



States of  
Guernsey

# MAPPA

Multi-Agency Public Protection Arrangements

## Annual Report 2019

(including Notification Requirements, MAPPA and relevant Civil Orders)

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This Report is provided to the MAPPA Strategic Management Board by Bryn Le Poidevin, 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 fifth 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.

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  
John De Carteret, Prison Governor

Responsible Authority.  
April 2020

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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 2019.

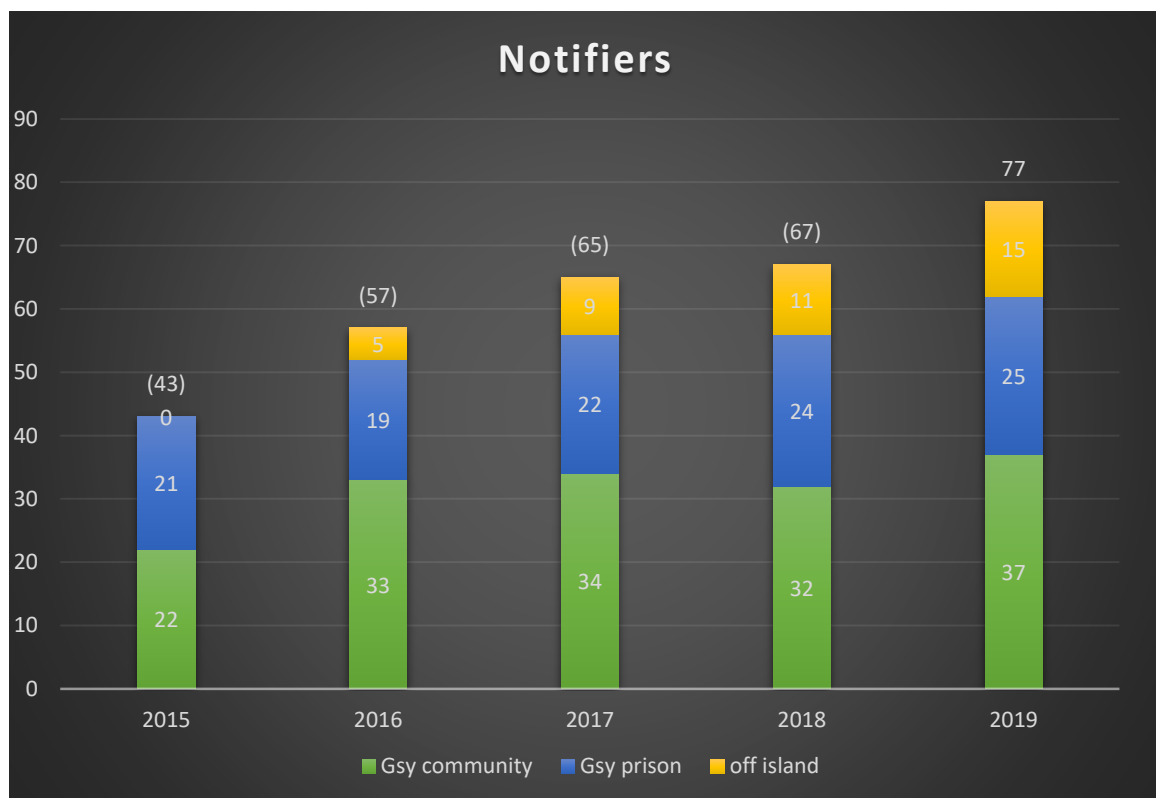
## 2 Notification Requirements - Comment, Statistics and Analysis

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 2019, there were a total 77 persons subject to Guernsey Notification Requirements. 62 of these were resident in Guernsey (37 within the community, and 25 within the prison). There are now 15 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. This continues the upward trend since the Law was introduced.

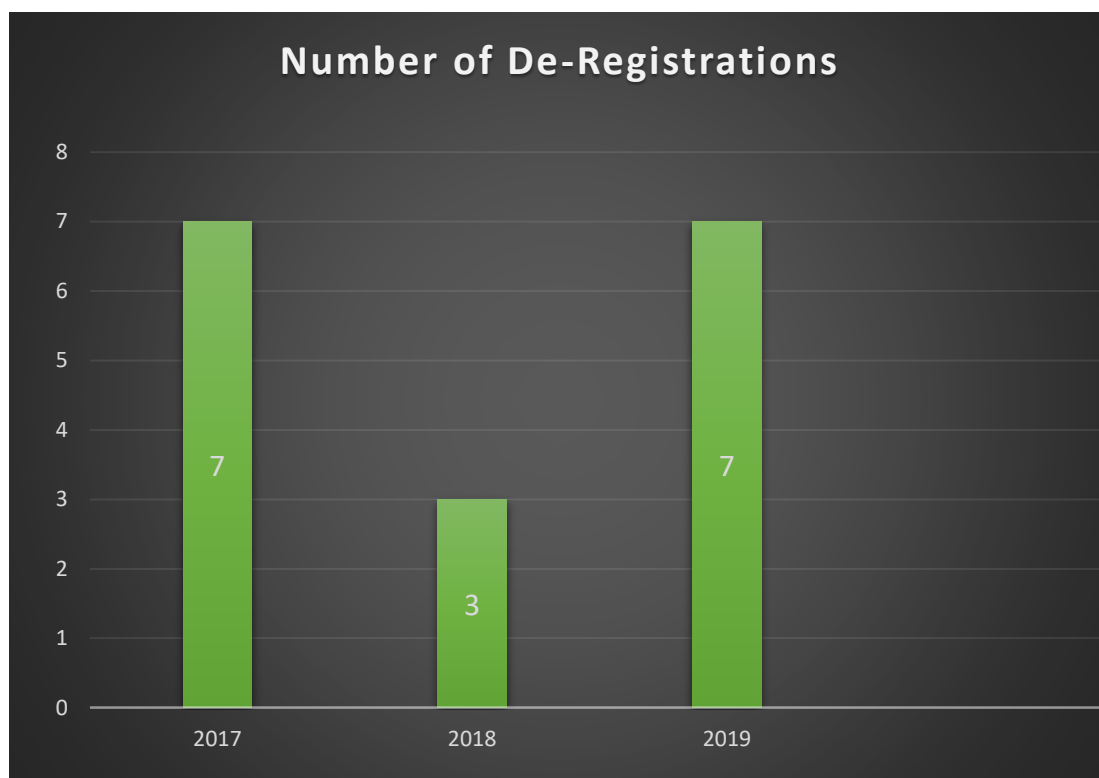


2.3.2 Overall numbers have started to plateau as de-registrations have started to balance with new registrations.

2.3.3 Notifiers range between 18 and 92 years of age, and all are male.

## 2.4 De-Registrations

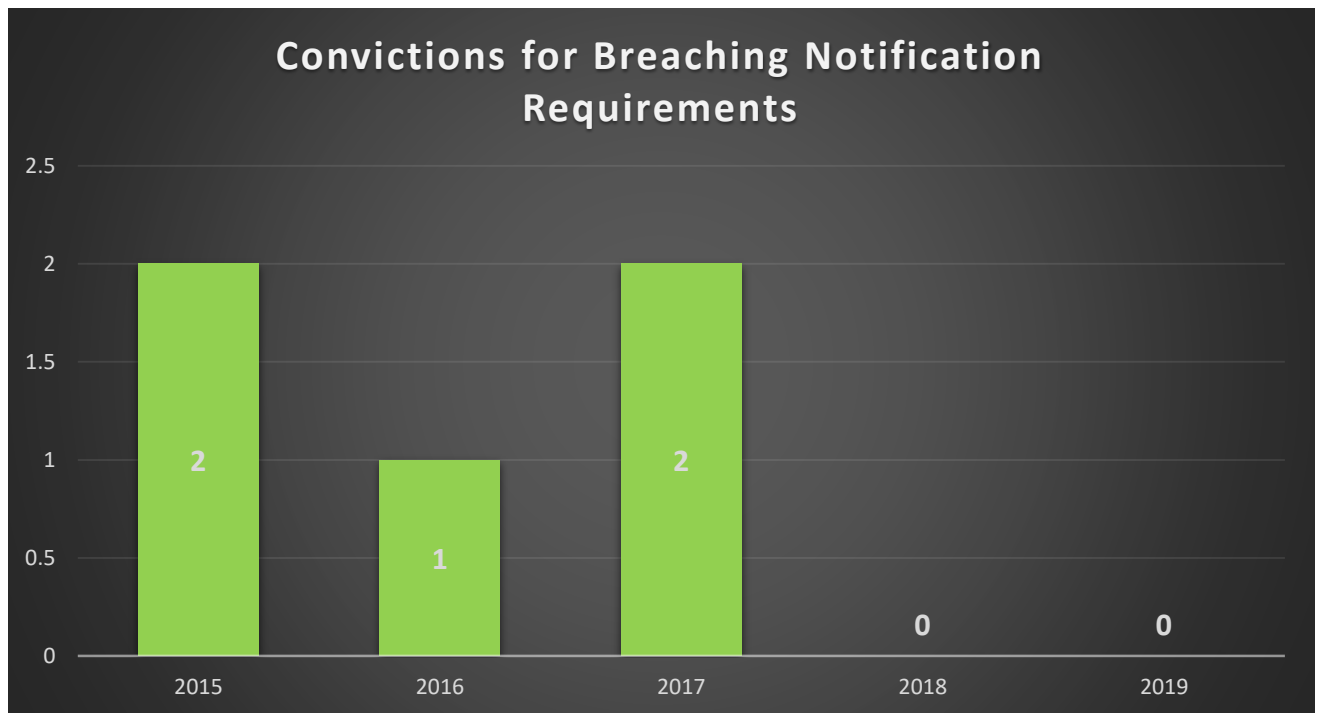
2.4.1 In Guernsey, application for review of the necessity for Notification Requirements can be made by the Notifier to the Chief of Police after their minimum period of Notification is passed. This is a risk assessment-based decision and Notifiers will remain subject to Notification if their risk of 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.



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 to do so).

## 2.5 Convictions for Offences of Breaching Notification Requirements

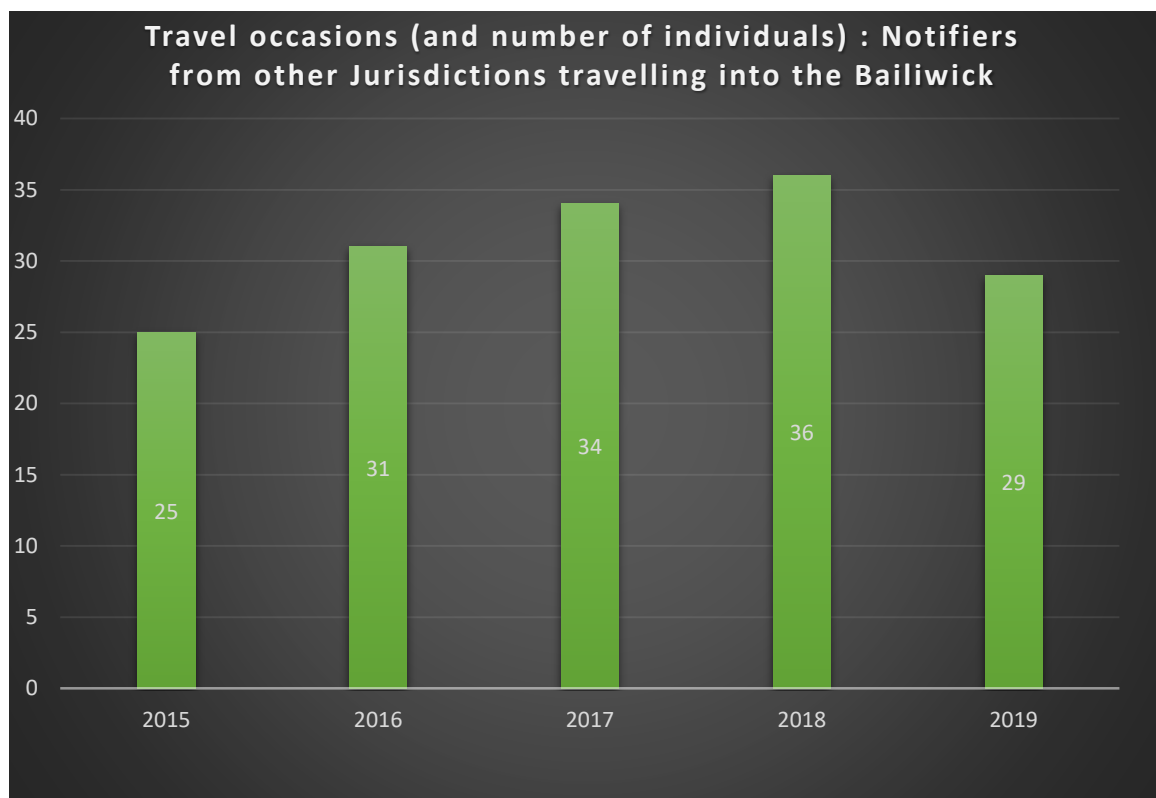


2.5.1 There remains no significant change to data for breach of notification requirements over the years such as to draw any reliable conclusions or raise concerns.

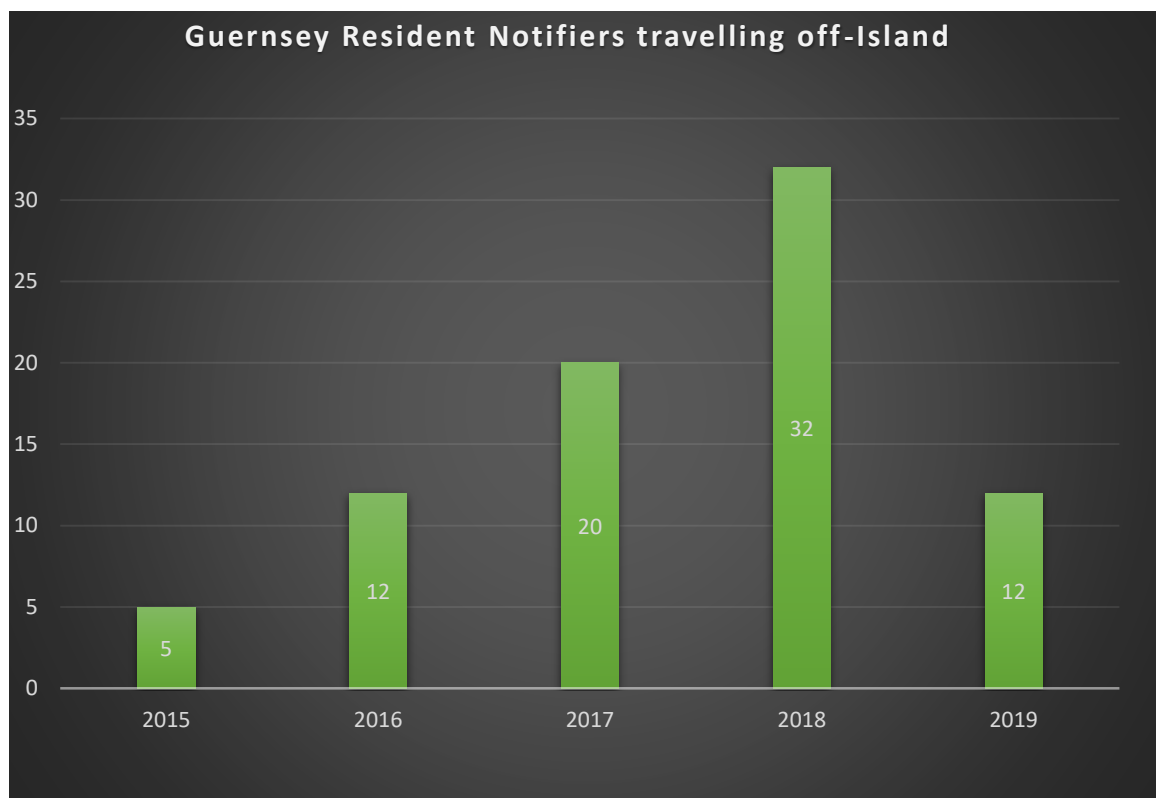
## 2.6 Travelling Notifiers

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.





- 2.6.2 There were 29 occasions whereby persons subject to Notification requirements elsewhere travelled to Guernsey during 2019. These 'travel occasions' relate to people who have travelled to Guernsey on a number of occasions during 2019 (relating to family living locally or having legitimate business on island).
- 2.6.3 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, 12 Guernsey resident Notifier's travelled out of Guernsey during 2019. It is noted that this was a significant decrease from the previous year.
- 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

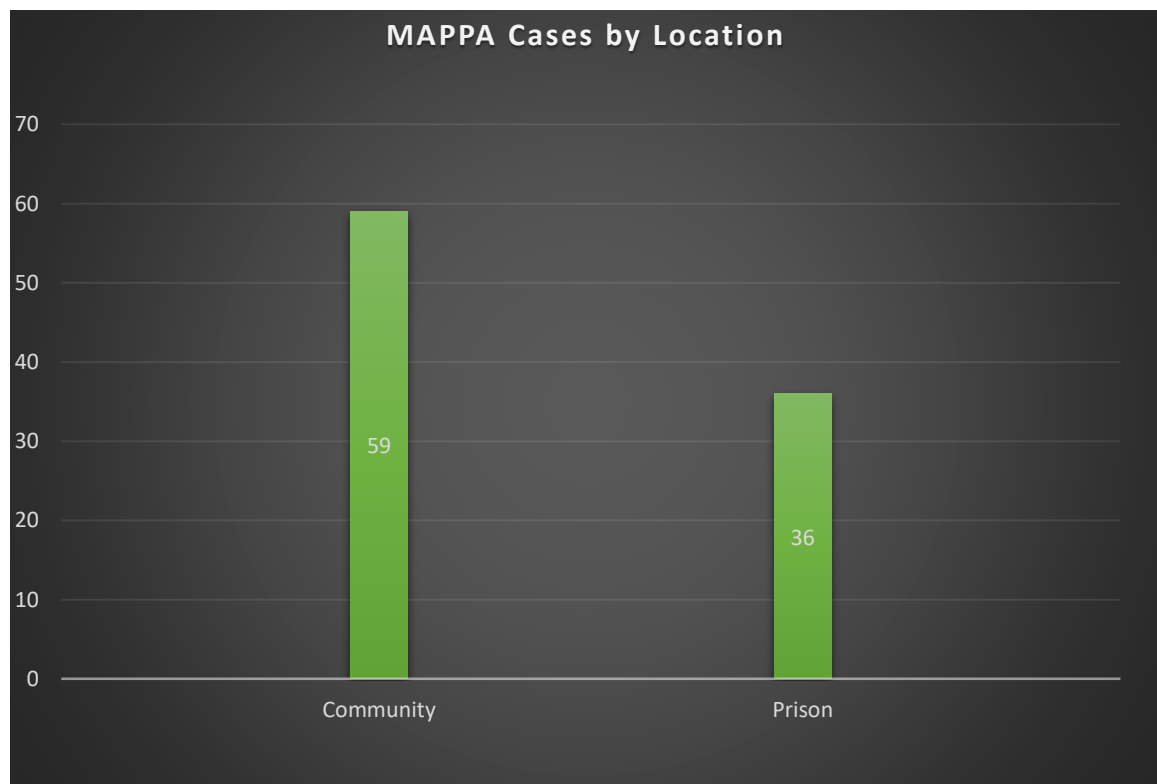
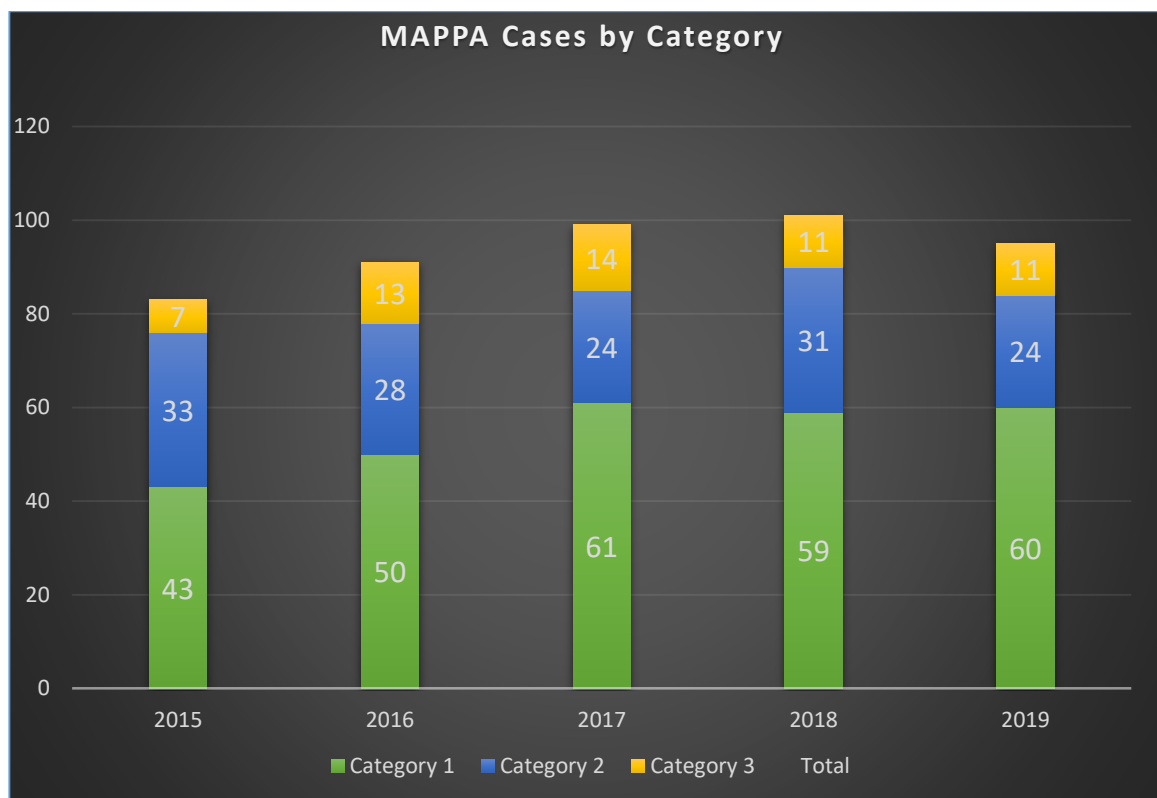
- 3.4.1 There are three categories of MAPPA subject:

**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 2019 there were 95 people residing in Guernsey registered under MAPPA, comparing by category and location to previous years as follows:



3.4.3 For clarity, if an individual meets the 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).

3.4.4 There has been a slight decrease in the number of persons subject to MAPPA 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).

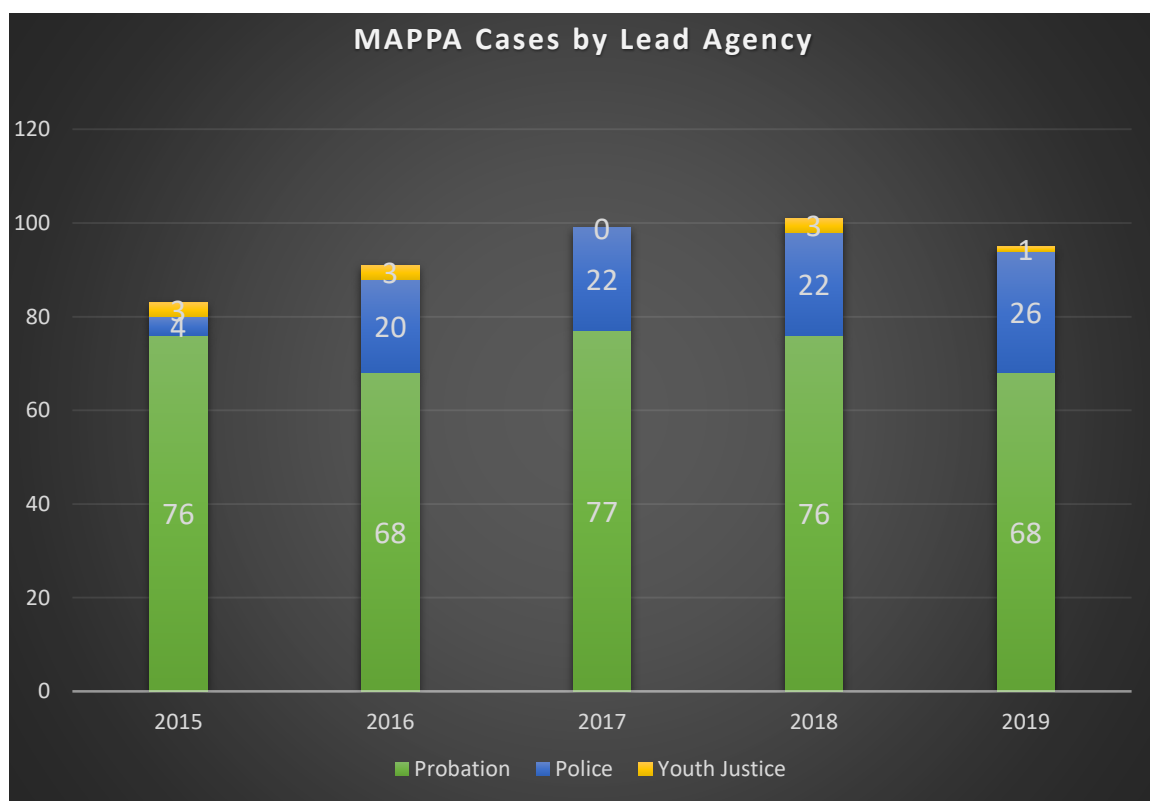
3.4.5 MAPPA registrants range from 18 to 92 years of age; 2 are female and 93 are male.

### 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.



3.5.3 Initially, the 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. There is also added value in this in that there is continuity in oversight of risk assessment and management.

## Management level

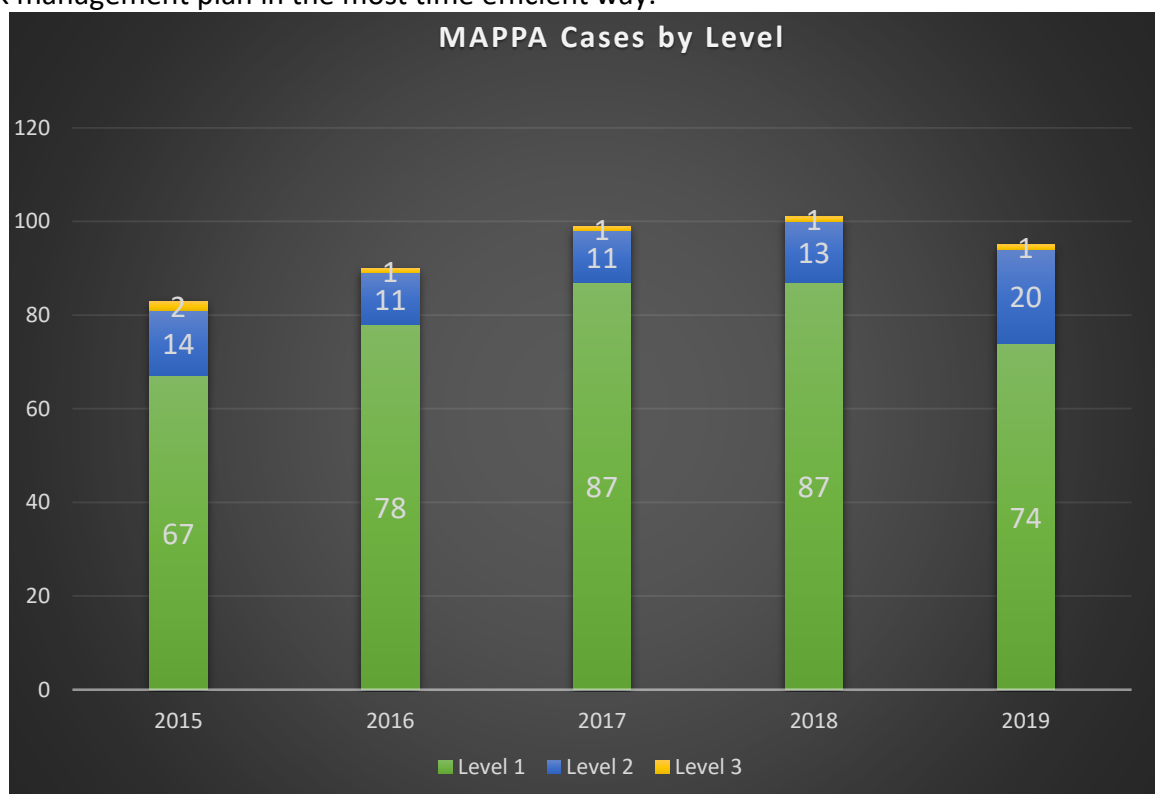
3.5.4 The management of all MAPPA cases relies on good communication between relevant agencies and shared input into risk assessment and management planning. There are three management levels defined as follows:

**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.



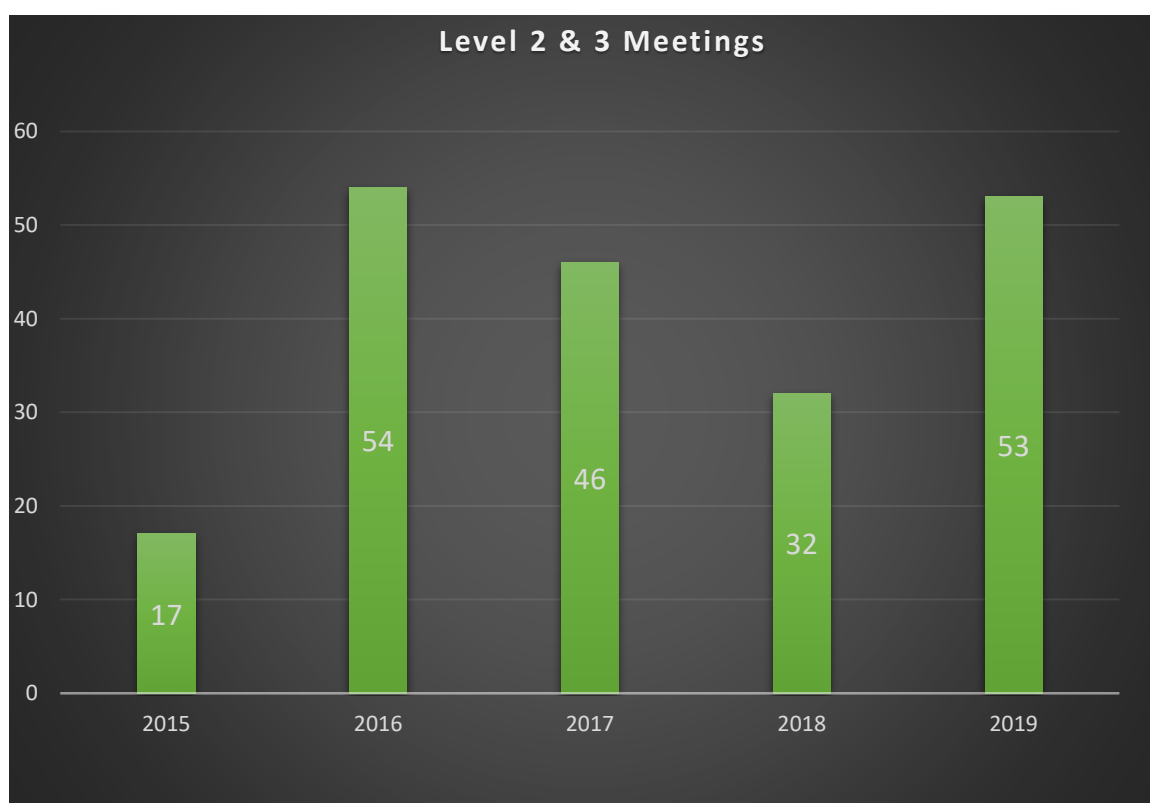
3.5.6 Relevant serving prisoners will usually be identified as MAPPA Level 1 cases and will be reviewed to determine whether their level needs to be increased for risk management purposes prior to release into the community.

#### *MAPPA formal reviews and meetings*

3.5.7 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.

3.5.8 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 2020.

3.5.9 A total of 53 full MAPPA meetings (either at level 2 or 3) took place during 2019, 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):



3.5.10 2019 saw an increase in the number of meetings required to manage MAPPA subjects which reflects the dynamic nature of risk and risk management and demonstrates the flexibility and responsiveness of MAPPA in addressing this. 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.

3.5.11 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.

### 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:

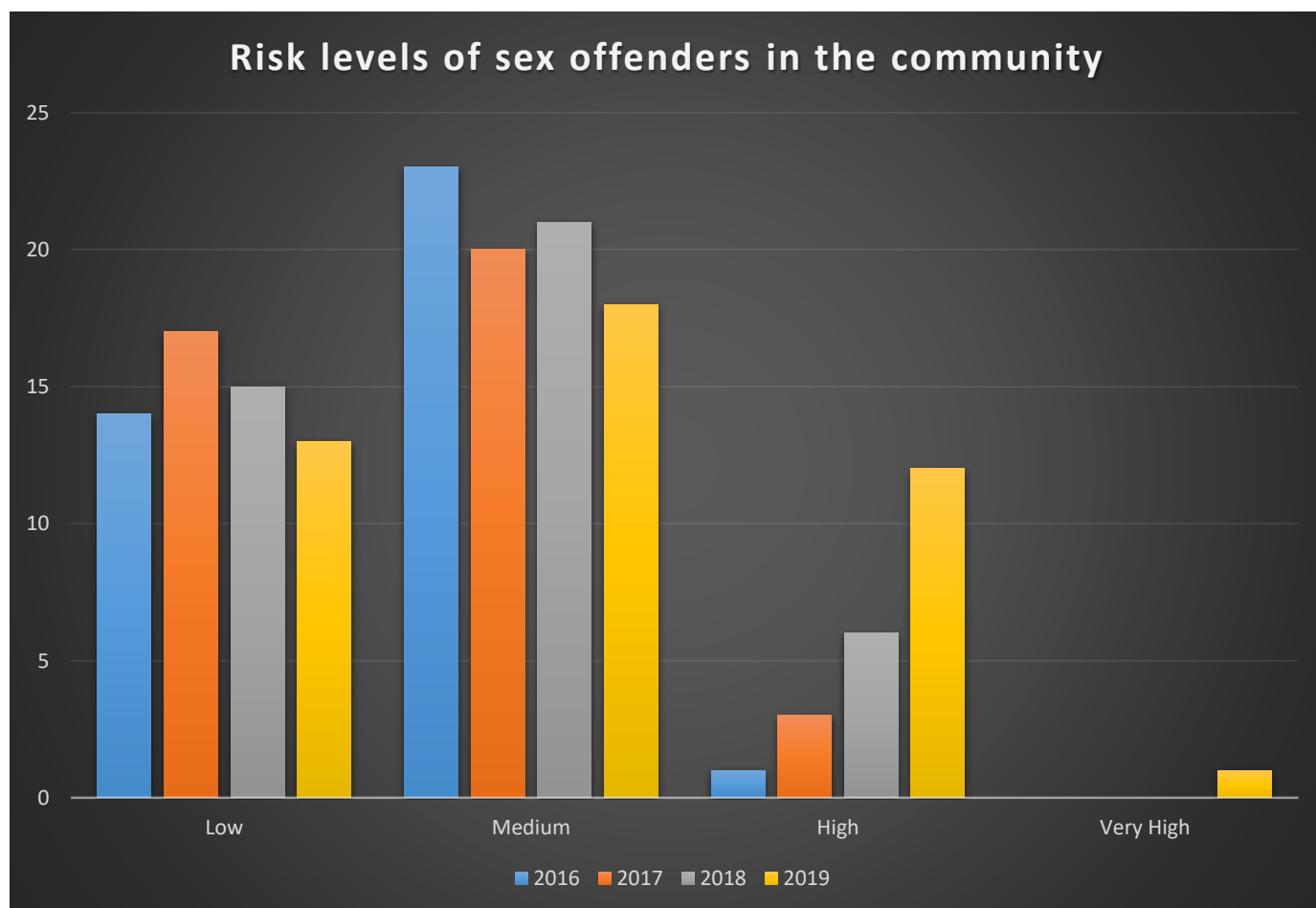
**Low:** Current evidence does not indicate a likelihood of causing serious harm

**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

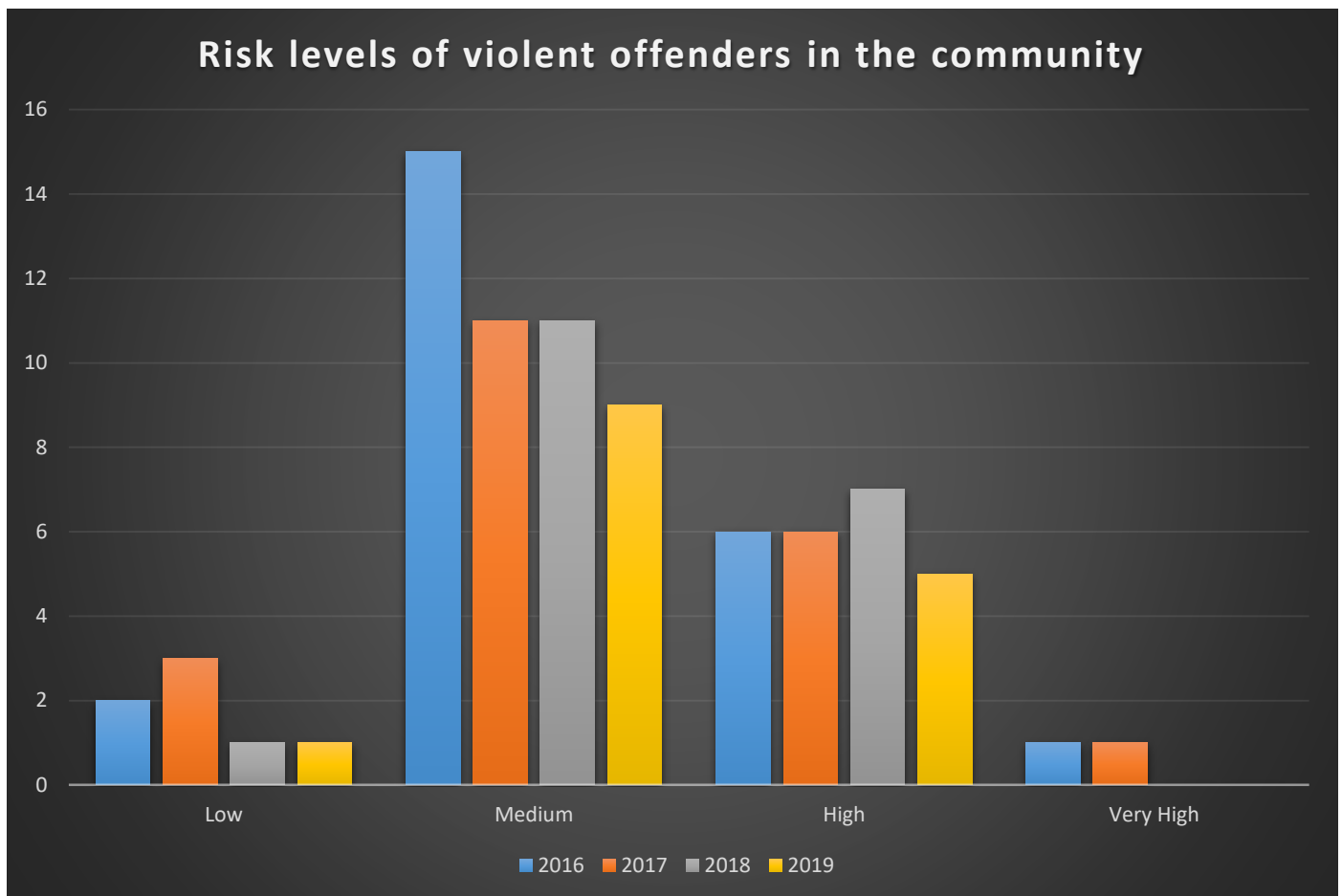
**High:** There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious

**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):

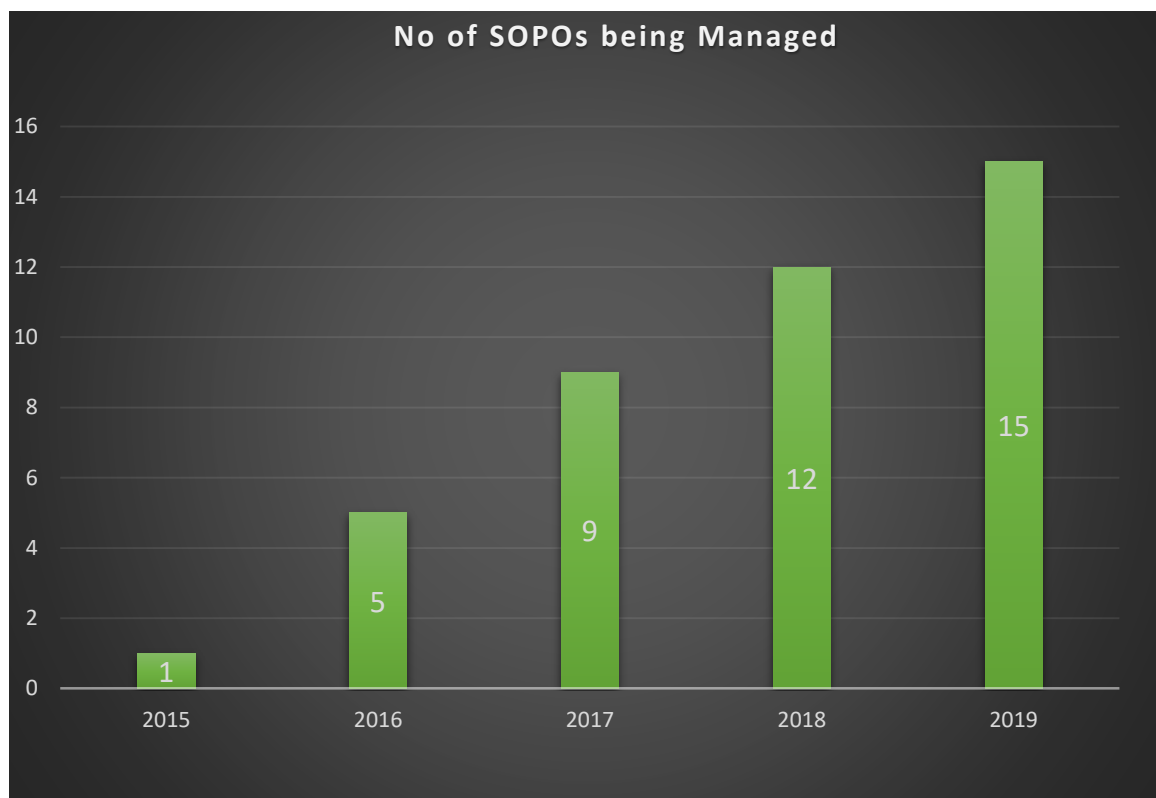






## 4 Civil Orders – Comment, Statistics, and Analysis

- 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 2019 saw the Courts impose 3 Sex Offender Prevention Orders (SOPOs), all at the point of sentence. This means that as of the end of December 2019, there was a total of 15 persons subject to SOPOs under Guernsey legislation.



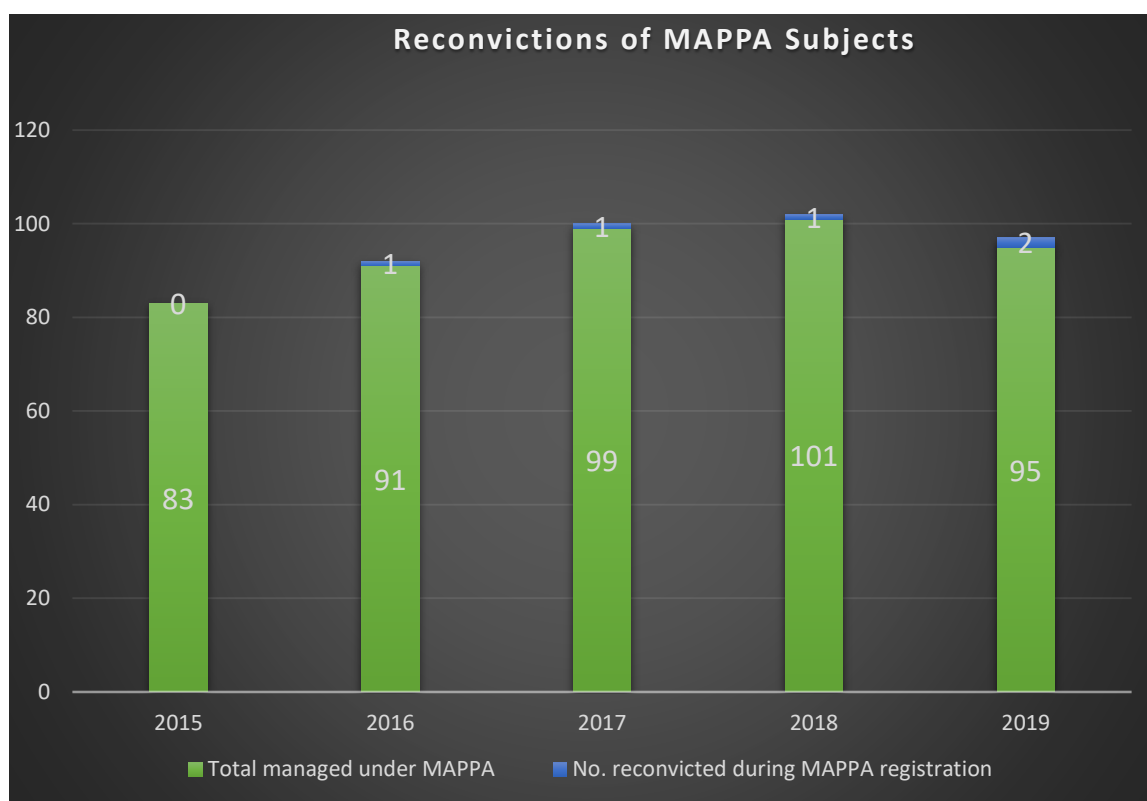
- 4.3 All of these cases become subject to Notification as a consequence of the imposition of the SOPO and are managed under MAPPA. As such they all form a part of the statistics referred to in sections 2 and 3 above. All bar one of the current caseload of Civil Orders is managed by the Probation Service, the other by the Police. None imposed thus far have reached the end of the imposed period (usual minimum term is 5 years), hence why numbers continue to increase.
- 4.4 During 2019, 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 conditions in place to prevent him from re-offending and breach was instigated before he could re-offend in a sexually harmful way. 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.

5.4 No serious case reviews, automatic or discretionary were necessary during 2019.



5.5 There were two people subject to MAPPA who were reconvicted during 2019. The offences for which they were convicted were not MAPPA level offences. Re-conviction rates remain 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 was a key priority going into 2019. Training in relevant device interrogation technology was undertaken by one Senior Probation Officer who is now able to utilise this technology to interrogate devices. This has resulted in a more robust approach to risk monitoring and management for those who have utilised technology to previously offend. This has directly resulted in 2 MAPPA managed offenders being recalled to Prison / further arrested in the first part of 2020.
- 6.2 There was a change in management of the MAPP unit part way through 2019. This coincided with the loss of administrative support within the unit. This resulted in the MAPPA Manager covering administrative duties resulting in identified development aims being subsequently delayed. The administrative post was filled in early 2020.

## 7. Progress on Plan for 2019

Area of work	Objective	timeframe
Notification Requirements	Review the Notification Requirements process and procedures and update the guidance document accordingly	Part Complete
MAPPA	Review the MAPPA process and procedures and update the guidance document accordingly	Part Complete
MAPPA	Develop a framework for audit of compliance with MAPPA processes and guidance	Outstanding
MAPPA	Review of recommendation 20 of the 2018 Police Inspection, with specific reference to assuring clarification regarding MAPPA data	Review planned for Q4

## 8. Plan for 2020

Area of work	Objective	timeframe
Notification Requirements	Review the Notification Requirements process and procedures and update the guidance document accordingly	Q 2/3
MAPPA	Review the MAPPA process and procedures and update the guidance document accordingly	Q2/3
MAPPA	Develop a framework for audit of compliance with MAPPA processes and guidance	Q3/4
MAPPA Training Programme	To develop and deliver a training programme to other agencies and partners to enhance MAPPA knowledge	Q3/4