in MAPPA for their contribution to the fundamental purpose of protecting the public from serious harm.

This last year has been extremely busy as the backlogs within the criminal justice system, as a result of the Covid-19 pandemic, have cleared leading to an increased numbers of offenders being brought under the supervision of MAPPA.

This report highlights the good state of health of MAPPA within Highland and Islands. It documents some of the challenges faced by multi-agency teams when keeping the public safe, including the increasing number of offenders that requires us to work together efficiently and effectively to manage risk, the possible widening of the MAPPA remit to include terrorist offenders, but also the opportunities to reduce re-offending including the introduction of new legislation we can use to prohibit certain activity and minimise the risk of harm from offenders. We will continue to develop our staff so they are properly trained and operationally competent in the assessment of risk and management of offenders.

I am confident the collaborative efforts of all those involved will overcome the challenges in the year ahead.

Thanks

Mark Czerniakiewicz
T/Detective Superintendent

WHAT IS MAPPA?

Multi-Agency Public Protection Arrangements (MAPPA) are a set of statutory arrangements of which the primary purpose is to maintain public protection and the reduction of serious harm. The protection of children, adults at risk and other members of the public are paramount. It is a structure by which registered sex offenders, mentally disordered restricted patients and other offenders who, by reason of their conviction, pose a risk of serious harm to the public are managed through the effective sharing of relevant information, and the assessment and management of that risk.

MAPPA was introduced in 2007 under the requirements of the Management of Offenders (Scotland) Act 2005 and is delivered under National Guidance. Legislation defines the Responsible Authorities and those with a Duty to Co-operate (DTC).

The Responsible Authorities within the Highlands & Islands are:

- ❖ Highland Council
- ❖ Orkney Islands Council
- ❖ Western Isles Council
- ❖ Shetland Islands Council
- ❖ Police Scotland
- ❖ Scottish Prison Service
- ❖ NHS Highland
- ❖ NHS Orkney
- ❖ NHS Eilean Siar
- ❖ NHS Shetland
- ❖ The State Hospital for Scotland

These agencies are responsible for the assessment and management of risk presented by offenders who are subject to MAPPA. The NHS Boards and The State Hospital are Responsible Authorities in respect of Restricted Patients only, and are deemed Duty To Cooperate Agencies in respect of Registered Sex Offenders.

The National Duty to Co-operate (DTC) agencies include:

- Scottish Children's Reporter Administration
- Department of Works & Pensions
- Electronic Monitoring Providers, e.g. G4S

- Registered Social Landlords
- any person/organisation providing services to, or on behalf of a Responsible Authority

The DTC agencies are required to accept, provide and reciprocally share appropriate information to support the risk management planning of any offender subject of MAPPA.

Who are the MAPPA offenders?

There are 3 categories of offender eligible for MAPPA:

Registered sexual offenders (Category 1) - sexual offenders who are required to notify the police of their name, address and other personal details and notify any changes subsequently.

Violent offenders (Category 2) - offenders convicted on indictment of a crime inferring personal violence and who are on a community order or subject to licence following release. This Category is not enacted by the Scottish Government at this time.

Other Offenders (Category 3) - individuals who are not required to comply with the SONR or those who are not restricted patients. Those might be individuals who have been convicted of an offence, and by reason of that conviction are required to be subject to supervision in the community by any enactment, order or licence. Individuals who are assessed by the Responsible Authorities as posing a high or very high risk of **serious harm** to the public at large. Individuals whose risk is assessed as requiring active multi-agency management at MAPPA Level 2 or 3

Mentally Disordered Restricted Patients (Category 3)

This category of offender comprises those subject to any of the following orders or directions:

- ✚ Patients who are detained following conviction under section 57A and section 59 of the Criminal Procedure (Scotland) Act 1995.
- ✚ Patients who are detained under section 57(2)(a) and (b) of the Criminal Procedure (Scotland) Act 1995 Compulsion Order with a Restriction Order (CORO) following a finding of unfitness for trial or acquittal by reason of mental disorder.

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

How Do The Multi Agency Public Protection Arrangements Work?

MAPPA in Scotland has always been utilised to coordinate the management of those offenders in the community required to notify under the Sexual Offences Act 2003, commonly referred to as Registered Sex Offenders, and those offenders deemed Restricted Patients under Mental Health legislation.

Offenders eligible for MAPPA are identified and relevant information is shared across those agencies involved, or likely to have a contribution in their management. The nature and level of the risk of harm they pose is assessed and actions are raised within a multi-agency risk management plan in order that those risks can be monitored and minimised to protect the public. Convicted sex offenders are now subject to more checks than ever before. The sex offenders register ensures monitoring is in place and agencies can continue to work together to protect the public from known sex offenders living in the community.

The practical operation of MAPPA is performed within pre-set meeting structures at local authority level. Offenders subject to MAPPA will be managed at one of following 3 MAPPA Management Levels:

MAPPA Level 1: Routine Risk Management - In the vast majority of cases, the offender will be managed under the routine arrangements applied by the agency or agencies with supervisory responsibility, i.e. by Police Scotland alone, or jointly with Criminal Justice Social Work. In the case of a Restricted Patient, the NHS will be lead agency. Level 1 is not applicable to MAPPA Category 3 Offenders, who once identified will only be managed under Level 2 or 3 Review processes.

MAPPA Level 2: Multi Agency Risk Management - This process is implemented where Risk Management Planning requires the active involvement of multiple agencies required to manage and actively reduce the risk of serious harm posed by an offender or where that management is complex and resource intensive. A number of factors will be considered in determining if an offender requires Level 2 management, this decision being the responsibility of the MAPPA Coordinator on receipt of a Referral and in consultation with the Responsible Authorities who consider the risk of serious harm thresholds are met. Those managed at Level 2 will be the subject of regular MAPPA review meetings through which a Multi-Agency Risk Management Plan is formulated, implemented and monitored.

MAPPA Level 3: Multi Agency Risk Management Panel (MAPPP) - From time to time, as with offenders managed at level 2, cases arise that present such a high level of risk to the public, or where the level of resources required to effectively manage the offender in the community are substantially beyond what could be considered normal. These offenders are often referred to as “the critical few” and, whilst managed under the same processes as Level 2 albeit more frequently, more senior representatives of the agencies involved will be actively involved in the formulation, implementation and monitoring of risk management plans.

All prisoners released from prison subject to MAPPA will have an agreed and robust risk management plan to resettle, monitor and supervise them back into the community safely.

We work closely with offenders to ensure they gain access to help and support to tackle (their criminal behaviours) the reasons and underlying causes why they have offended. This might be providing assistance with finding accommodation, helping with employment or offering treatment for drug, alcohol or mental health problems, including sex offender programmes to address their offending behaviour. This also means imposing tough controls. Offenders who are assessed as presenting a high risk of harm to the public are subject to very strict supervision and monitoring to help reduce that risk. This will inevitably mean that they have to live in approved and manageable accommodation and may be subject to Electronic Monitoring (Tagging) for a period of time. They may also be restricted from visiting certain places, having contact with certain people and must report regularly to the Police Scotland sex offender Policing Unit (SOPU) or their supervising criminal justice social worker as well as receiving random unannounced visits to their home address. However, it is recognised that the vast majority of offenders do not receive custodial sentences are instead dealt with through the court system by way of a community based disposal/order under the supervision of criminal justice social work (CJSW).

In terms of risk or actions required to manage such, MAPPA will strive to manage offenders at the lowest possible level relating to assessed risk; therefore, to reflect change in this level of risk offenders can move either up or down levels in order that resources are commensurate with that perceived risk.

THE OVERSIGHT OF MAPPA

The operation of MAPPA is directed and overseen by the Highlands & Islands Strategic Oversight Group (HIMSOG). This Group consists of senior representatives from each of the Responsible Authorities, with representatives of the Duty to Co-operate agencies attending as appropriate or

necessary. The group meets three to four times each year (or on an emergency basis) and has updated its Business Plan for the period 2022-2023. This has served to reinforce the remit of the group and provides a business structure, the key areas being:

- Business Planning, management and resource allocation
- The Publication of an Annual Report
- Significant Case Review
- Training
- Adherence to updated National MAPPA Guidance and other relevant protocols
- Quality assurance and the Review of the Performance of MAPPA

MAPPA remains well established across the Highlands & Islands area with the reporting year seeing continued refinement of the operation of MAPPA, with ongoing review of practice and process locally and nationally in an effort to improve our ways of working.

The level of further sexual or violent offending committed by Registered Sex Offenders across the Highlands & Islands has remained very low year on year since MAPPA began in 2007, although any further offending is of concern to the Responsible Authorities and our communities. It is recognised that, on occasions, offenders managed under the MAPPA will commit, or attempt to commit, further serious crimes and, when this occurs a process of Case Review is initiated within MAPPA. The level of review undertaken will be determined by the nature and seriousness of alleged further offending and is intended to examine the actions or processes employed by the agencies involved to ensure that all reasonable actions had been undertaken and to capture any potential for learning that may enhance future work.

There has been a slight reduction in the Highlands & Islands of MAPPA managed offenders being “outed” by various groups. However, when an ‘outing’ occurs, primarily with groups of people assembling outside an individual’s property, evidentially neighbours feel the greatest impact, and this can be an upsetting experience for all concerned. Outcome of ‘outings’ can be:

- Emergency accommodation identified for individuals may be unmanageable for health needs or in an inappropriate area due to the urgency of any move.
- Neighbourhoods where an ‘outing’ has occurred feel the media attention (including social media) has a detrimental impact on the area.
- Wrong address may be identified and continue to be targeted.
- Vacated property may continue to be targeted resulting in future occupants (not managed under the MAPPA process) being targeted.

- Damage to properties of either the individual being pursued or the wrong occupant – in the case of a Local Authority property, the cost for repairs falls to the housing provider/owner.

Initial Case Reviews

The HIMSOG continues to build on national guidance and local review findings in its process for reviewing all Initial Case Reviews (ICRs). An ICR takes place when the following occur:

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

Lead agency

The lead agency varies depending on the category of the offender and whether they are the subject of statutory supervision by criminal Justice Social work (CJSW) at the time. The lead agency is the agency with statutory authority and responsibility to manage a MAPPA offender. Police normally lead on Category 1, CJSW always lead on Category 3 and where the offender is subject to an Order of Lifelong Restriction (Average of 16 OLRs imposed per year with average age of 37.4 years. 49% of the sample (202 individuals) received their first conviction before age of 18 and 67.8% before 21). This management involves appropriate information sharing in order to properly identify risk. The lead agency has primary responsibility for referring the offender to Level 2 or 3 management or notification at level 1.

Environmental Risk Assessments (ERA)

The Role of Public Protection (Housing) The National Accommodation Strategy for Sex Offenders (NASSO) sets out parameters and minimum standards for conducting Environmental Risk Assessments. An Environmental Risk Assessment is carried out to ensure that an address is

manageable for an individual to reside at and safe for those persons residing in the vicinity. The following are the various aspects of the work undertaken by Housing Services to keep the public safe as part of their remit:

- Housing advice is provided ensuring the individuals health and support needs are met. Any accommodation identified will have been assessed and approved or deemed manageable by the Lead Agency.
- Support required can either be provided on a short-term basis from Public Protection SOLO (Housing Services) or from Area Housing Teams or by commissioning support from external providers where long-term support is required.
- Temporary accommodation can also be provided where an individual is leaving custody and has no safe, secure, or appropriate accommodation to return to. Temporary accommodation locations are subject to regular change to ensure public safety and the needs of the individual's safety, and to ensure the safeguarding of the surrounding community.
- Home Leave facilities to reintegrate individuals back into the community in some areas are also available but very limited.
- Environmental Risk Assessments are completed on an annual basis to ensure the accommodation continues to be manageable and that all neighbourhoods are reviewed and remain assessed as being approved or deemed manageable by the lead agency.

The Parole Board for Scotland

The parole process is a system that enables some offenders to be released on licence in the community under the supervision of a community based social worker. If an offender 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 offender 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 an offender are binding, with the exception of deportation cases and applications for compassionate release where the Board will offer advice only. The MAPPAs process takes account of the parole position and plans for the potential release of "High Risk" offenders within our area by means of contingency planning should liberations occur.

2022/23 OVERVIEW

- ✚ Sections 10 to 40 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (“the 2016 Act”) commenced in March 23. These sections introduce two preventative orders which can be applied to relevant sex offenders and those who pose a risk of harm: Sexual Harm Prevention Orders (SHPOs), and Sexual Risk Orders (SROs) respectively. The SHPO is a preventative order designed to protect the public from sexual harm. The order will be available in Scotland and there are comparable SHPOs available across the rest of the United Kingdom. This order replaces Sexual Offences Prevention Orders (SOPOs) and Foreign Travel Orders (FTOs) provided for in sections 104, 105 and 114 of the Sexual Offences Act 2003 (“the 2003 Act”). The SRO is a civil preventative order designed to protect the public from sexual harm, and unlike SHPOs there is no need for a previous conviction or equivalent¹. The order will be available in Scotland and replaces the Risk of Sexual Harm Orders (RSHO) provided for in sections 2 to 8 of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 and FTOs provided for in section 114 of the 2003 Act.
- ✚ The commissioned services of a forensic consultant psychologist assisting professionals with risk assessments, risk management and 1-1 intervention work with offenders within the community has provided excellent results in identifying criminal behaviours that require specific and specialised management, with the forensic interventions assisting in numerous risk management considerations.
- ✚ A consultation and training event for MAPPA meeting chairs within the Highlands & Islands was established with eminent Professor Hazel Kemshall targeting risk management was held in late 22. Professor Kemshall is a professor of community and criminal justice at Du Montefort University in Leicester and has research interests and well published academia in risk assessment and management of offenders, effective work in multi-agency public protection, and implementing effective practice with high risk offenders in order to reduce and manage risk of serious harm.
- ✚ The Highlands & Islands Strategic Oversight Group (HIMSOG) should be reassured that the operation of MAPPA within the area is operationally sound. This is supported by the standard Key Performance Indicators (KPIs) and quality assurance processes measuring the overall performance of MAPPA. There is strong evidence of good working relationships throughout the area at an operational level with excellent self-assessment processes embedded in local procedure.

- ✦ The Scottish Government's consultation on victims' experience of the justice system launched on the 12th of May invites views on potential legislative reforms to the justice system which aim to improve the experiences, and strengthen the rights, of victims of crime. It includes specific measures relating to victims of sexual crime.
- ✦ Consideration on responses to the consultation of the MAPPA National Guidance, the criteria for a Significant Case Review had been tightened so that it focuses on the level of serious harm caused rather than specific offences. The rationale was not to suggest that reoffending by Registered Sex Offenders (RSOs) is not a matter for review but that SCRs should be triggered only where it is proportionate and necessary to do so. This notwithstanding, the updated guidance also advises that where further offending has not resulted in serious harm, H&I MAPPA Strategic Oversight Groups (HIMSOG) has a mechanisms in place to carry out a review which is proportionate in the circumstances.
- ✦ During the COVID 19 restrictions in collaboration with a video production company a short video introducing MAPPA had been created as part of the induction e-learning package. The introductory video should be helpful in raising awareness and providing an overview of MAPPA.

The Year Ahead

- ✦ During this reporting year the Cabinet Secretary for Health and Social Care formally introduced the National Care Service (Scotland) Bill to the Parliament which has now been published. This bill will likely have significant impacts on justice services, as such the overall position is that a final decision on the inclusion of justice social work in the NCS will not be taken until further detailed consideration and evidence gathering with key partners has been carried out. We await the outcome of how the bill will impact on MAPPA.
- ✦ Police Information Sharing - Following meetings convened by Police Scotland with COSLA, Social Work Scotland, Local Authorities, Health representatives and the Scottish Government in relation to the changing of how they will share police information with MAPPA partners. The deadline now late 2023 is nearing without resolution. Police Scotland welcome the collective support and commitment of partners to the development of the Information Sharing Agreements and have established both stakeholder and governance groups with a view to working together to find solution(s) to the identified issues. They have also shared an updated Data Protection Impact Assessment

with partners. Confirmation of further engagements with the Scottish Government with respective legal representatives, to discuss the legal position in this area and will take further advice from the Information Commissioner's Office.

- ✚ National Training for Chairs – Progress on this had been paused due to the pandemic and competing demands by the Risk Management Authority (RMA); however, the coming year will see the Risk Management Authority (RMA) and Community Justice Scotland (CJS) come together to discuss and progress how the RMA and CJS can collaborate on delivering the required training. It was agreed the initial step should see both a training needs analysis established to identify what the training package should look like with responsibilities being allotted to CJS and RMA.
- ✚ The review of the Sex Offender Notifications Requirements by the MAPPA Development Group (MDG) related to the Gender Recognition Reform (Scotland) Bill and whether the SONR should be amended to include a requirement to notify of a legal gender change. This Bill was passed by the Scottish Parliament on 22 Dec 2022 and included that Registered Sex Offenders (RSOs) must notify Police Scotland if they apply for a Gender Recognition Certificate. However, the UK Government has made a section 35 order under the Scotland Act 1998 which means that this Bill will not receive royal assent at this time. In relation to the review of the SONR by the MDG, this remains ongoing. An Independent review into police management of RSOs in England & Wales has been carried out and it is understood will be published soon. The findings from this review will help to inform the MDG's considerations
- ✚ In terms of trend behaviour the Highlands & Islands continues to see increased numbers of offenders travel to our area from areas such as England & Wales after legislative orders/licences have been completed and individuals are free to travel for a number of reasons. There are a number of differing individuals rationale for doing this, nevertheless MAPPA services and partners are alive to the impact on additional services such as housing, health and support services and work with partners outwith our area to manage these increases. Changes in local connections to the Highlands & Islands housing legislation has been modified in order to address future homelessness this in itself will likely impact in small numbers of offenders accessing social housing out with their own area of local connections. Subsequently we have also seen an increased number of transfer requests both cross border and from other areas in Scotland to have offenders managed in our area. Therefore, before outcomes and decisions are made a multi-agency discussion is established to consider the wider impact on our agencies and our community.

- ✚ With the introduction of Cat 4 Terrorist offenders within the MAPPA process in England & Wales the Scottish Government in conjunction with the MAPPA Development Group are taking forward the consideration of where the management of these individuals fit with MAPPA here in Scotland.

- ✚ The NHS Public Protection and accountability and Assurance Framework sets out exemplar evidence of high-quality, safe, and effective services that promote the protection of children and adults. Evidence reflects key recent policy and practice developments, findings from Scotland's Independent Care Review and subsequent publication of The Promise, and a range of sources including inspection findings and reviews of cases where children and adults have died or been significantly harmed. The Framework is intended to guide Health Boards in assessing the adequacy and effectiveness of their public protection arrangements at both strategic and operational levels and to inform existing Health Board and shared multi-agency governance and assurance arrangements, covering all levels of staff including independent contractors. The aim is to ensure greater consistency in what children, adults at risk of harm, and families can expect in terms of support and protection from health services in all parts of Scotland. The HMSOG are sighted on the content and will work with NHS colleagues to achieve its standards.

- ✚ The HMSOG will look to appoint an independent chair to oversee strategic matters along with an operational group to deliver, monitor and evaluate the delivery of MAPPA operationally. Responsibilities such as:-
 - To develop and implement any relevant work / actions as directed by the H&I MAPPA Strategic Oversight Group
 - To promote the development of good practice at operational level within the MAPPA environment, including monitoring and analysing the use of current MAPPA guidance and documentation
 - To promote and enhance joint working arrangements with related public protection environments in areas of shared concern e.g. Child Protection and Adult Protection
 - To have oversight of the work carried out by the MAPPA Self Evaluation, Audit & Training Groups
 - To ensure the timely and effective communication of issues requiring consideration by the MAPPA Strategic Operational Group
 - To review and audit MAPPA procedures
 - To promote MAPPA amongst agencies and in the public domain.

- ✚ Work with partners to agree a revised information sharing agreement following recent national discussions between the Responsible Authorities is critical in the delivery of MAPPA. This will include which systems and other means of information sharing are used and the potential to implement a new information management system MAPPS being developed by the Home Office.
- ✚ The new HMP Highland will accommodate 200 prisoners and have a small unit that will allow for Young Persons/Young Offenders or female prisoners on overnight stays. There will be an eight cell SRU and CIU for male prisoners, to facilitate reintegration to the local community. There will be a purpose built visitor centre and Recovery will be the main ethos of this new establishment, which is due to open in early 2025. Site update – ground improvements have been successfully completed having installed over 2500 piles over 10 weeks equating to over 20km in the ground. The next key milestone is the commencement of the main building substructure and foundations due to commence from July – December 2023, this will be followed by the installation of the precast perimeter wall commencing mid July 2023. Structural steelwork to main blocks is due to commence in October with the first deliveries for the precast the main house block scheduled for January 2024.

Some Core Statistics

The following tables display the levels at which offenders across the Highlands & islands have been managed during the reporting year:

MAPPA Levels		Highlands & Islands
Level 1	Registered Sex Offenders	294
	Restricted Patient	6
Level 2	Registered Sex Offenders	28
	Other Risk of Serious Harm Offenders	3
	Restricted Patient	1
Level 3	Registered Sex Offenders	8
	Other Risk of Serious Harm Offenders	3
	Restricted Patient	0

On the 31st March 2023

Number of Registered Sex Offenders on Licence/Order	99
Number of Sexual Offence Prevention Orders in Force	20
Number of Risk of Sexual harm orders (RSHO's) in Force	21
Number of 'Wanted' RSO's	Reported Nationally
Number of 'Missing' RSO's	Reported Nationally

These statistics represent totals as of 31 March 2023 and/or within the reporting year (Table 1) and it should be noted that all MAPPA offenders are assessed and reviewed regularly throughout the year in relation to their potential risk to cause serious harm to others. One of the principles

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of MAPPA is that offenders are managed commensurate to the risk they pose. This is a dynamic environment where effective risk assessment and information sharing is vital.

Restricted patients are persons detained in hospital under a compulsion order with a restriction order. This means they have usually committed an offence punishable by imprisonment but as a result of mental disorder are not imprisoned but ordered to be detained in hospital for treatment, without limit of time. They are dealt with through a programme of treatment and rehabilitation – the aim being to prevent recurrence of offending by dealing with the mental disorder.

	Highlands & Islands
Number of RSO's convicted of a further Group 1 or Group 2 offence	Reported Nationally
Number of RSO's subject to Formal Disclosure	0
Number of RSO's returned to custody for a breach of statutory conditions	3
Number of Registered Sex Offenders reported for breaching their notification requirement	24
Number of RSO's convicted of breaching SOPO prohibitions	Reported Nationally
Number of Foreign Travel orders	0
Number of Registered Sex Offenders notified to DWP	38

Number of registered sex offenders within the H&I area on the 31 st March 2023 (in community and in custody)	332
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- The number of registered sex offenders per 100,000 population still remains within a comparative range across Scotland. Significantly there is a near 20% increase in managed offenders within MAPPA from 2021.

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- The proactive identification of internet offenders by authorities ranging from online child sexual exploitation, possession of and distribution of indecent images of children, online grooming and live streaming has predominately led to a successive year on year increase in Registered Sex Offenders both locally and nationally year on year.
- The Highlands & Islands have an ageing MAPPa offender demographic and are alive to the impacts this may have on adult care services moving forward.
- Further statistics and national information on the subject of MAPPa can be found on the Scottish Government Website.

Explanations of Terms Used

Registered Sexual Offenders (RSOs) – those who are required to notify the police of their name, address and other personal details and notify any changes subsequently. Failure to comply with the notification requirements is a criminal offence which can carry a term of imprisonment.

Restricted Patient – This is an offender defined under the Management of Offenders etc. (Scotland) Act 2005 Section 10, 11 (a-d)

Breach of licence – offenders released into the community following a period of imprisonment for a registerable sexual offence will be subject to a licence with conditions (under Criminal Justice Social Work supervision). If these conditions are not complied with, breach action will be taken and the offender may be recalled to prison. It perhaps would be a mistake to see the number of breaches as “failed cases” – rather they reflect decisive action taken to protect the public when offenders are not complying with the requirements of their licence.

Sexual Offences Prevention Order (SOPO) – A Court may make a SOPO at the time of dealing with certain sexual offenders or when the police make a special application on account of the offender's behaviour in the community. A SOPO can place restrictions and obligations on the offender and will require the subject to register as a sexual offender. If the offender fails to comply with the requirements of the order, they can be taken back to Court and may be liable to up to 5 years' imprisonment.

Risk of Sexual Harm Order (ROSHO) – Place restrictions and obligations on someone who is behaving in such a way which suggests that they pose a risk of sexual harm to a particular child or to children generally. The person's behaviour need not constitute a criminal offence, and s/he need not have any previous convictions. If the person fails to comply with (i.e. breaches) the requirements of the order, they can be taken back to Court and may be liable to up to 5 years' imprisonment. A conviction for breach of the order also renders the person subject to the sex offender notification requirements.

Notification Order – requires sexual offenders who have been convicted overseas to register with police, in order to protect the public in the UK from the risks that they pose. Police may apply to the court for the order in relation to offenders in or intending to come to the UK.

Order of Lifelong Restriction (OLR) – is a sentence introduced in Scotland in June 2006. The OLR provides for the lifelong supervision of high risk violent and sexual offenders and allows for a greater degree of intensive supervision to manage the risk that those individuals pose.

Foreign Travel Orders – prevent offenders with convictions for sexual offences against children from travelling abroad where it is necessary to do so to protect children from the risk of sexual harm.

Formal Disclosure – if a decision is made to formally disclose, then a letter of disclosure will be drafted on behalf of the Divisional Commander of the relevant Police Division. This letter should be served by the police personally on the person to whom the disclosure is to be made. The disclosure should be limited to the information necessary to minimise the risk. Officers serving this letter should ensure that they do not disclose any further information other than what is stipulated in the letter. Although no further information should be disclosed, advice and guidance on how the individual should respond to the information in order to protect themselves or others and in particular whether any further action is undertaken. This procedure will only be advanced as a last resort and will be completed in consultation with partner agencies. There are various other forms of disclosure available in the management of offenders.

Missing Offenders – An RSO should be considered as missing when the current whereabouts of the offender is unknown and police enquiries to establish their whereabouts have been unsuccessful and as a result the risk management process may not be achievable and there exists a requirement to trace the individual and address the risk he/she may pose and establish if further offences have been committed. Those offenders who have left the territorial jurisdiction of the United Kingdom and whose location abroad is known are not considered as missing. The requirement to comply with the registration process is suspended whilst offenders are out with the UK. Where appropriate, consideration should be given to establishing whether the offender has committed an offence relative to notification of his/her foreign travel. In this situation if an arrest warrant is issued relative to such an offence the offender should be regarded as Wanted.'

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

MARAC – Multi Agency Risk Assessment Conference (MARAC) is a local, multi-agency victim focused meeting where information is shared on the highest risk cases of domestic violence and abuse between different statutory and voluntary sector agencies.

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