**MAPPA – ANNUAL REPORT - Summary**

MAPPA Overview

* Scotland’s Multi-Agency Public Protection Arrangements represent a successful, working example of inter-agency co-operation for identifying, assessing and managing the risks presented by high risk individuals.
* Today’s report provides tangible evidence that Scotland’s responsible authorities continue to deliver a comprehensive response to a complex and sensitive issue, using professional judgement to properly target resources to the key risks.
* The report also provide a clear indication of the commitment, skills and achievements of those professionals who work tirelessly to ensure the protection of the public and the reduction in re-offending is kept at the forefront of their work.
* While we can never eliminate risk entirely, we aim to do everything that can reasonably be done to protect the public.
* Accordingly, all agencies involved constantly keep their procedures under review to ensure that we build on the lessons learned from reviews of cases of re-offending under supervision.

Sexual Crime

* The National Statistics on Recorded Crime in Scotland, 2020-21, published in September 2021, illustrated that sexual crimes accounted for 5% of all crimes recorded in Scotland in 2020-21. The report states that sexual crimes recorded by the police fell in 2020-21, down by 2% from 13,364 to 13,131.
* We want victims to have confidence to report these crimes – more reporting means more people can access Justice. This is why we strengthened the law by bringing in the Sexual Offences (Scotland) Act 2009. The introduction of the Abusive Behaviour and Sexual Harm Act 2016 has also reformed the law in relation to acts of harassment and sexual offending.

Management of Registered Sex Offenders (RSOs)

* The public can be reassured that every effort is being made to minimise the risks posed by RSOs, who are subject to professional risk assessment and management planning with the greatest resources put towards those who present the highest risk to the public.
* 95% of RSOs complied with the notification requirements with the authorities taking a zero tolerance approach reporting non-compliance to the Procurator Fiscal.
* The proportion of RSOs who have been convicted of a further Group 1 or 2 (violent/sexual) crime has decreased very slightly in the last year (96 in 2020-2021 compared to 97 in 2019-2020).
* This decrease is welcome and is due in part to proactive policing and effective policing and management of RSOs.by partner agencies.
* Work within MAPPA may result, for example, in increased police monitoring, special provision for victim protection, the provision of information to employers, providers of children’s services, close supervision and appropriate accommodation. The overall effect is more comprehensive risk assessment and more robust risk management planning.

Significant Case Review processes

* When individuals managed under MAPPA commit further serious crimes, we have in place a significant case review process to examine the management and arrangements for the offender and identify areas of learning and improvement for future policy and practice.
* With our MAPPA partners, we carefully consider review recommendations and take forward any agreed actions in discussion with the MAPPA National Strategic Group.

Sex Offender Community Disclosure Scheme (Keeping Children Safe)

* The creation of the online application form under the existing Sex Offender Community Disclosure Scheme continues to improve accessibility for an initial application to be made under the Scheme.
* The online application form is available on the Police Scotland website and allows any member of the public to submit an application direct if they have a concern about a person’s access or contact with a child.
* The community disclosure scheme gives parents; carers or guardians a more formal mechanism for requesting information about someone involved in their family life, specifically it they are concerned that the person might be a child sexual offender.
* The Scheme also provides for any other person who is concerned about a person’s access to someone else’s child to apply albeit only the parent; carer or guardian can be given information under the Scheme.
* If the person subject of the application has been convicted of a sexual offence against a child; has a conviction for, or information is held which is assessed may put a child’s safety at risk, then consideration must be given to share information with the parent; carer or guardian which is necessary and proportionate to enable them to protect the child. For the purposes of the Scheme a child is under 18 years of age.
* Members of the public are notified that the online application will generate a proportionate and timely response. The online form makes it clear if they have any concerns about a child’s safety or wellbeing they should contact their local social work services or Police Scotland on 101 or if they suspect a child is in immediate danger they should call 999.

**MAPPA ANNUAL REPORTS - Q&A**

**Q. What is MAPPA?**

Multi-Agency Public Protection Arrangements, or MAPPA, are a statutory set of partnership working arrangements operated by the responsible authorities (Police, Local Authorities, the Scottish Prison Service and Health) that aim to protect the public by managing offending.

MAPPA allows relevant offenders to be identified, information to be shared, risk assessments and management plans to be agreed and for those plans to be reviewed and amended as necessary.

**Q. Which agencies are involved in MAPPA?**

There is a legal duty on Police, Local Authorities, the Scottish Prison Service and Health as Responsible Authorities, to establish arrangements for the assessment and management of risk posed by registered sex offenders, restricted patients and certain other risk of serious harm individuals. In addition, a range of other agencies that have dealings with these individuals are under a duty to co-operate with the Responsible Authorities. These include:

* The Principal Reporter to the Scottish Children's Reporter Administration
* Housing Providers
* Social Security Scotland
* Electronic Monitoring providers

**Q. Why does each area publish an annual report?**

MAPPA are a set of statutory arrangements and the law requires the Responsible Authorities not only to establish arrangements in relation to dangerous individuals but also to review and monitor the operation of those arrangements and publish an annual report as to their effectiveness.

**Q. A number of registered sex offenders have gone on to commit a further serious offence. Does this indicate a failure by police and MAPPA partners to use all the powers available to protect communities?**

We cannot completely eliminate risk nor can we be complacent. We recognise that there has been a decrease in the number of individuals convicted of a group 1 and 2 crime[[1]](#footnote-1) in the last year (96 in 2020-21 compared to 97 in 2019-20).

When individuals managed under MAPPA commit further serious crimes, we have put in place a significant case review process which examines the management arrangements for the individual and identifies areas of learning and improvement for future policy and practice. The Scottish Government and the Responsible Authorities will continue to work together to assess and improve powers and processes.

**Q. Why are so many offenders wanted but none are missing?**

In 2014 Police Scotland amended the definition of Missing and Wanted sex offenders to align them with the standard definitions of missing and wanted persons.

A Missing person is defined as anyone whose whereabouts is unknown and:

* where the circumstances are out of character; or
* the context suggests the person may be subject to crime; or
* the person is at risk of harm to themselves or another.

A Wanted Registered Sex Offender is defined as those who are subject to the notification requirements of the Sexual Offences Act 2003 and who have a live warrant in force.

In conjunction with this change Police Scotland undertook detailed investigations to identify the whereabouts of all missing and wanted sex offenders. The current figures relating to missing and wanted sex offenders reflects the positive outcome of this work. Police Scotland treat all missing and wanted Registered Sex Offenders with the utmost seriousness and will carry out thorough enquiries to trace their whereabouts and to re-establish the management required to protect the public. On all occasions a Senior Investigating Officer of a rank no less than Inspector will be appointed to lead these investigations. Up to date figures are available via the police Scotland website.

**Q. How many offenders are wanted or missing today?**

As of 31st July 2021, Police Scotland has 14 Wanted Registered Sex Offenders. Enquiries to date indicate that 13 wanted offenders are outwith the UK.

**Q. Why should sex offenders be allowed to serve sentences in the community?**

As with all individuals presented before Scottish courts the gravity of the crime, victim impact and impact on the wider community as well as the background of the individual will be taken into account when sentencing is delivered. The Scottish Courts and in particular the sentencing decisions of Sheriffs and Judges remain independent. MAPPA supports the effective management of these individuals.

**Q. What else is the Government doing to protect the public from sex offenders?**

The Management of Offenders (Scotland) Act 2019, passed by the Scottish Parliament and received Royal Assent on 30 July 2019, provides a legislative basis for enhanced electronic monitoring capabilities including GPS & remote substance monitoring.

The Abusive Behaviour and Sexual Harm (Scotland) Act 2016 which was passed by the Scottish Parliament on 22nd March 2016 and received Royal Assent on 28th April 2016 will strengthen and reform the system of civil orders available to protect communities from those who may commit sexual offences.

Commencement of the new preventative orders will require legislative provisions to be put in place in other parts of the UK to deal with cross-border arrangements. We are engaging with our UK counterparts on this and, in the meantime, Sexual Offences Prevention Orders and Risk of Sexual Harm Orders will remain in force.

The Multi-Agency Public Protection Arrangements in Scotland were further strengthened when Social Security Scotland became a duty to cooperate agency on 8 January 2021, by virtue of the Management of Offenders etc. (Scotland) Act 2005 (Specification of Persons) Amendment Order 2020.

The overall aim is to assist SSS clients who are also subject to MAPPA management to secure appropriate benefits. It also allows SSS to staff alert responsible authorities to any change of relevant circumstances, for example change of bank account, or address etc., of a client who is subject to MAPPA.

**Q. What is a breach of licence?**

Certain sex offenders released into the community following a period of imprisonment of 6 months or more will be subject to a licence with conditions (under justice social work supervision). If these conditions are not complied with, breach action will be taken and the offender can be recalled to prison.

**Q. What action is taken if a Sexual Offences Order is breached?**

A court may make a Sexual Offences Prevention Order (SOPO) at the time of dealing with certain sexual offenders or when the police make a special application on account of the individual’s behaviour in the community. For example, SOPOs can prevent such individuals being in the vicinity of schools or playgrounds. If the individual fails to comply with (i.e. breaches) the requirements of the order, he can be taken back to court and may be liable to up to 5 years’ imprisonment.

**Q. What is the victim’s role in MAPPA?**

Although the primary focus of MAPPA is to assess and manage the risks presented by particular individuals, MAPPA must identify and where appropriate engage with victims, and potential victims, in order to inform the risk assessment on which the risk management plan is based. Details passed on by victims can be used to understand how an individual operates and hopefully prevent further offences from being committed. Information provided by victims about risk and behaviour is unlikely to be available from any other source and so this work makes a very real and important contribution to community safety and helps to address issues of risk to the public.

**Q. Do victims attend MAPPA meetings?**

No. However, victim issues are regularly discussed during the MAPPA meetings and if further action is required then the appropriate Responsible Authority will be tasked to do so. It is the job of the MAPPA agencies to manage the risk posed by the offender and as such specific victims and the public will be taken into account when the MAPPA Risk Management Plan is discussed.

**Q. Why do some areas have a higher proportion of registered sex offenders than others?**

There are no obvious or simple explanations for the distribution of Registered Sex Offenders. There are also wide variations across the 13 police divisions and whilst there may be local explanations for these variations, no national pattern is apparent.

**Q. Where do sex offenders live?**

Housing is an important part of the risk-management process and is fully discussed by all agencies involved in managing the accommodation of a released RSO.

The revised National Accommodation Strategy for Sex Offenders (published in September 2019) provides a national framework, informed by practitioners on the ground, and is the result of positive collaboration between the Communities and Justice Portfolios.

The revised strategy highlights the stringent assessments that are carried out when identifying social housing for RSOs.

An Environmental Risk Assessment is one of many tools used to collectively assess the overall risk and thereafter inform the Risk Management Plan required for each individual RSO. A risk and victim based approach ensures each RSO is appropriately managed with the focus being on those posing the greatest risk of harm to our communities.

It gives social housing providers and the public assurance that every reasonable precaution has been taken to safeguard both the local community and the offender, with the prime consideration being the safety of the community.

**Q. How does someone become subject to sex offender registration requirements?**

Most individuals become subject to the notification requirements upon being convicted of one of the sexual offences listed in Schedule 3 to the Sexual Offences Act 2003. Individuals can also be placed on the register if they are subject to a Sexual Offences Prevention Order (SOPO) or are convicted of a breach of a Risk of Sexual Harm Order (RSHO), or interim RSHO.

**Q. What does an RSO currently have to notify under the requirements?**

An individual who becomes subject to the notification requirements must, within 3 days of conviction, notify the police, in person and at a prescribed police station, of their name, address, date of birth, passport, credit card, and bank details and national insurance number. If the individual is in prison on the day that this requirement falls due then they must make their notification within 3 days of his release.

Such individuals must then notify the police, within 3 days, of any change to their name or their address. They must also notify the police, within 3 days, if they spend 7 days or more (whether consecutively or within a twelve month period) at an address they have not already notified to the police. Individuals must also notify the police 7 days in advance of any intended overseas travel. All offenders must now ensure that they re-confirm their notified details at least once every 12 months. If an individual registers as homeless they must notify the police on a weekly basis of their whereabouts. The police can also require an individual to provide fingerprints, DNA and photographs.

**Q. What is the consequence of not complying with the notification requirements?**

If an individual fails to comply with these notification requirements then they commit a criminal offence and are liable to a maximum penalty of 5 years’ imprisonment.

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1. Group 1 and 2 crimes – Group 1 relates to non-sexual crimes of violence and group 2 relates to sexual crimes. [↑](#footnote-ref-1)