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# STATES OF JERSEY



## JERSEY MULTI-AGENCY PUBLIC PROTECTION ARRANGEMENTS

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Presented to the States on 12th July 2013  
by the Minister for Home Affairs

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STATES GREFFE

## REPORT



### What is JMAPP?

Jersey's Multi-Agency Public Protection Arrangements (JMAPP) 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 JMAPP is to protect the public by reducing the offending behaviour of sexual and violent offenders.

These arrangements were made with the agreement of the Ministers of the departments and with the co-operation of 'Office Holders', departments who have a 'Duty to Co-operate' 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 Co-operate' are Home Affairs, Housing, Health and Social Services, Education, Sport and Culture, Social Security. '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.

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

The JMAPP Guidelines were premised on the MAPP Guidance 3.0 which is applied in England and Wales. The JMAPP Guidelines are in the process of being amended in order to ensure that they are relevant to the Island's needs. The JMAPP process is overseen by the Strategic Management Board (SMB) which consists of Chief Officers from the Police, Prison and Probation Services, Customs and Immigration, Social Security, Housing and Education Departments, together with the Community and Social Services Departments.

**How JMAPP works**

JMAPP-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 4 categories of JMAPP-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 and Other Sexual Offenders**

This Category includes –

- Offenders who are being released from a custodial sentence of up to 12 months or more
- A small number of offenders, where the sexual offence itself does not attract registration or where the sentence does not pass the threshold for registration.

**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.

### 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 –

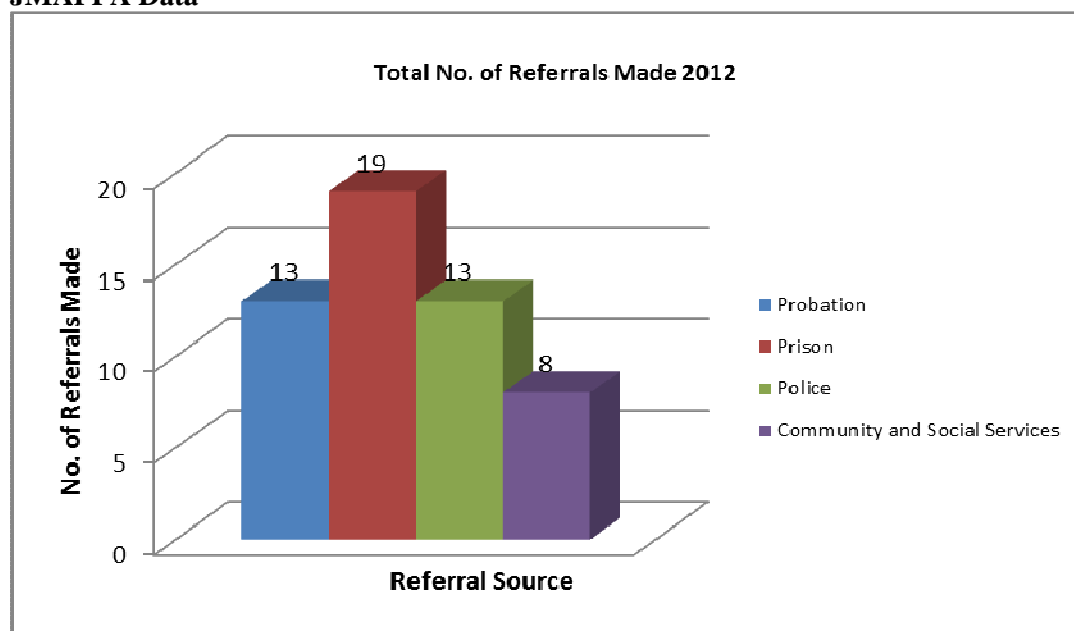
“ ....a person who has not been convicted of, or cautioned for, any offence placing them in one of the three JMAPP categories (see above), but whose behaviour gives reasonable grounds for believing that there is a present likelihood of them committing an offence or offences that will cause serious harm”.

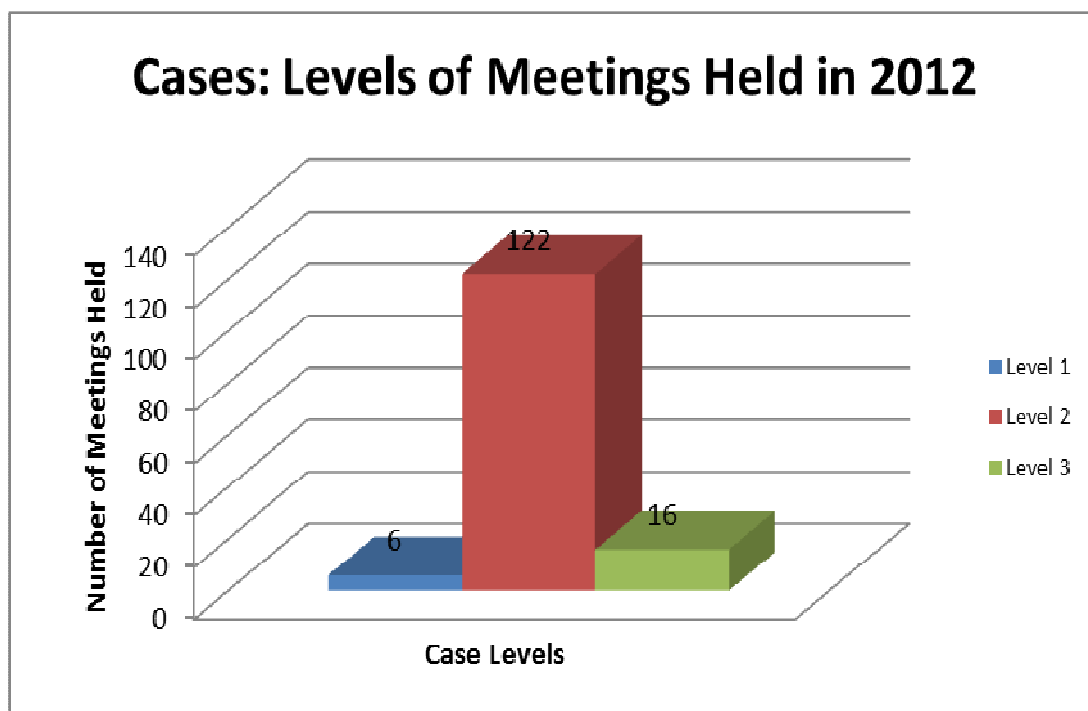
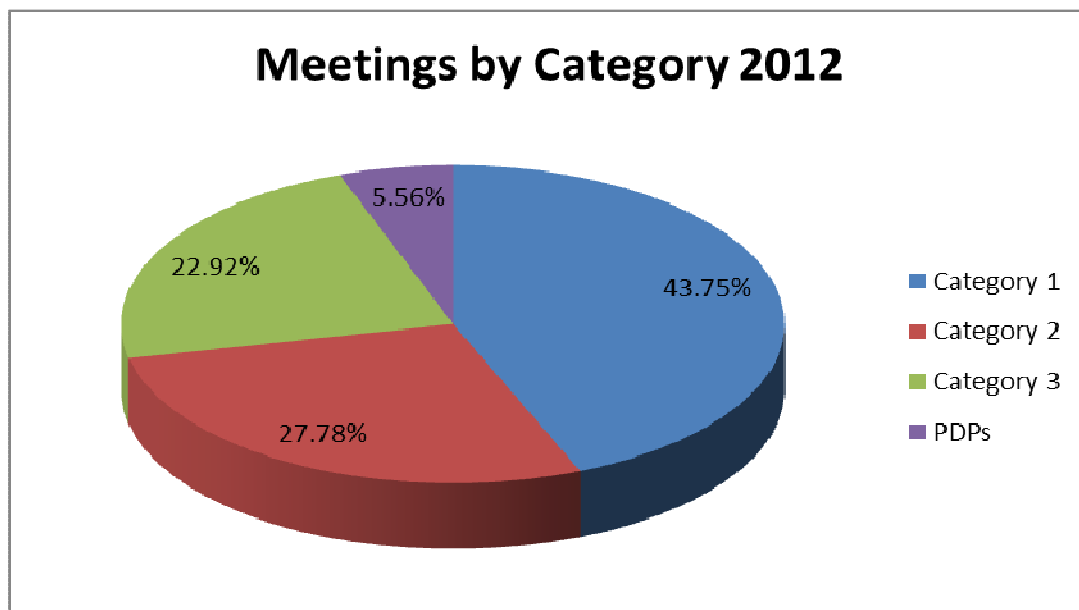
Serious harm can be defined as an event, which is life-threatening and/or traumatic, from which recovery, whether physical or psychological, can be expected to be difficult or impossible. Risk of serious harm is the likelihood of this event happening. It should be recognised that the risk of serious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

### Management Levels

There are 3 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 JMAPP management, the level of risks do not equate directly to the levels of JMAPP 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 JMAPP 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**.

### JMAPP Data





#### Management of Level 2 and 3 JMAPPAs Subjects

The number of level 2 and 3 JMAPPAs subjects dealt with by the JMAPPAs process throughout 2012 was 61.

Re-offending by JMAPPAs subjects in 2012 who are at level 2 or 3 in the JMAPPAs Process:

54 (88.5%) JMAPPAs subjects out of 61 dealt with via JMAPPAs have not been convicted for further offending. The 7 JMAPPAs subjects who offended tended to commit public order-related offences, or offences of violence. One Category 1 offender is pending sentence for further offences of indecent images of children. Sentences for further offences range from imprisonment to fines.

There are currently 27 JMAPPAs subjects being managed at level 1 by various agencies: Probation, Police and Prison Services, as well as Health and Social Services.

During the process of monitoring offenders under the Sex Offenders (Jersey) Law 2010, the Police Offender Managers have investigated 14 JMAPPAs subjects regarding their adherence to Notification requirements or Restraining Orders. Three JMAPPAs subjects have been warned regarding their adherence to the conditions of the Notification requirements. One failed to confirm his address within the required timeframe and two failed to notify the Police of travel plans in the required timeframe.

### **Serious Incident Reviews**

During 2012, two Serious Incident Reviews were commissioned by the Strategic Management Board. The reviews were conducted by Chief/Senior Officers from Customs and Immigration and the Probation Service. JMAPPAs Strategic Management Board are grateful to the authors for their diligent and thorough reviews.

Whilst the reasons behind a Serious Incident Review (SIR) generally relate to a specific incident of concern, a key purpose of the review is to monitor the quality of the JMAPPAs process and to review whether public protection arrangements can be improved in the future. There were some key learning points from both the reviews, which include communication issues, together with agencies' clarity of role, purpose and function. However, overall both reviews commented positively on the work undertaken by the agencies involved.

#### Serious Incident Review 1:

This was commissioned due to a non-registered sex offender living in a flat in a family estate. Actions undertaken with reference to the recommendations include –

- The Supported Housing Group has undertaken changes to policies and procedures including information provided at the point of referral.
- A proposal has been made in relation to the Sex Offenders (Jersey) Law 2010 being reviewed and considering whether the existing judicial discretion regarding notification for offences of gross indecency should be removed where the victim is a child or non-consenting adult.
- Consideration should be given for cases to be referred to JMAPPAs prior to sentence (as PDP cases) if public protection may otherwise be compromised.

### Serious Incident Review 2:

This was commissioned due a level 2, Category 2 JMAPPAs subject being arrested for a violent offence. The conclusion of this review identified –

- All evidence revealed that risks to X and the public were correctly identified at an early stage and communicated to all agencies.
- Communication between the agencies was generally excellent.
- X showed no signs of wishing to modify his behaviour or attitudes.
- Agencies did what they could, without any statutory supervision, to attempt to rehabilitate X and protect the public from risk.

### **JMAPPAs Quality Assurance Review**

JMAPPAs Annual Report 2011 identified that to ensure a quality service provision, the JMAPPAs SMB arranged an independent review of its first year in operation which was achieved by the end of 2011.

The review author spent a full week in Jersey and engaged with all JMAPPAs agencies, and attended a number of JMAPPAs meetings with the full co-operation of the SMB and its officers.

The review highlighted some key issues, notably the support and commitment of the agencies involved, who value and acknowledge the importance of this work. It commented on the active multi-agency and partnership working, and the endeavours that are made to work with the JMAPPAs subjects. It also highlighted that JMAPPAs does not have the legislative underpinnings that the MAPPAs processes in other jurisdictions have, which supports and enhances the range of risk management strategies that are devised in order to enhance Public Protection.

The Report made various recommendations, all of which were accepted for action by the Strategic Management Board. The majority have been completed either in full or part; the 3 outstanding actions relating to the recommendations that –

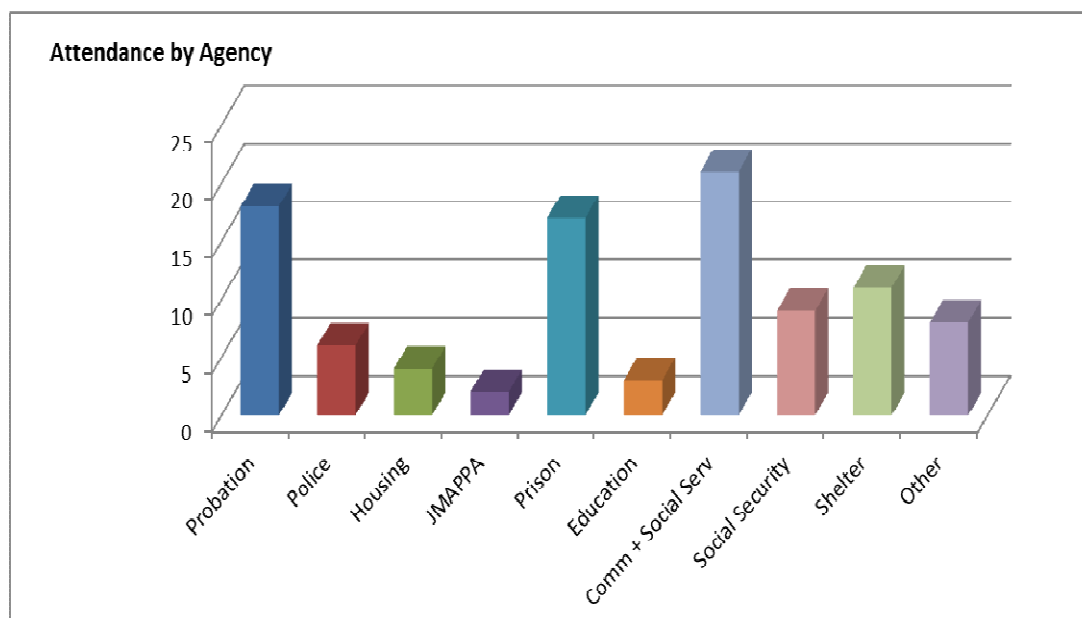
- Active consideration should be given to creating a legislative framework to support JMAPPAs work with violent offenders and to provide Probation with post-sentence statutory involvement with offenders.
  - This proposal remains under active consideration.
- The Key Performance Indicators outlined within the JMAPPAs Guidance should be supplemented with some additional measures which will allow a measure of the outcomes of the JMAPPAs processes.
  - The JMAPPAs Co-ordinator is researching qualitative methods that may be beneficial to monitor the success, or otherwise, of the JMAPPAs process.

- The Jersey Child Protection Committee (JCPC) should consider undertaking a multi-agency audit of a range of JMAPPAs cases to ensure that child protection and safeguarding is being dealt with appropriately.
  - JCPC are in the process of making arrangements for an appropriate person to undertake this task.

These issues are continuously monitored by the SMB to ensure that JMAPPAs is an effective and efficient process.

## Training

During 2012, a two-tiered training programme was devised and delivered by the Co-ordinator. The first tier focused on the basic concepts of JMAPPAs, whilst the second tier focused on best practice with regard to risk assessment and risk management. This training was well attended, not only by Responsible Authorities and Duty to Co-operate Agencies, but also by a range of Interested Parties.



The Co-ordinator also delivered Basic Awareness training to particular teams.

## Child Sex Offender Disclosure Scheme

In July 2012, the Minister for Home Affairs tabled a proposal at the States' Children's Policy Group (CPG) to introduce a Child Sex Offenders Disclosure Scheme (Sarah's Law). The CPG supported this proposal and the scheme went live in January 2013. Effectively, this scheme allows any parent, guardian or carer who has concerns about a third party who has access to children, to approach the Police to ask for background checks. Any disclosure will be managed through JMAPPAs.



## **Conclusion**

Assessing and managing risk is not an infallible science, and it is therefore imperative that risk assessments are rigorously undertaken. Jersey has a range of staff trained and qualified to use various specialised assessment tools that have been developed, including those for domestic violence, violence and sexual offenders. Once the risks have been assessed, then a Risk Management Plan is devised that needs to be implemented and monitored, with adjustments being made as required. Risk assessment and management is a continual process, and assessment and management plans may require changing at any time. Criminal Justice agencies in Jersey have staff qualified to use accredited risk assessment tools for particular offences. These tools were used as a basis of the multi-agency assessments in 83.6% of cases. Of the 10 JMAPPAs subjects not subject to complete, formal assessment as a part of the Criminal Justice Process, this relates to limited co-operation or the unavailability of a recognised/accredited risk assessment tool for that particular offender profile, i.e. female sex offenders and offenders with mental health problems. However, the lack of co-operation or an accredited risk assessment tool did not prevent JMAPPAs partners from actively managing these individuals.

It is important to remember that risk cannot be eliminated in its entirety, and a key function of JMAPPAs is therefore to endeavour to manage the risks that a JMAPPAs subject poses. However, this does not remove an agency's or an individual's responsibility with regard to their own risk management practices. Overall, the JMAPPAs process is characterised by excellent co-ordination, supported by the commitment of member agencies to make a positive contribution to Jersey's public safety.

July 2013