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Multi- Agency Protection Arrangements (MAPPA) in Scotland: What do the numbers tell us?

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This briefing paper collates for the first time statistics about Multi Agency Public Protection Arrangements (MAPPA) across Scotland. The statistics presented here were originally published in individual MAPPA annual reports, which each report on a different geographic area of Scotland. The paper begins by outlining the MAPPA arrangements in Scotland and compares information about offenders managed through MAPPA in Scotland with those in England and Wales. The paper then focuses on a detailed examination of the data available about MAPPA in Scotland. The figures outlined in the paper are presented in the appendix, where all tables referred to in the paper can be found.

Introduction: What is MAPPA?

Multi Agency Public Protection Arrangements (MAPPA) have been introduced with the intention of more effectively managing convicted offenders and the risk they pose to society. In Scotland these arrangements were introduced in law via the Management of Offenders (Scotland) Act 2005.

In Scotland, as in England and Wales, the legislation requires 'responsible authorities' (including the Police, the Scottish Prison Services, Local Authorities and Health Boards) to put in place joint arrangements for the assessment and management of risks posed by certain categories of offenders¹. Additionally, the Scottish Government can specify 'duty to co-operate' agencies who, as the name suggests, must co-operate with the responsible authorities in establishing and implementing the arrangements; these include but are not limited to Health Boards, housing providers and relevant voluntary organisations.

In Scotland, as in England and Wales, there are three categories of offenders and three levels of risk management. The three categories of offenders are:

- 1) registered sex offenders (note this does not include those persons with a conviction for a serious offence, who are not subject to notification requirements)²
- 2) violent offenders and other convicted offenders who are deemed to pose a risk of serious harm.
- 3) Restricted patients³ or mentally disordered offenders, who are also sexual or violent offenders and fall within categories 1 to 3, are also included under MAPPA.

¹ In Scotland the 'responsible authority' in MAPPA is not the social work department, but the local authority as a whole.

² 'Registered Sex Offenders' refers to those individuals who are subject to the notification requirements of Part 2 of the Sexual Offences Act 2003 (as defined within Section 10 of the Management of Offenders etc (Scotland) act 2005). See: http://www.opsi.gov.uk/Acts/acts2003/ukpga_20030042_en_1

Unlike England and Wales, MAPPA in Scotland excludes much of the young offender population who are managed through the Children's Hearing System⁴; but of course there is no technical reason why MAPPA meetings should not be informally extended to consider children and young people in respect of whom significant concern exists.

The three levels of management are:

- Level 1 - Ordinary risk management: where low-to-medium risk offenders can be safely managed by one agency, without the significant involvement of other agencies)
- Level 2 - Interagency risk management: reserved for those offenders who pose a medium - high risk of serious harm requiring planned collaboration and the commitment of resources from multiple agencies
- Level 3 Multi-Agency Public Protection Panel (MAPPP) cases: where the 'critical few' very high risk or 'notorious' offenders require the full panoply of MAPPA coordination.

Whilst MAPPA was introduced in Scotland via the Management of Offenders (Scotland) Act in 2005, the implementation of MAPPA has been phased. In April 2007 registered sex offenders (RSOs) were managed under MAPPA and in April 2008 the arrangements were extended to include Restricted Patients. The Scottish Government is yet to agree the operational detail of including violent and other dangerous offenders within the MAPPA structure.

Comparing MAPPA numbers in England & Wales, & Scotland

The statistics clearly demonstrates that MAPPA in England and Wales is different in both scope, in terms of the categories of offenders managed under the umbrella of MAPPA, and in size, in terms of the number of offenders included under the MAPPA when compared against the Scottish statistics.

Table 1 (below) illustrates the significantly wider scale of MAPPA in England and Wales compared to MAPPA in Scotland as at 31st March 2009. It should be noted that since 2008/9, the data provided by England and Wales has been a 'snapshot' figure of the number of offenders in each category on 31 March and the Scottish data has been presented in the same way to enable comparisons. Whilst there are significant differences in the number of offenders managed under MAPPA, North and South of the border, the number of RSO's per 100, 000 of the population, are broadly similar.

³ 'Restricted Patients' refers to those persons defined within Section 10, 11 (a)-(d) of the Management of Offenders etc (Scotland) Act 2005. See: http://www.opsi.gov.uk/legislation/scotland/acts2005/asp_20050014_en_1#pb3-l1g10

⁴ Children's Hearings are lay tribunals headed by tribunal members of the Children's Panel, often from the local community, and as such an appearance before the Children's Panel does not result in conviction.

Table 1: Number of Offenders and Registered Sex Offenders managed under MAPPA as of 31/3/2009

| | No. of offenders | No. of RSO's | No. of RSO's per 100,000 of the population |
|----------------------------|------------------|--------------|--|
| England & Wales | 44,761 | 32,336 | 61.08 |
| Scotland | 3,145 | 2,967 | 57.40 |

Sources: National Statistics for Multi-Agency Public Protection Arrangements Annual Reports 08/09⁵, the Scottish MAPPA annual reports⁶, the Scottish population estimate⁷

A cursory glance at the numbers of the numbers of RSO's managed by level (see table 2), would suggest some conceptual and operational divergences in terms of what constitutes the different MAPPA levels indicated by the significantly higher percentage of offenders managed at level 2 in Scotland. The percentages in this table are indicative but comparable, as in Scotland the recording of level 2 offenders is taken over a whole year whilst in England and Wales the figures are reported as a snapshot on 31.3.09 only. England and Wales do not routinely publish figures for the number of offenders managed at level one over the whole year. Thus the Scottish figures have been calibrated in the same manner for comparative purposes. It is difficult, in the absence of more detailed research to comment on whether this reflects over inflation of risk, and in turn therefore, levels of management, or actual differences in risk, or tolerances of risk, both North and South of the border and indeed between some of the Community Justice Authority (CJA) areas within Scotland (see table 7). As indicated by table 2, in Scotland 31.7 % of RSO's were managed at level 2 and 2.2% were managed at level 3 with a between CJA comparative analysis (see table 7) evidencing significant variations between management levels, notably at level 2, ranging from 15 – 38 %, a pattern evident across periods 2007-8 and 2008-9.

Table 2: Percentage Registered Sex Offenders categorised as levels 2 and 3

| 2008 – 09 | Level 2 | Level 3 |
|----------------------------|-------------------|-----------------|
| England & Wales | 13.8 % (n = 4408) | 1.3 % (n = 424) |
| Scotland | 31.7 % (n = 941) | 2.2 % (n = 64) |

As indicated previously, without additional information, a fuller analysis of the relative convergences and divergences of the statistics presented north and south of the border is not possible. Similarly, due to significant differences in the reporting criteria⁸, direct

⁵ www.justice.gov.uk/news/docs/mappa-figures-2009.pdf

⁶ www.scotland.gov.uk/News/Releases/2008/10/20101349 and www.scotland.gov.uk/Publications/Search/Q/Subject/479

⁷ www.gro.scotland.gov.uk/statistics/publications-and-data/population-estimates/mid-2008-population-estimates-scotland/listof tables

⁸ Examples of divergence in the reporting criteria between England and Wales and Scotland are quite significant. For example, English and Welsh MAPPA Annual Reports do not routinely publish data on Level 1 offenders, unlike their Scottish counterparts; Scottish reports separately delineate all statistics pertaining to restricted patients, which is not pursued in England and Wales; English and Welsh Annual Report provide data on the number of offenders in total returned to custody for a breach of licence; the Scottish reports, by virtue of the different arrangements, specify RSO's and provide data on those returned to custody and those not returned to custody, and extend the criteria to include not just licence but statutory orders in general. In the English and Welsh Annual Reports, data is provided on the number of

comparisons are not always achievable, and as such these have not been included. The remainder of this paper will attend to providing a national, statistical, comparative overview of the operation of MAPPA in Scotland, by Community Justice Authority area.

SCOTLAND: A National Statistical Overview⁹

On 31st March 2009, there were a total of 2967 registered sex offenders (RSOs) resident in Scotland's communities (equating to 57.4 RSO's per 100,000 of the Scottish population), which whilst generally consistent with the previous year's figures indicates a slight decrease from 31st March 2008, when the recorded figure was 3131.

Sexual Offences Prevention Orders

The data presented in table 5 indicates that there has been a substantial decrease (approximately 52% reduction) in the number of Sexual Offences Prevention Orders (SOPOs)¹⁰ applied for by the Police in the last year when compared with the preceding year. That said, the overall number of full SOPOs granted by the Courts have been fairly consistent (36 and 32 SOPOs respectively (see Table 6)). However, the proportionate use of SOPOs is very different in different CJAs. One might expect a greater number of SOPOs to be applied for in those areas managing a higher number of RSO's but while this does pertain for Lothian and Borders CJA, Fife and Forth Valley CJA and Northern CJA, there are substantially fewer SOPO's applied for in Glasgow CJA, where a similar number of RSO's are managed, in an exceedingly more densely populated and restricted geographical area. That said, both Northern CJA and Fife and Forth Valley CJA report more RSO's per 100,000 of the population than their Glaswegian counterparts, although Lothian and Borders, who in 2008-9 applied for the greatest number of SOPOs, have substantially fewer RSO's per 100,000 of the population. A further observation of note is the relatively limited use of Notification Orders¹¹ and the absence of use of Foreign Travel Orders¹².

level 2 & 3 offenders who were a) charged with a serious further offence; b) who remain charged; c) who were convicted. In the Scottish reports, data is provided on the number of RSO's, at each level of management, who were convicted of a further sexual or serious violent offence. The English and Welsh reports offer data on those both cautioned and convicted of a breach of notification requirements; in Scotland data is offered on the number of RSO's who complied with or were reported for breach of their notification requirements. English and Welsh annual reports do not routinely provide data in relation to the ages, ethnicity or the numbers subject to statutory orders, nor do they provide any data on victims.

⁹ As restricted patients were only included in the current reporting period, there are no comparable figures from the preceding year. Additionally, the scope or criteria of statistics to be reported on, were expanded in the current reporting period.

¹⁰ 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 will require the subject to register as a sexual offender and can include conditions, for example to prevent the offender loitering near schools or playgrounds. If the offender 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.

¹¹ Notification Order (NO) – 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.

¹² Foreign Travel Orders (FTO) - 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.

Enforcement and Compliance

In terms of enforcement and compliance, of the RSO's managed under MAPPA in Scotland between 2008-9, only 136 RSO's were reported for breach of requirement to notify; on the 31st March 2009, 21 RSO's were recorded as wanted, and 11 were recorded as missing. In the period 2008-9, 45 SOPOs were applied for by Police forces in Scotland, of which 36 were granted by the Scottish Courts, and a further 9 SOPOs were imposed by the Courts at the point of conviction. Interestingly, 35 of the total number of RSO's subject to a SOPO in Scotland (figure not supplied) were reported for breach of conditions, reflecting a significant increase when compared to reported statistics from the preceding year. Table 12 illustrates that the majority of RSO's (63.3%) in Scotland are not subject to a statutory order¹³. Of the 36.7 % (n=1103) of RSO's subject to statutory orders, 143 RSO's (13%) are recorded as having breached their statutory order, amongst whom, 46 % (n= 66) were not returned to custody (see table 7).

Further Serious Violent and Sexual Convictions

The number of recorded further serious violent or sexual convictions by RSO's remains very small but has increased for all CJA areas from the period 2007-8 to 2008-9. Because the absolute number of SFOs is so small and because we only have data for two years, it would be inappropriate to draw any inferences about trends from these figures. The number of RSO's returned to custody for a breach of statutory order has remained relatively constant. The number of RSO's returned to custody for a breach of SOPO has almost doubled, despite the relatively comparable numbers of SOPO's imposed by the Courts, following application by the Police, per annum. Whilst the number of formal disclosures¹⁴ have overall increased, most notably this has occurred primarily in Lothian and Borders CJA, who, alongside Northern CJA a comparatively much higher incidence of use than the other CJA areas . Whilst this is only one method of disclosure¹⁵, these statistics highlight the selective use of formal disclosure in Scotland.

Restricted Patients

There are far fewer restricted patients (RPs) subject to MAPPA than RSO's, with a total of 178 RP's living in Scotland on 31st March 2009 (table 8). Of the total number of RP's subject

¹³ Whilst this pattern maintains for most CJA areas, in Fife and Forth Valley CJA (and particularly Forth Valley) the trend is reversed, with 71% of RSO's being subject to statutory orders compared with 29% subject to notification requirements. Similarly, in North Strathclyde CJA the numbers subject to statutory orders are broadly equivalent to the numbers subject to notification requirements (See table 12).

¹⁴ Formal Disclosure - if a decision is made to formally disclose, then a letter of disclosure will be drafted on behalf of the Deputy or Assistant Chief Constable of the relevant Police Force. 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. 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 discussed in the body of this document.

¹⁵ Scottish Local Authorities also have powers to disclose information to third parties when child protection issues have been identified, under child protection protocols. Registered sex offenders are often encouraged to self-disclose, for example to a new partner or employer. Self disclosure may take place in the presence of a Police Officer or a Criminal Justice Social Worker, but in all instances, the details and accuracy of the disclosure is confirmed and corroborated.

to MAPPS, nil were managed at level 3, 26.4 % of RP's were managed at level 2 and 73.6% of RP's were managed at level 2. The lower percentages of RP's managed at level 2 and 3, when compared to the number of RSO's managed at the same levels are, at least in part, a reflection of the significantly reduced number of RP's (n=48) resident in Scottish communities, when contrasted with the number of RSO's (n=2967) resident in the community. Relatedly, RSO's are referred to MAPPA on the basis of the risk of serious harm they pose and the associated complexity of multi-agency risk management they require. For RP's, however, there are different criteria, in this regard, for the referral of RP's to MAPPA¹⁶. RP's are subject to the Care Programme Approach (CPA)¹⁷ and in general, where a need is identified through the CPA, for a change to a RP's treatment and risk management plan, then a referral to MAPPA is required, following which, a MAPPA meeting will be held, for the purposes of ratifying, or otherwise, the relevant recommendations for change identified through the CPA from a risk focussed perspective, as opposed to the treatment oriented approach characteristic of the CPA. In effect, therefore, once this process is completed, the RP will normally be reduced to level one management under MAPPA. This effectively means that the duration for which RP's are managed at level 2 is significantly briefer than the duration for which RSO's are managed at level 2.

Age and Ethnicity

The information presented in table 9 indicates that the majority of Registered Sex Offenders in Scotland are aged between 22 – 71 years. This broad age range would suggest that, in so far as MAPPA registration reflects offending behaviour, the aggregate age-crime curve (Weaver and McNeill, 2007¹⁸) does not apply to sexual offending. It should be noted that these figures reflect the age range of RSO's 'currently' subject to MAPPA and not age at which offence was committed.

The information presented in table 11 indicates that the majority of Registered Sex Offenders within Scotland are White and of U.K Origin. This ratio of ethnicity (94.5 % of total) is broadly consistent with the analysis of the Scottish population by ethnic group (95.4%) (2001 Census (White Scottish & White British % population figures combined)). While the ethnic portrait of RSO's managed under MAPPA in Scotland reflects the national profile of the population by ethnicity in general, the age range of RSO's subject to MAPPA is wider than the age range of the 'general offending population', as indicated by the aggregate age-crime curve (Weaver and McNeill, 2007¹⁹). Thus, the average RSO managed under MAPPA in Scotland is white, male and aged between 22-71 years of age. Taken as a

¹⁶ On this, see MAPPA Guidance (Scotland) Version 4: www.scotland.gov.uk/Publications/2008/04/18144823

¹⁷ The Care Programme Approach is a process for organising the multi-disciplinary care and treatment of patients with mental health problems. Regular review meetings are held where needs are identified and plans put in place to meet these needs. *Risk assessment* and *risk management* are an integral part of this process.

¹⁸ Weaver, B. and McNeill, F. (2007) 'Giving Up Crime: Directions for Policy' *The Scottish Consortium for Crime and Criminal Justice*. Published online at:

<http://sccj.org.uk/documents/SCCJ%20giving%20up%20crime%20content.pdf>

¹⁹ Weaver, B. and McNeill, F. (2007) 'Giving Up Crime: Directions for Policy' *The Scottish Consortium for Crime and Criminal Justice*. Published online at:

<http://sccj.org.uk/documents/SCCJ%20giving%20up%20crime%20content.pdf>

whole, the number of RSO's convicted of a notifiable offence against a victim over the age of 16 (48.2%) is lower than the numbers of RSO's convicted of a notifiable offence against a victim under the age of 16 (57.2%), and, with the exception of North Strathclyde CJA, this trend is broadly consistent across the CJA areas. North Strathclyde CJA area, by contrast, reverses this trend, with 10.8% of RSO's convicted of a notifiable offence against a victim under the age of 16, compared with 89.5% of RSO's convicted of a notifiable offence against a victim over the age of 16 (see table 13).

Variations throughout Scotland

Beyond the national statistical portrait, there are a number of interesting variations within Scotland, between CJA areas. Lothian and Borders CJA area for example manage the highest number of RSO's, when set against other CJA areas, and indeed this figure pertains for both reporting periods 2007-8 and 2008-9 (see tables 3 & 7). By contrast, North Strathclyde CJA manages the fewest RSO's and, indeed, has fewer RSO's per 100,00 of the population of the area. However, while Lothian and Borders CJA area manage the highest number of RSO's, it is Fife and Forth Valley CJA who have the highest number of RSO's per 100,000 of the population, with Northern CJA, a relatively close second, and this pattern has also maintained over the past two years.

There is a wide variation between some geographic areas in relation to the levels at which offenders are managed ranging from 15 % of registered sex offenders managed at level 2 in South West Scotland Community Justice Authority (CJA) to 38% of registered sex offenders managed at level 2 in Fife and Forth CJA in the reporting period 2008-9 (table 7). A similar pattern was evident in 2007-8 with variations from 19% of RSO's managed at level 2 in South West Scotland CJA to 38% of RSO's managed at level 2 in Northern CJA. Constructively, there is widespread support for the development of a consistent approach across Scotland; an aspiration that is particularly challenging given the absence of a centrally coordinated national probation service and some evidence of disparate practices in different areas, particularly in relation to assignment of risk thresholds and associated levels of management. This may be attributable, at least in part, to a degree of defensive decision making due to the difficulties that the responsible authorities and duty to cooperate agencies encounter in attempting to assess risk of serious harm, and indeed imminence, in the absence of a validated tool for such purposes. This may lead, in some cases to an over-inflation of levels of risk, and in turn levels of management – but more detailed research would be required to ascertain whether the differences in MAPPA management related to 'actual' differences in risk levels, or different 'tolerances' of risk in different areas.

As previously indicated, the number of SOPOs applied for by Police forces across Scotland have been halved, with significant reductions in the number of applications being recorded particularly by Northern CJA and to a lesser extent Fife and Forth Valley CJA. That said, the overall number of full SOPOs granted by the Courts have been fairly consistent. However, the proportionate use of SOPOs is very different in different CJAs; one might expect a greater number to be applied for in those areas managing a higher number of RSO's and indeed while this does pertain for Lothian and Borders CJA, Fife and Forth Valley CJA and Northern CJA, there are substantially fewer SOPO's applied for in Glasgow CJA, where a similar number of RSO's are managed, in an exceedingly more densely populated and

restricted geographical area. Notwithstanding this, both Northern CJA and Fife and Forth Valley CJA report more RSO's per 100,000 of the population than their Glaswegian counterparts, although Lothian and Borders, who in 2008-9 applied for the greatest number of SOPOs, have substantially fewer RSO's per 100,000 of the population.

The levels of compliance with notification requirements are broadly consistent between CJA areas (see table 3), with a range of 8 – 27 RSO's recorded as non-compliant (4.8% in total). Whilst the figures are comparatively low, when compared with the figures recorded in the period 2007-8, which indicate a range of between 10 – 52 RSO's recorded as non-compliant (5.8% in total), this suggests a marginal increase in overall compliance by RSO's with notification requirements in the past year. Whilst, by contrast, the numbers of wanted and missing RSO's have increased in the past year, the overall distribution of wanted and missing RSO's across the CJA areas is largely consistent with the preceding year.

The number of recorded further serious violent or sexual convictions by RSO's remains very small but has increased for all CJA areas from the period 2007-8 to 2008-9. Because the absolute number of SFOs is so small and because we only have data for two years, it would be inappropriate to draw any inferences about trends from these figures. Continuing with the theme of enforcement and compliance, the number of RSO's incarcerated for a breach of their statutory orders has remained fairly constant across Scotland, and within CJA area and across the two annual reporting periods, although there has been a marked increase in the number of RSO's returned to custody for a breach of SOPO in the last year, 2008-9, despite the consistency in the numbers of new SOPO's imposed each year.

Conclusion

This briefing paper collates for the first time, the MAPPA statistics, as delineated in the individual MAPPA Annual Reports in Scotland, and, taking into account the extension to the statistics being reported on from 2007-8 to 2008-9, provides, where possible, comparative figures between both reporting years. Whilst, as previously explained, the differences in reporting criteria North and South of the border preclude a wider comparative view, this report has attempted to provide some indication of the differences in operation, scope and size of MAPPA in England and Wales, when compared against MAPPA in Scotland.

APPENDIX: MAPPA DATA

Table 1: Number of Offenders and Registered Sex Offenders managed under MAPPA as of 31/3/2009

| | No. of offenders | No. of RSO's | No. of RSO's per 100,000 of the population |
|-----------------|------------------|--------------|--|
| England & Wales | 44,761 | 32,336 | 61.08 |
| Scotland | 3,145 | 2,967 | 57.40 |

Table 2: Percentage Registered Sex Offenders categorised as levels 2 and 3

| 2008 – 09 | Level 2 | Level 3 |
|-----------------|-------------------|-----------------|
| England & Wales | 13.8 % (n = 4408) | 1.3 % (n = 424) |
| Scotland | 31.7 % (n = 941) | 2.2 % (n = 64) |

Table 3: Number of Registered Sex Offenders living in the community in Scotland on 31.03.09 by Community Justice Authority Areas (CJAs)*

| | SWS | LAN | TAY | N | L&B | NS | GLA | F&F | SCOT |
|---|--------------|--------------|--------------|----------------|--------------|--------------|--------------|--------------|----------------|
| i) At liberty and living in the community | 311 (355) | 307 (294) | 298 (275) | 439 (543) | 544 (596) | 221 (207) | 434 (430) | 413 (431) | 2967 (3131) |
| ii) Per 100,000 of the population | 60 (68) | 48 (47) | 74 (68) | 119.5 (137) | 58.4 (65) | 36 (33) | 75 (74) | 151 (150) | 57.4 (60.5) |

*SWS: South West Scotland CJA; LAN: Lanarkshire CJA; TAY: Tayside CJA; N; Northern CJA; L&B: Lothian and Borders CJA; NS: North Strathclyde CJA; GLA: Glasgow CJA; F&F: Fife and Forth Valley CJA; SCOT: Scotland (these abbreviations apply to all tables).

Table 4: Number of Registered Sex Offenders complying with notification requirements on 31.03.09 by Community Justice Authority Areas (CJAs)

| | SWS | LAN | TAY | N | L&B | NS | GLA | F&F | SCOT |
|---|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|----------------|
| Complied with notification requirements | 290 (338) | 292 (282) | 287 (267) | 420 (567) | 517 (606) | 204 (198) | 410 (456) | 405 (409) | 2825 (3123) |
| Reported for breaches of the requirements to notify | 21 (17) | 15 (12) | 11 (10) | 17 (52) | 27 (31) | 17 (16) | 20 (23) | 8 (22) | 136 (183) |
| The number of "wanted" RSOs ²⁰ | 3 (0) | 1 (0) | 5 (7) | 2 (1) | 6 (5) | 0 (1) | 3 (1) | 1 (3) | 21 (18) |
| The number of "missing" RSOs ²¹ | 0 (0) | 0 (1) | 1 (1) | 1 (0) | 7 (2) | 0 (0) | 1 (3) | 1 (0) | 11 (7) |

²⁰ Wanted - An RSO should be considered as wanted in the following circumstances; 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.

²¹ Missing - a Sex Offender should be considered as Missing in the following circumstances; Where the current whereabouts of an offender is unknown and Police enquiries to establish their whereabouts have been unsuccessful. As a result of these actions 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

Table 5: Number of Civil Orders relating to Registered Sex Offenders applied for by the police in 2008/09 by Community Justice Authority Areas (CJAs)

| | SWS | LAN | TAY | N | L&B | NS | GLA | F&F | SCOT |
|--|----------|----------|------------|------------|------------|----------|----------|-----------|------------|
| Sexual Offences Prevention Orders (SOPOs) | 2 (4) | 2 (0) | 4 (5) | 11 (46) | 12 (15) | 1 (1) | 4 (2) | 9 (19) | 45 (92) |
| Risk of Sexual Harm Orders (RSHOs) | 1 (1) | 0 (0) | 0 (0) | 1 (3) | 1 (0) | 0 (0) | 0 (0) | 1 (1) | 4 (5) |
| Interim SOPO's | 3 (1) | 0 (0) | N/A (5) | 5 (22) | N/A (7) | 0 (0) | 3 (0) | 8 (8) | 19 (43) |
| Interim RSHO's²² | 1 (0) | 0 (0) | 0 (0) | 2 (2) | 0 (0) | 0 (0) | 0 (0) | 1 (0) | 4 (2) |
| Full RSHO's | 1 (0) | 0 (0) | 0 (0) | 0 (1) | - | 0 (0) | 0 (0) | 0 (0) | 1 (1) |
| Foreign Travel Orders (FTO's) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Notification Orders (NO's) | 0 | 0 | 0 | 0 | 3 | 2 | 3 | 1 | 9 |

Table 6: Number of Civil Orders relating to Registered Sex Offenders granted by the courts in 2008/09 by Community Justice Authority Areas (CJAs)

| | SWS | LAN | TAY | N | L&B | NS | GLA | F&F | SCOT |
|--|----------|----------|----------|------------|-----------|----------|----------|----------|------------|
| Sexual Offences Prevention Orders (SOPO'S) | 1 (2) | 1 (0) | 4 (5) | 11 (17) | 12 (5) | 1 (1) | * (2) | 6 (-) | 36 (32) |
| Risk of Sexual Harm Orders (RSHO's) | 1 (0) | 0 (0) | 0 (0) | 1 (1) | 1 (0) | 0 (0) | * (0) | 0 (0) | 3 (1) |
| SOPO'S imposed by courts at time of conviction: | 0 | 0 | 1 | 3 | 1 | 0 | * | 4 | 9 |
| Interim SOPO's | 3 | 0 | 0 | 5 | 0 | 0 | * | 4 | 12 |
| Interim RSHO's | 1 | 0 | 0 | 2 | 0 | 0 | * | 0 | 3 |
| Full RSHO's | 1 | 0 | 0 | 0 | - | 0 | * | 0 | 1 |
| Foreign Travel Orders (FTO's) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | * (0) | 0 (0) | 0 (0) |
| Notification Orders (NO's) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 3 (0) | 2 (0) | * (0) | 1 (0) | 6 (0) |

* Data not presented in annual report

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.

²² Risk of Sexual Harm Order (RSHO) - place restrictions 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.

Table 7: Number of Registered Sex Offenders (RSOs) in 2008/09 by Community Justice Authority Areas (CJAs)

| | SWS | LAN | TAY | N | L&B | NS | GLA | F&F | SCOT |
|---|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|----------------|
| a) RSOs by MAPPA Category*: | | | | | | | | | |
| i) Level 1 – Ordinary Risk Management | 372 (277) | 234 (201) | 221 (202) | 353 (349) | 529 (431) | 162 (170) | 471 (402) | 290 (298) | 2632 (2330) |
| ii) Level 2 – Local Inter-agency Risk Management | 68 (68) | 112 (69) | 68 (72) | 12 (226) | 175 (198) | 94 (85) | 111 (74) | 187 (131) | 941 (923) |
| iii) Level 3 – MAPPP | 7 (10) | 6 (5) | 9 (1) | 13 (10) | 6 (8) | 7 (13) | 7 (3) | 9 (6) | 64 (56) |
| b) RSOs convicted of a further crime of sexual harm or non sexual violence:* | | | | | | | | | |
| i) MAPPA Level 1 | 1 | 0 | 0 | 2 | 4 | 1 | 5 | 0 | 13 |
| ii) MAPPA Level 2 | 1 | 2 | 4 | 3 | 10 | 5 | 0 | 1 | 26 |
| iii) MAPPP Level 3 | 0 | 2 | 0 | 2 | 0 | 0 | 0 | 1 | 5 |
| c) RSO's returned to custody for a breach of statutory conditions** | 10 (6) | 6 (5) | 7 (7) | 10 (11) | 12 (18) | 11 (5) | 18 (10) | 3 (1) | 77 (63) |
| d) RSO's returned to custody for a breach of SOPO | 2 (1) | 0 (0) | 4 (2) | 14 (9) | 8 (3) | 0 (0) | 3 (1) | 4 (2) | 35 (18) |
| e) RSO's returned to custody for a breach of FTO | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| f) RSO's returned to custody for a breach of RSHO | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| g) RSOs who breached statutory conditions but were not returned to custody | 8 | 1 | 4 | 16 | 30 | 6 | - | 1 | 66 |
| h) RSOs subject to formal disclosure | 1 (1) | 0 (1) | 0 (0) | 9 (7) | 10 (1) | 0 (1) | 0 (0) | 2 (2) | 22 (13) |

*These statistics represent a full year and it should be noted that offenders move between levels of management depending on identified risk, which can change with changing circumstances. Very few offenders remain at level three for long periods as the management of risk is usually agreed and settles to allow the person to be managed at level 2 or level 1. The level 1 figure includes all offenders who have been notified to the MAPPA Coordinator by the Responsible Authorities and who have not been managed at either level 2 or 3 between the periods 1st April and 31 March. The level 2 figure includes those offenders who have not been managed at level 3 at any point between 1st April and 31st March.

** includes those returned to custody because of a conviction of further serious sexual or violent offence

Table 8: Number of Restricted Patients (RPs) in 2008/09 by Community Justice Authority Areas (CJAs)

| | SWS | LAN | TAY | N | L&B | NS | GLA | F&F | SCOT |
|---|-----|-----|-----|----|-----|----|------------|-----|------|
| a) Number of RPs: | | | | | | | | | |
| i) Living in your area | 13 | 35 | 19 | 16 | 30 | 2 | 51 | 12 | 178 |
| ii) During the reporting year | 25 | 36 | 20 | 16 | 40 | 2 | 51 | 14 | 204 |
| b) Number of RPs per order: | | | | | | | | | |
| i) Compulsion Order and Restriction Order (CORO) | 24 | 11 | 27 | 14 | 34 | 3 | 44 | 11 | 168 |
| ii) Hospital Direction (HD) | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| iii) Transfer for Treatment Direction (TTD) | 1 | 2 | 0 | 2 | 6 | 0 | 4* +(3) | 3 | 21 |
| c) Number within hospital/community: | | | | | | | | | |
| i) State Hospital | 9 | 18 | 8 | 3 | 8 | 1 | 36 | 7 | 90 |
| ii) Other hospital no suspension of detention (SUS) | 5 | 8 | 1 | 6 | 16 | 0 | 22 | 8 | 66 |
| iii) Other hospital with unescorted SUS | 4 | 1 | 0 | 4 | 19 | 1 | 10 | 6 | 45 |
| iv) Community (Conditional Discharge) | 7 | 8 | 8 | 5 | 5 | 1 | 14 | 0 | 48 |
| d) RPs managed by: | | | | | | | | | |
| MAPPA Level 1 | 19 | 30 | 15 | 10 | 29 | 1 | 69 | 8 | 181 |
| MAPPA Level 2 | 6 | 6 | 13 | 5 | 11 | 1 | 19 | 4 | 65 |
| MAPP 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| e) RPs convicted of a further crime of sexual harm or non sexual violence: | | | | | | | | | |
| i) MAPPA Level 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| ii) MAPPA Level 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| iii) MAPP 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| f) No of RPs on suspension of detention: | | | | | | | | | |
| i) who did not abscond or offend | 4 | 1 | 2 | 7 | 33 | 1 | 0 | 2 | 50 |
| ii) who absconded | 1 | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 4 |
| iii) who absconded and then offended | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| iv) where absconion resulted in withdrawal of suspension of detention | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 2 |
| g) No. of RPs on Conditional Discharge: | | | | | | | | | |
| i) who did not breach conditions, not recalled or did not offend | 7 | 4 | 8 | 7 | 5 | 1 | 13 | 0 | 45 |
| ii) who breached conditions (resulting in letter from the Scottish Government) | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 2 |
| iii) recalled by Scottish Ministers due to breaching conditions | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 2 |
| iv) recalled by Scottish Ministers for other reasons | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |

* +3 Interim Compulsion Order: Glasgow

Table 9: Age Profile of Registered Sex Offenders (RSOs) in 2008/09 by Community Justice Authority Areas (CJAs) (Numbers in brackets)

| | SWS | LAN | TAY | N** | | L&B | NS | GLA | F & F** | | SCOT |
|-----------------|----------------|-------------|--------------|--------------|----------------|----------------|----------------|-----------------|-------------|---------------|-----------------|
| | | | | North ern | Gram pian | | | | Fife | Forth 2 | |
| Under 18 | 1.3% (5) | 1 % (3) | 1 % (3) | 1 % (2) | 1.8 % (6) | 0.4 % (2) | 0.9% (2) | 0.7 % (3) | 1.5% (3) | 0.5% (1) | 0.9% (30) |
| 18-21 | 6.4% (25) | 5 % (17) | 3 % (9) | 7 % (13) | 7.9% (26) | 2.9% (16) | 1.8 % (4) | 4.4% (19) | 4% (10) | 8.1% (17) | 4.9% (156) |
| 22-31 | (70) 18 % | 22% (64) | 18 % (54) | 23 % (45) | 22.6 % (74) | 14.7% (80) | 23.5 % (52) | 13.3% (58) | 11% (28) | 21.9% (46) | 17.9% (571) |
| 32-41 | 19.7 % (77) | 19% (60) | 19 % (56) | 15 % (29) | 12.8% (42) | 21.9% (119) | 18.5 % (41) | 20 % (87) | 25% (61) | 19.5% (41) | 19.3 % (613) |
| 42-51 | 19.4 % (76) | 23% (72) | 24 % (73) | 19% (38) | 23.5 % (77) | 29% (158) | 24.4 % (54) | 25.8 % (112) | 29% (72) | 20% (42) | 24.3% (774) |
| 52-61 | 19.9 % (78) | 17% (51) | 19 % (57) | 17 % (35) | 18% (59) | 15.5% (84) | 12.6 % (28) | (78) 18 % | 18% (45) | 16.7% (35) | 17.3 % (550) |
| 62-71 | 11.5 % (45) | 8% (26) | 10 % (29) | 14 % (27) | 10.1% (33) | 11% (60) | 12.2 % (27) | 17.7 % (77) | 10% (25) | 18.6% (18) | 15.1% (482*) |
| 72-81 | 3.3% (13) | 4 % (13) | 6 % (17) | 4% (8) | 3 % (10) | 4.2% (23) | 4.9 % (11) | - | 1.5% (3) | 4.3% (9) | |
| 82-91 | 0.5 % (2) | 1% (1) | 0 | 0 | 0 | 0.4 % (2) | 0.9 % (2) | - | 0 | 0.5% (1) | |

*As Glasgow have only provided statistics for those over aged 60, the other CJA figures have been aggregated here for comparative purposes.

**Note that Fife and Forth and Northern and Grampian provide separate statistics.

***These stats, by area, do not consistently reflect the numbers of RSO's resident in the community on 31.03.09; rather, for some areas, they reflect the total number, and thus age profile, of those RSO's managed under MAPPA, by CJA on 31.03.09. These figures may include those in custody. Thus, these statistics are indicative only. Scottish total = 3176. Thus percentiles of Scottish figure are computed against this total.

Table 10: Percentage of Registered Sex Offenders by gender, by Community Justice Authority (CJA) (Numbers in brackets)

| | SWS | LAN | TAY | N | | L&B | NS | GLA | F&F | | SCOT |
|---------------|----------------|---------------|------------------|---------------|----------------|----------------|-----------------|----------------|----------------|--------------|-----------------|
| | | | | North ern | Gram pian | | | | Fife | Forth 2 | |
| Male | 99.5% (389) | 99 % (304) | 99.66 % (297) | 100% (197) | 97.5% (319) | 99.6% (542) | 99.55% (220) | 99.5% (432) | 99.2% (243) | 99% (208) | 99.2% (3151) |
| Female | 0.5% (2) | 1% (3) | 0.33 % (1) | 0 | 2.5 % (8) | 0.4% (2) | 0.45% (1) | 0.5% (2) | 0.8% (3) | 1% (2) | 0.8% (24) |

**Table 11: Ethnic Origins of Registered Sex Offenders by Community Justice Authority (CJA)
(Numbers in brackets)**

| | SWS | LAN | TAY | N | | L&B | NS | GLA | F&F | | SCOT |
|---|-----------------|--------------|--------------|--------------|--------------|-----------------|---------------|--------------|--------------|--------------|-----------------|
| | | | | Nort hern | Gram pian | | | | Fife | Forth 2 | |
| Asian or Asian British | 0 | 0 | 0.33% (1) | 0 | 0 | 0.74% (4) | 1.35% (3) | 1.6% (7) | 2% (5) | 0.95% (2) | 0.69% (22) |
| Any other Asian | | | | | | | | | | | |
| Asian or Asian British Bangladeshi | 0 | 0 | 0 | 1% (2) | 0.61% (2) | 0 | 0 | 0.5% (2) | 0.4% (1) | 0 | 0.22% (7) |
| Asian or Asian British Indian | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.9% (4) | 0 | 0.47% (1) | 0.15% (5) |
| Asian or Asian British Pakistani | 0 | 0.3 % (1) | 3% (9) | 0 | 0.61% (2) | 1.29% (7) | 0 | 2.5% (11) | 0.4% (1) | 0 | 0.97% (31) |
| Black or Black British African | 0 | 0.3 % (1) | 0.67% (2) | 0 | 0 | 0 | 0 | 1.2% (5) | 0 | 0 | 0.25% (8) |
| Black or Black British Any Other Black Background | 0 | 0 | 0.33% (1) | 0 | 0 | 0.55% (3) | 0 | 0 | 0 | 0 | 0.12% (4) |
| Black or Black British Caribbean | 0 | 0 | 0 | 0 | 1.22% (4) | 0 | 0.45% (1) | 0 | 0 | 0 | 0.15% (5) |
| Chinese or Other Ethnic Group Chinese | 0 | 0 | 0 | 0 | 0 | 0.36% (2) | 0 | 0 | 0 | 0 | 0.06% (2) |
| Mixed Other | 0 | 0 | 0 | 0.5% (1) | 0.3% (1) | 0.92% (5) | 0 | 0 | 0 | 0 | 0.22% (7) |
| Mixed White and Asian | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Mixed White and Black African | 0 | 0 | 0.67% (2) | 0 | 0 | 0.36% (2) | 0 | 0 | 0 | 0 | 0.12% (4) |
| Mixed White and Black Caribbean | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Not Known | 0 | 0 | 0 | 0 | 0 | 0.92% (5) | 0 | 0.2% (1) | 0 | 0.95% (2) | 0.25% (8) |
| White British | 97.6 % (382) | 99% (304) | 93% (279) | 97% (191) | 92% (300) | 91.54% (498) | 217% 98.1% | 91% (395) | 96% (237) | 96% (201) | 94.5% (3004) |
| White Irish | 1.6 % (6) | 0.3 % (1) | 0 | 0 | 0 | 0.74% (4) | 0 | 0.7% (3) | 0.4% (1) | 0 | 0.47% (15) |
| White Other | 0.8% (3) | 0 | 1.3% (4) | 1.5% (3) | 5.5% (18) | 2.58% (14) | 0 | 1.4% (6) | 0.8% (2) | 1.9% (4) | 1.7% (54) |

Table 12: Number of RSO's managed under statutory conditions and/or notification requirements on 31st March 2009, by Community Justice Authority (CJA)

| | SWS | LAN | TAY | N | | L&B | NS | GLA | F&F | | SCOT |
|--|--------------|--------------|--------------|--------------|--------------|--------------|----------------|--------------|--------------|--------------|-----------------|
| | | | | North ern | Gram pian | | | | Fife | Forth 2 | |
| Subject to statutory supervision | 34% (106) | 25% (76) | 32% (96) | 34% (57) | 51% (139) | 30% (163) | 50.6% (112) | 25% (107) | 39% (98) | 71% (149) | 36.7% (1103) |
| Subject to notification requirements only | 66% (205) | 75% (231) | 68% (202) | 66% (110) | 49% (133) | 70% (381) | 49.4% (109) | 75% (327) | 61% (145) | 29% (61) | 63.3% (1904) |

Table 13: Delineation of Registered Sex Offender victims*:

| | SWS* | LAN | TAY | N | | L&B | NS | GLA | F & F | | SCOT |
|---|----------------|--------------|--------------|--------------|--------------|----------------|----------------|--------------|-------|----------------|-----------------|
| | | | | North ern | Gram pian | | | | Fife | Forth 2 | |
| Convicted of a notifiable offence against a child under 16 years | 63% (261) | 49% (152) | 65% (196) | 73% (144) | 74% (242) | 36.4% (198) | 10.8% (24) | 42% (181) | - | 74.5% (157) | 57.2% (1555) |
| Convicted of a notifiable offence against a victim over 16 years | 33.5% (139) | 51% (155) | 35% (102) | 27% (53) | 26% (85) | 20.4% (111) | 89.5% (198) | 58% (253) | - | 29% (61) | 42.8% (1157) |

*Discrepancies in numbers represented reflect that the age of the victim is neither recorded on VISOR nor supplied in MAPPA notification paperwork.