STATES OF JERSEY

JERSEY MULTI-AGENCY PUBLIC PROTECTION ARRANGEMENTS (JMAPPA) ANNUAL REPORT 2018

Presented to the States on 1st April 2019
by the Minister for Home Affairs

STATES GREFFE

Jersey Multi-Agency

Public Protection

Arrangements

Annual Report 2018

March 2019

JMAPPA Annual Report 2018

JMAPPA came into operation eight years ago and in 2016 changes were introduced to make our risk assessment process more effective and efficient. The total number of offenders now being jointly managed through the higher levels of this multi-agency process has levelled out at 48 and similar to the 48 jointly managed throughout 2016 and 54 in 2017.

The total number of individuals entering the JMAPPA process decreased in 2018. Previously it remained broadly consistent: 67 in 2015, 66 in 2016, 63 in 2017 compared to 44 in 2018. The decrease in number marks a reduction in referrals of violent and potentially dangerous offenders (PDP).

The total number of offenders subject to sex offender Notification Orders in Jersey is currently 147, with 20 new registrations during 2018. 28 of these people are in custody, 85 in the community and 34 are residing outside of Jersey on a temporary/permanent basis. At the time of writing, the majority of these individuals are being managed by a single agency, whilst 21 are being managed through these partnership arrangements.

At the end of 2018, a total of 162 individuals were being managed at all levels of JMAPPA, 41 individuals (including individuals subject to Notification Orders) were actively managed at JMAPPA level 2 or 3.

The majority of these cases are managed at JMAPPA level 1 (single agency) with a resultant demand on the resources of those single responsible agencies – primarily the Police with a smaller number being managed by both Probation and Prison.

The reoffending by this cohort of individuals who are being managed through this multi-agency process also remains consistently low - just ten offenders were reconvicted in 2018 for offences including assault, malicious damage, larceny, Breach of Restraining Orders (computer related and non-contact offence), Breach of Probation Order, Breach of Young Offenders Licence and driving without a licence.

Finally, it is also appropriate to acknowledge the hard work of front line professionals working in both the statutory and voluntary sector who play such a vital role in JMAPPA. The on-going success of JMAPPA is testament to the hard work and dedication of those professionals at enhancing public protection through this partnership work.

It is important to note that risk can never be completely eradicated, but the effective work of JMAPPA partners goes a long way to contributing towards this highly effective partnership in keeping Jersey safe.

Stewart J Gull QPM
Detective Superintendent
Chair of JMAPPA SMB

March 2019

What is JMAPPA?

Jersey's Multi-Agency Public Protection Arrangements (JMAPPA) were implemented in 2011 when the Sex Offenders (Jersey) Law 2010 came into force. In pursuance of Article 28 of that law, arrangements to assess and manage sexual, violent and dangerous offenders, together with potentially dangerous persons were made. The purpose of JMAPPA is to protect the public by coordinating the management of individuals assessed as posing a risk of serious harm to others.

These arrangements were made with the agreement of the Ministers of the departments and with the cooperation of 'Office Holders', departments who have a 'Duty to Cooperate' and 'Interested Parties' as detailed in the aforementioned law.

The Office Holders are the Chief of Police, Chief Probation Officer, Prison Governor and the Chief Officer of Customs and Immigration. The Ministers of the departments who are identified as agencies who have a 'Duty to Cooperate' are Justice and Home Affairs, Health and Community Services, Children, Young People, Education and Skills and Customer and Local Services. 'Interested Parties' includes, but is not restricted to, the Connétables, Comité des Chefs de Police, together with organisations that provide rented housing accommodation, accommodation for the homeless, support for children in need or at risk, for victims of domestic and sexual violence.

JMAPPA is not a statutory body; rather it is a mechanism through which agencies can, in a coordinated manner, discharge their statutory responsibilities and wider obligations with reference to protecting the public.

The JMAPPA Guidelines were premised on the MAPPA Guidance which is applied in England and Wales. The JMAPPA process is overseen by the Strategic Management Board (SMB) which consists of Chief Officers or their representatives from the Police, Prison and Probation Services, Customs and Immigration, Customer and Local Services, Strategic Housing Unit and Children, Young People, Education and Skills, together with the Health and Community Services Departments.

How JMAPPA works

JMAPPA-eligible offenders are identified and information about them is shared by the agencies in order to inform the risk assessments and risk management plans of those managing or supervising them.

There are four categories of JMAPPA-eligible offenders:

Category 1 Offenders: Registered Sex Offenders
This Category includes offenders convicted of a relevant offence as defined in Article 2 of the Sex Offenders (Jersey) Law 2010 and those required to comply with the notification requirements under Articles 13 and 14 of this Law.

Category 2 Offenders: Violent Offenders
This Category includes:
- Offenders sentenced to 12 months in custody or longer for their most recent violent offence.

Category 3 Offenders:
This category is comprised of offenders, not in either Category 1 or 2, but who are considered by the referring agency to pose a risk of serious harm to the public which requires active inter-agency management.

To register a Category 3 offender, the referring agency must satisfy the Co-ordinator that:
1. the person has committed an offence which indicates that they are capable of causing serious harm to the public; and

2. reasonable consideration has indicated that the offender may cause serious harm to the public, which requires a multi-agency approach at level 2 or 3 to manage the risks

The offence may have been committed in any geographical location, which means that offenders convicted abroad could qualify.

Any agency can identify an offender who may qualify for Category 3 and PDP.

Category - Potentially Dangerous Persons (PDPs):
Association of Chief Police Officers (2007) - *Guidance on Protecting the Public: Managing Sexual and Violent Offenders* defines a PDP as:

" **….**a person who has not been convicted of, or cautioned for, any offence placing them in one of the three JMAPPA categories (see above), but whose behaviour gives reasonable grounds for believing that there is a present likelihood of them committing an offence or offences that will cause serious harm"

Serious harm can be defined as an event, which is life threatening and/or traumatic, from which recovery, whether physical or psychological, can be expected to be difficult or impossible. Risk of serious harm is the likelihood of this event happening. It should be recognised that the risk of serious harm is a dynamic concept and should be kept under regular review.

Management Levels

There are three management levels intended to ensure that resources are focused upon the cases where they are most needed. Although there is a correlation between the level of risk and the level of JMAPPA management, the level of risks do not equate directly to the levels of JMAPPA management. This means that not all high-risk cases will need to be managed at level 2 or 3. **Level 1** involves single agency management (i.e. no JMAPPA meetings or resources); **Level 2** is where the active involvement of more than one agency is required to manage the offender but the risk management plans do not require the attendance and commitment of resources at a senior level. Where senior management oversight or an exceptional amount of resource is required, the case would be managed at **Level 3.**

2018 Developments

Every year, the JMAPPA team, its partner agencies and the Governement, looks to implement positive change and development. During the course of last year there were notable changes in legislation.

Amongst the new laws enacted was the Capacity and Self-Determination (Jersey) Law 2016 and the Mental Health (Jersey) Law 2016. Contained within the Mental Health Law are now two parts specifically pertaining to Criminal Justice. The Code of that law also outlines the duty for Health and Social Services to cooperate with the JMAPPA responsible authorities in assessing and managing risk of mentally disordered offenders.

The Sex Offences (Jersey) Law 2018 was enacted last year and brought with it clear improvements, including defining offences which had previously not been covered.

The introduction of the Data Protection (Jersey) Law 2018 is a piece of legislation that has affected all citizens. For JMAPPA partner agencies, new policies and procedures on how personal data is held and shared were put into place. This caused some initial anxieties but positively, the level of cooperation between agencies has remained at a level that allows JMAPPA to fulfil its role. That is, to share information on eligible offenders, for risk to be assessed and risk management plans to be formulated.
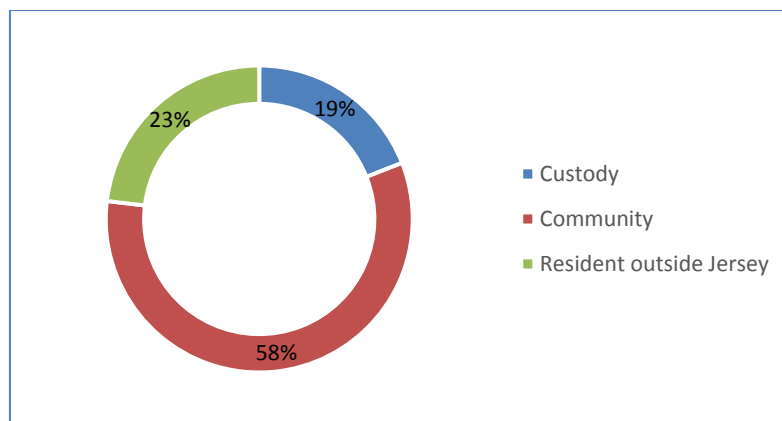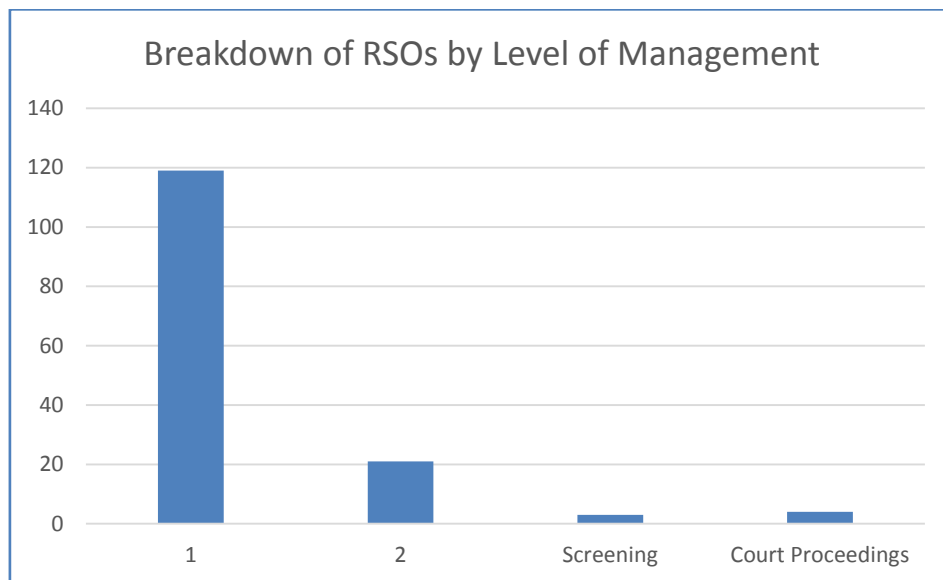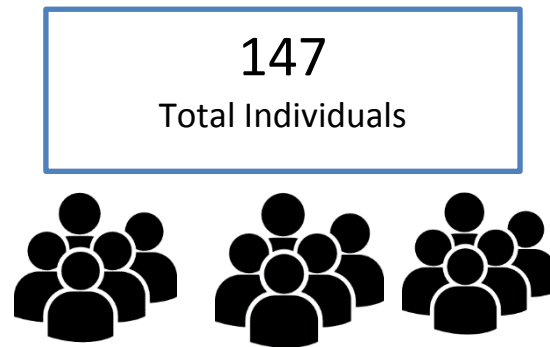
To underpin this relationship with partner agencies, the JMAPPA team updated the Information Sharing Agreement (ISA). This was ratified by the Strategic Management Board last year and agencies have, by signing the document, shown their continued commitment to public protection and the JMAPPA process.

In 2018, the Strategic Management Board also ratified amendments to the transfer and deportation guidance of JMAPPA cases to other jurisdictions. The new guidance is now clearer in terms of process and responsibility of sharing information to those jurisdictions, as much as it is able to under the law and international agreement. This provides an opportunity for receiving jurisdictions to put in place any public protection measures it feels may be appropriate for the safety of its citizens.
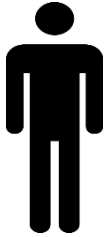
Registered Sex Offenders

At the time of writing, there were 147 individuals subject to notification requirements under the Sex Offenders (Jersey) Law 2010 more commonly known as 'Registered Sex Offenders' (RSO). 28 of these people are in custody, 85 in the community and 34 reside outside of Jersey on a temporary or permanent basis.

All of these individuals are subject to the JMAPPA process with the majority managed at JMAPPA Level 1 under single agency risk management arrangements.

147
Total Individuals

Breakdown of RSOs by Level of Management

- Custody 19%
- Community 58%
- Resident outside Jersey 23%

20 New Registered Sex Offenders in 2018

9 Persons Deregistered

In the course of 2018, 20 people were convicted of offences under the Sex Offenders (Jersey) Law 2010 and were made subject to notification requirements. Over the same period, 11 people applied to have their notification requirements removed. 9 of these applications were successful. Although this is a significant increase from previous years, there continues to be a net increase in registered sex offenders that need to be managed.

Currently there are 27 Registered Sex Offenders who are eligible to apply to the Court to have their Notification Orders removed but have chosen not to make this application.

The age range of these offenders spans from 16 to 78 years and with one exception, all are male.

Management of JMAPPA Subjects during 2018

People

54
2017

48
2018
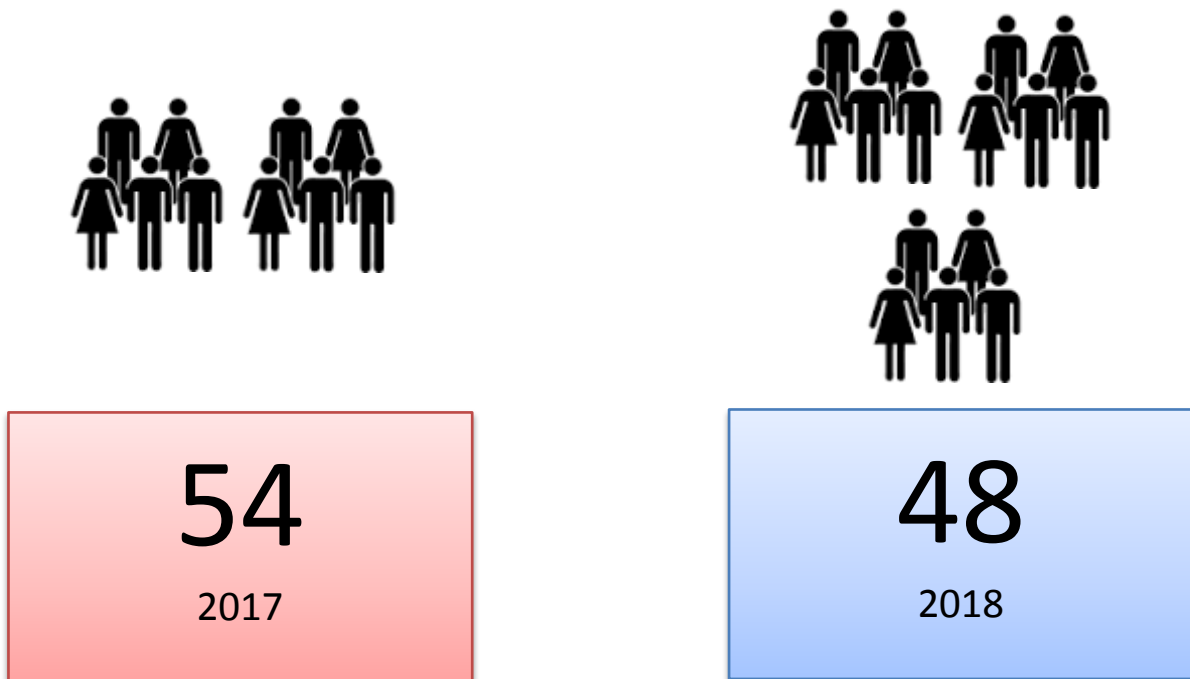
The total number of individuals dealt with via the higher JMAPPA levels (2 and 3) in 2018 was 48, a decrease from 54 in 2017. The number of referrals during 2018 was 43.

Meetings

74

92

The number of Level 2 and Level 3 multi-agency meetings to manage these individuals for 2018 was 92 and in 2017, there were 74. An increase of 20%. Although 2018 saw an increase in meetings, it remains significantly fewer than that of previous years. Indeed, in 2015 there were 135 meetings.

This reduction is the result of the formalised screening of JMAPPA referrals as recommended in the 2015 five-year review and the guidance that JMAPPA cases should be managed at the lowest defensible management level. The aim is to ensure that only individuals whose assessed risk requires management at the higher levels progress to this stage thereby limiting the over management of cases and the unnecessary allocation of multi-agency resources through the JMAPPA process.

When including screening meetings, the total number of JMAPPA meetings for 2018 was 119.

At a screening meeting, there are representatives from the Police, Probation, Prison and Children's Services. Dependent on the case, other agencies may be invited.
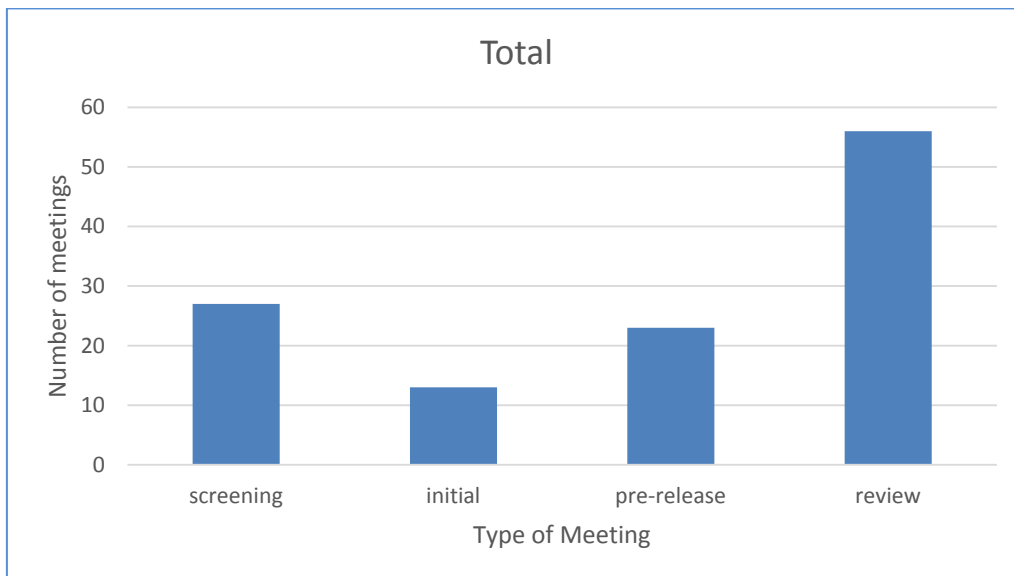
The total number of individuals who were subject to any level of the JMAPPA process was 70. From those 70, 1 was not accepted to any level of management. Of the remaining 69 cases, 30 were Sex Offenders and 29 were violent, dangerous or domestic violent offenders.
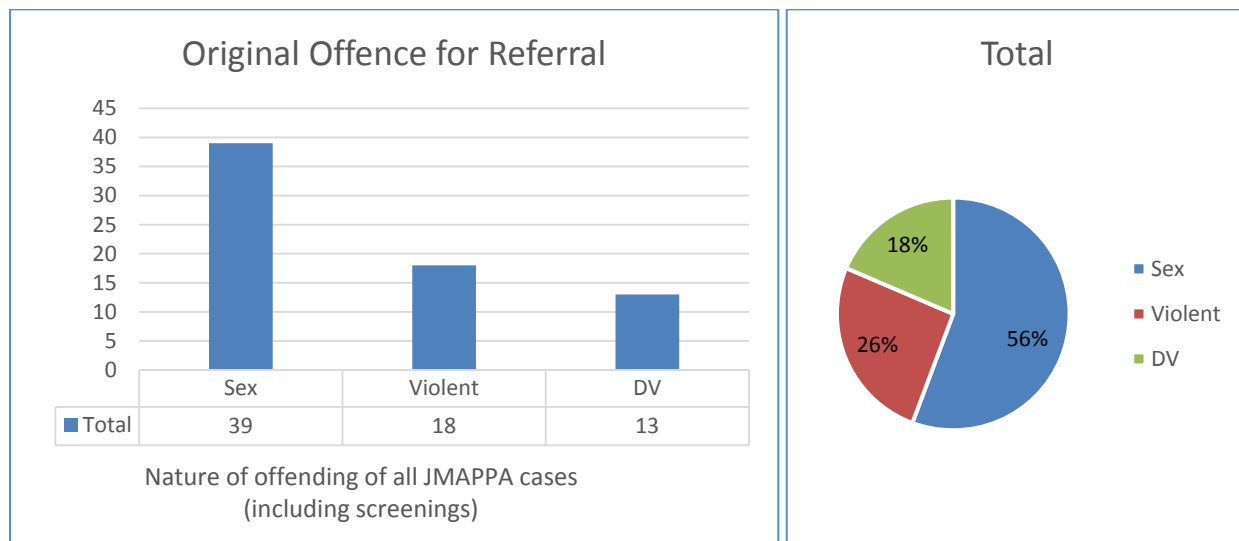
Person Profile

The following outlines the demographic, offending and risk characteristics of the 48 individuals managed at the higher JMAPPA levels (2 and 3) in 2018.
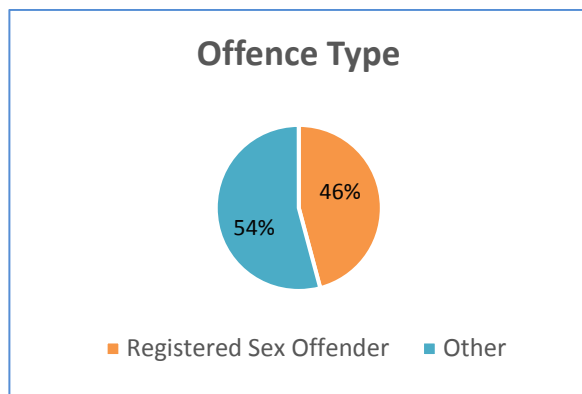
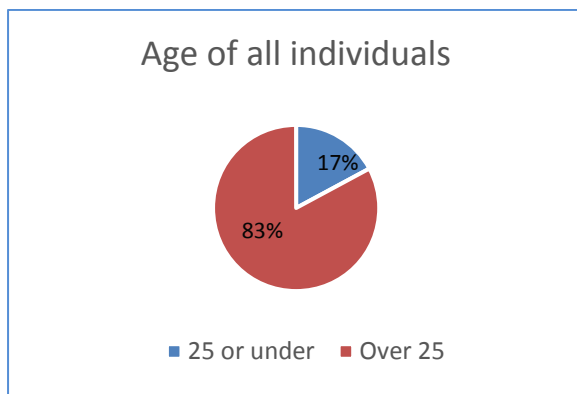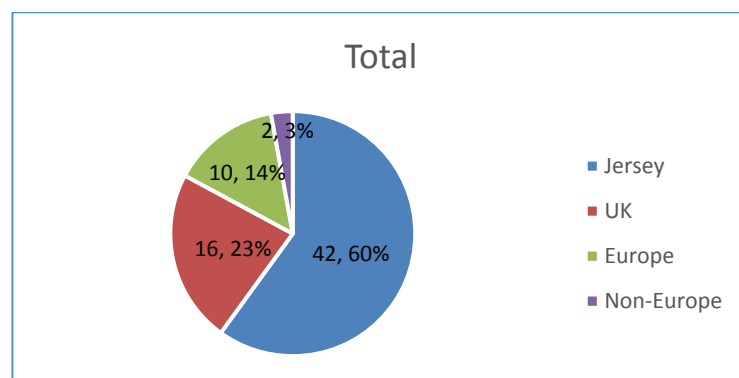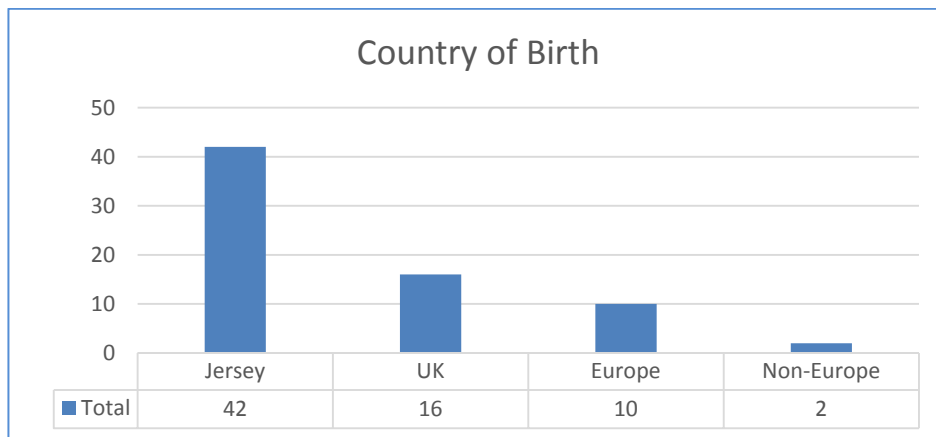## Place of Birth

67%

21%

12%

The overwhelming majority of offenders (32 of 48) were born in Jersey. 10 had the UK identified as their place of birth with the remaining 6 being born elsewhere in the world.

Age

19%

81%

■ 25 or under ■ Over 25

Offence Type

46%

54%

■ Registered Sex Offender ■ Other
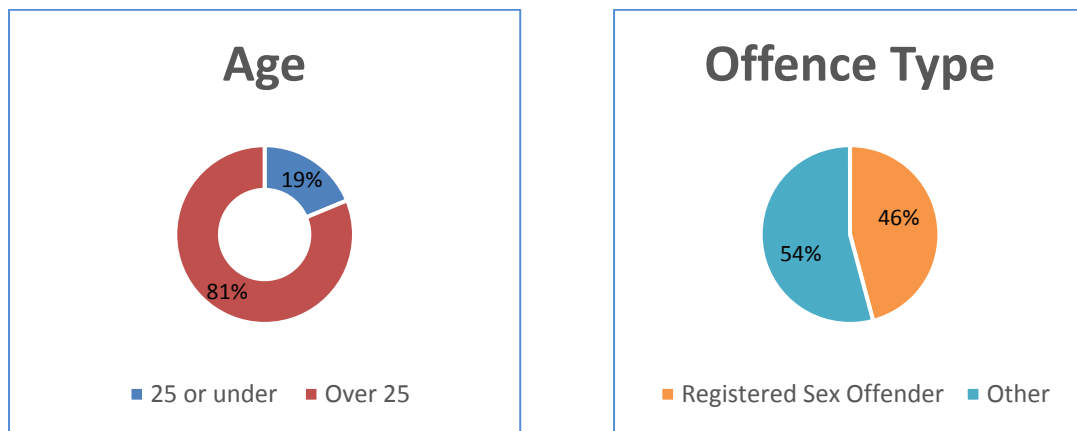
19% (9) of offenders were aged 25 or under and one of the 48 individuals was female.

46% (22) of individuals out of the 48 managed during 2018 were subject to notification requirements under sex offender legislation, more commmonly known as being a registered sex offender.

The following charts provide an overview of all the individuals subject to the JMAPPA process in 2018. Of note, one of the individuals born outside of Europe is a British Citizen.

Country of Birth

	Jersey	UK	Europe	Non-Europe
Total	42	16	10	2

Total

- Jersey: 42, 60%
- UK: 16, 23%
- Europe: 10, 14%
- Non-Europe: 2, 3%

Age of all individuals

- 25 or under: 17%
- Over 25: 83%

Offence Type

- Registered Sex Offender: 46%
- Other: 54%

The category composition of offenders managed at level 2 and 3 by JMAPPA during 2018, excluding Registered Sex Offenders.

Nominals managed in 2018 Categories 2, 3 and PDP

- Violent Offenders
- DV Offenders
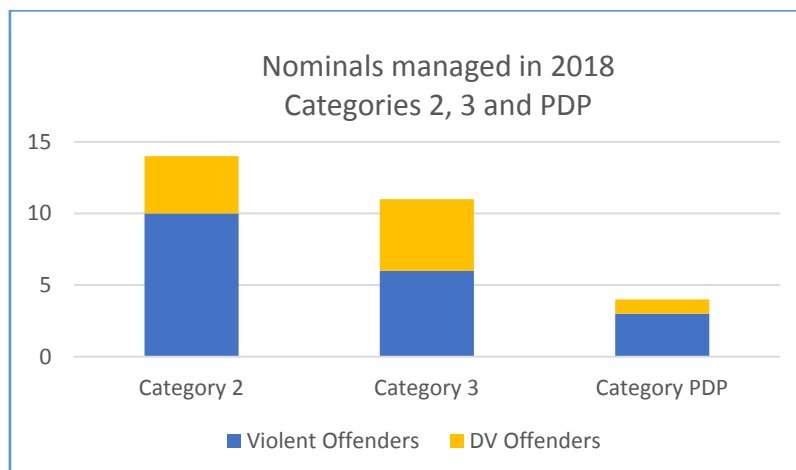
Offender Assessment

The following summarises the risk indicators or 'flags' identified in the assessment of each individual. Each case will have a number of risk areas flagged, for example a person being managed due to a domestic assault, aggravated by alcohol, who is reliant on temporary accommodation would be flagged for substance abuse, domestic violence and unstable accommodation. The flagging process also allows for the consideration of positive/protective factors such as employment, family support and cooperation with services.
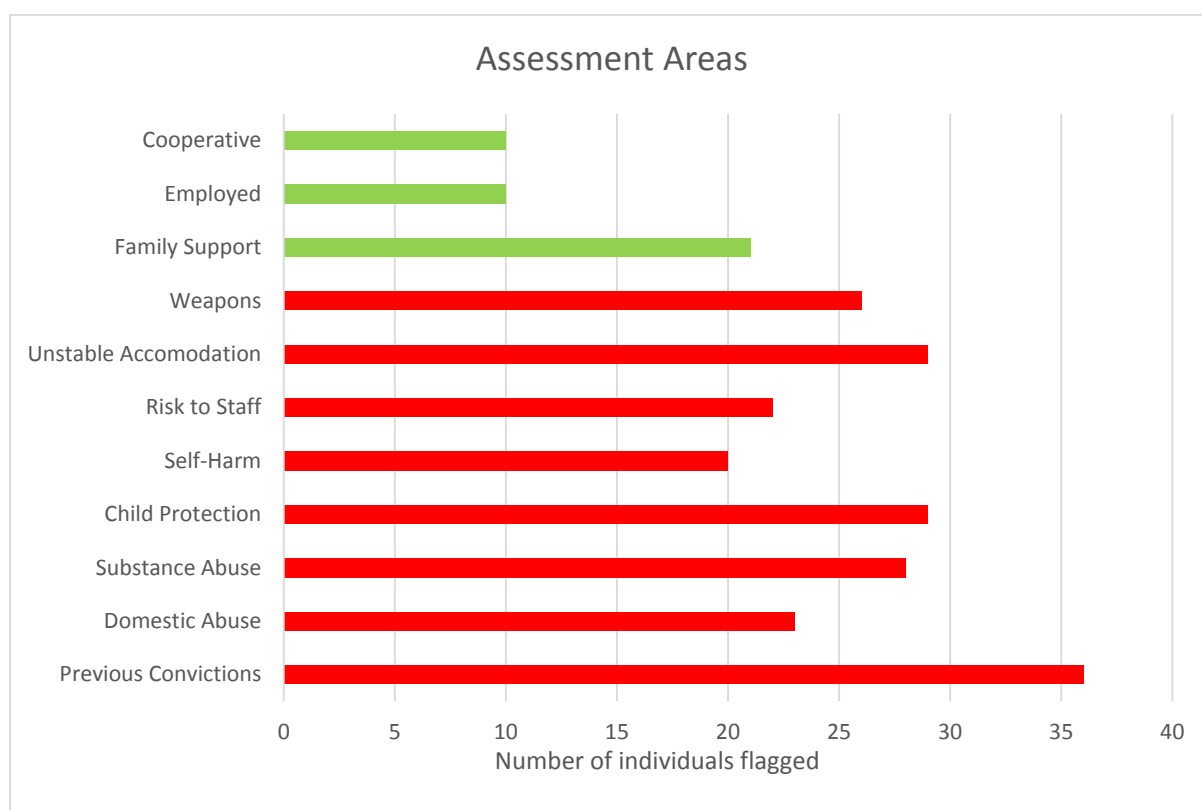
When reviewing the assessment flags, the most significant risk indicator is that of an offender having previous convictions, unstable accommodation and substance misuse issues. Flagged issues around child protection (29 of 48), domestic abuse (23 of 48) and weapons (26 of 48) were also significant.

In relation to protective factors, it is noteworthy that at the point of assessment just over 20% (10 of 48) of people were in employment. This perhaps highlights the importance of work for an individual and the impact it has on pro-social behaviour.

Reconviction

JMAPPA endeavours to manage and reduce serious risk presented by certain individuals. The risks posed through serious violent and sexually harmful behaviour can never be entirely eliminated. In the event that a serious further offence is committed such as that of murder, manslaughter or rape, a Serious Case Review would be required by the Strategic Management Board.

In England and Wales the number of offenders under MAPPA (and supervised by Probation) charged with a serious further offence (SFO) has been increasing generally since 2010/11 at an annual average rate of 9% between 2010/11 and 2017/18 (figures taken from the MAPPA 2017/18 annual report by the Ministry of Justice). The number of offenders charged with an SFO over the last two years in England and Wales has increased by 24%. Despite these increases, the proportion of offenders committing a serious offence in England and Wales whilst under MAPPA remains proportionally relatively low.

In Jersey, during 2018, there were no serious further offences committed by offenders managed under JMAPPA.
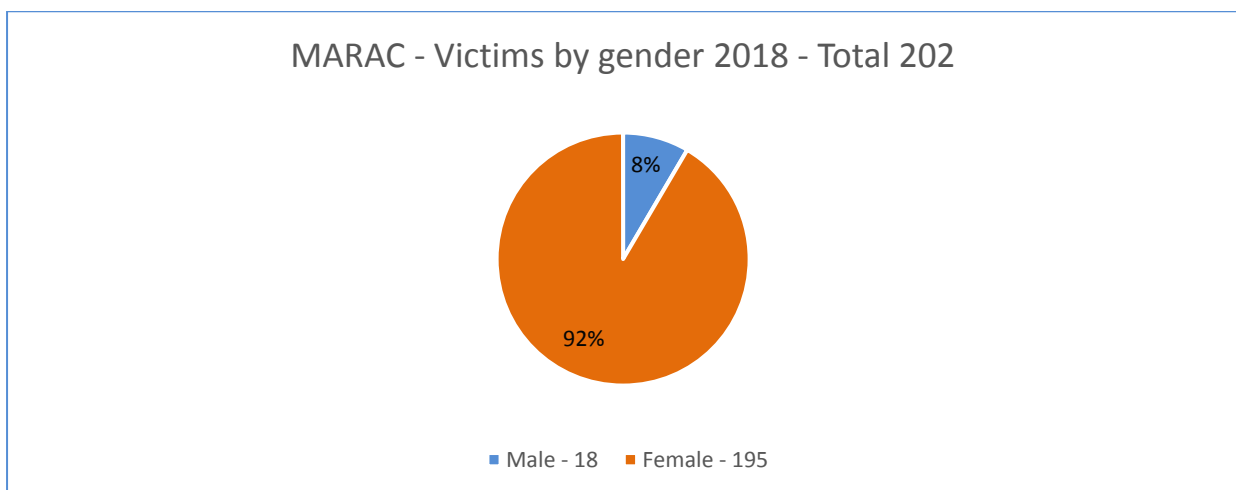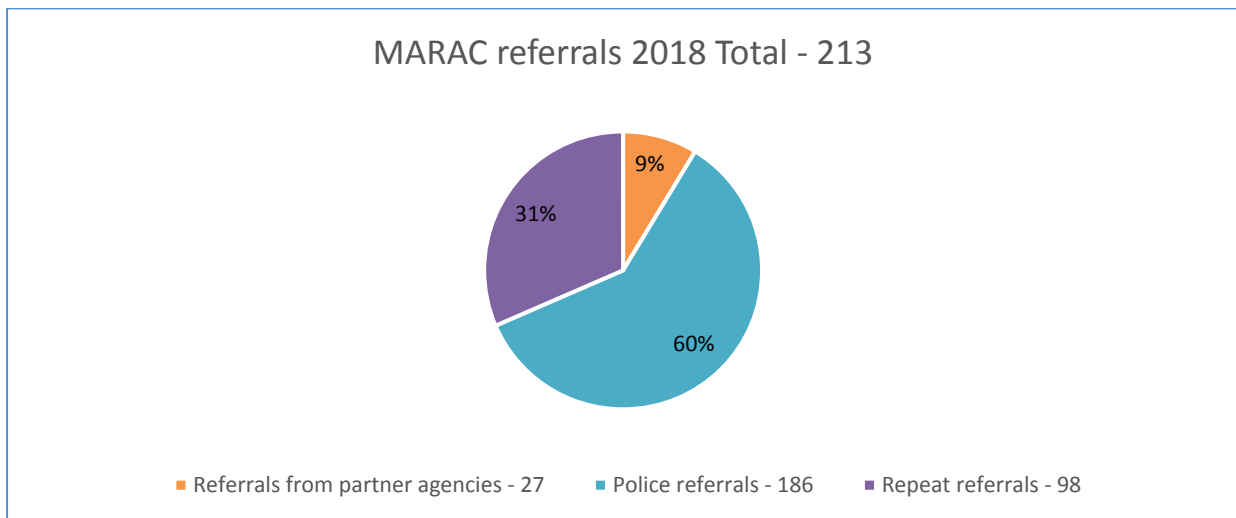
All Reconvictions 2011 - 2018
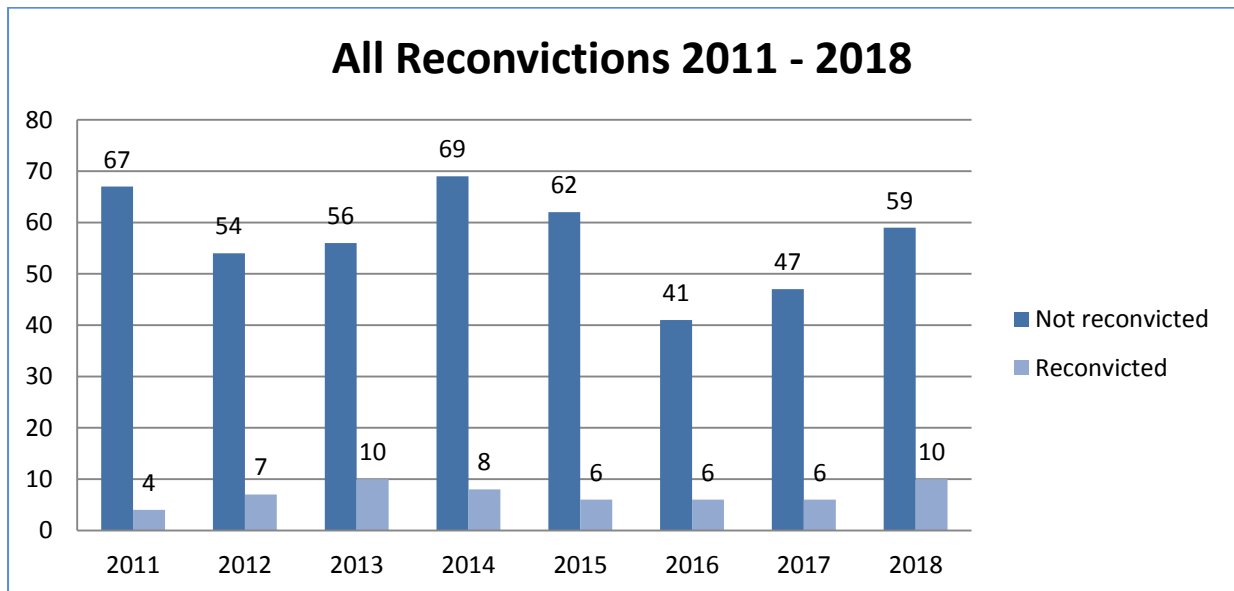
Although no serious further offences were committed by offenders managed while or within three months of being subject to JMAPPA management at levels 2 or 3, there were a total of ten offenders who did commit some type of further offence. This is an increase of four reconvicted people whilst under the management of JMAPPA compared to the previous three years. The further offences committed included assault, malicious damage, larceny, Breach of Restraining Orders (computer related and non-contact offence), Breach of Probation Order, Breach of Young Offenders Licence and driving without a licence.

Multi-Agency Risk Assessment Conferencing (MARAC)

A MARAC is a meeting where information is shared on the highest risk domestic abuse cases between representatives of a number of agencies, Justice and Home Affairs, Health and Community Services, Children, Young People, Education and Skills, Customer and Local Services, Andium Homes, The Refuge, Independent Domestic Violence Advisors and other statutory and voluntary sectors. After sharing all relevant information they have about a victim, the representatives discuss options for increasing the safety of the victim and turn these into a coordinated action plan. The primary focus of the MARAC is to safeguard the victim.

MARAC meetings continue to be chaired by the JMAPPA Coordinator with the purpose of providing a greater synergy between the two different multi-agency forums.

Since its introduction in January 2014, the Jersey MARAC has become the established multi-agency process for the safeguarding of domestic abuse victims.

MARAC referrals 2018 Total - 213

- 9%
- 60%
- 31%

■ Referrals from partner agencies - 27   ■ Police referrals - 186   ■ Repeat referrals - 98

MARAC - Victims by gender 2018 - Total 202

- 8%
- 92%

■ Male - 18   ■ Female - 195

Conclusion

The risks posed through serious violent and sexually harmful behaviour can never be entirely eliminated. Nevertheless, all evidence indicates that the assessment and management of those risks is best achieved through the coordinated drawing together of information, expertise and action from all available sources; this is the overarching aim of JMAPPA.

In 2018 a new Information Sharing Agreement was written in order to be both compliant with the new Data Protection law and to allow the continued high level of inter-agency assessment and management of offenders as well as putting into place victim safety plans.

Through the commitment and cooperation of its partners, the JMAPPA process continues to make a vital contribution to Jersey's public safety.

March 2019