

West Mercia



Annual Report 2013-14



West Mercia MAPPA Annual Report 2013-14

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Foreword

This is the thirteenth Annual Report for MAPPA in West Mercia (Herefordshire, Worcestershire, Shropshire, Telford & Wrekin), throughout the period we have continued to build upon effective working relationships, meetings have been well attended and productive.

West Mercia Police are in a strategic alliance with Warwickshire Police. The strategic alliance provides opportunities for sharing of good practice across the two areas. This is something we are looking to build on in the coming year.

**Assistant Chief Constable Karen Manners,
Chair, Strategic Management Board**

Introduction

Offender management has been directly impacted by key areas of high profile activity over the last year resulting in increased identification and subsequent management of those offenders who represent a risk to communities. Specifically, there is an heightened public awareness of violent and sexual offenders resulting in a positive rise in people reporting sexual offences and therefore offenders that require effective management.

Sadly there has also been a rise in the number of offenders using the internet to abuse and exploit children but effective action has resulted in more previously unknown offenders being identified.

Heightened public awareness around mental health aids agencies ability in identifying those complex offenders with mental health issues who commit violent or sexual offences. They are particularly complex challenging cases for agencies to manage.

This operating environment is set against the austerity measures and significant change taking place across partner agencies. However, the public can be reassured that all agencies engaged in MAPPA prioritise this area of business and do immense work to keep communities safe from harm.

West Mercia Probation Trust continued to provide a high level of support to MAPPA during 2013/14 whilst the Trust status of the agency ceased and the newly created National Probation Service (NPS) took shape. This is one of the biggest changes in its history. Whilst operational work continued to deliver good results, structurally the focus was the end of the existing 35 probation trusts to be replaced by the new National Probation Service (NPS) - a directorate of National Offender Management Service (NOMS) - and 21 Community Rehabilitation Companies (CRCs).

Looking Ahead

The Transforming Rehabilitation Programme forms part of the changes within the Probation Service. Probation staff have now moved into either a Community Rehabilitation Company or the National Probation Service. The CRC will supervise low and medium risk offenders.

The NPS will manage all offenders requiring management under MAPPA arrangements at all categories and all levels as well as those cases not managed under MAPPA but which are assessed at the outset as presenting a high risk of serious harm. This has the clear intention to concentrate the work of the public sector NPS on the management and rehabilitation of those cases requiring the most complex risk management.

The NPS will also risk assess all offenders, advise the courts on sentencing, advise the parole board on release decisions, and provide victim liaison services.

Contracts for the running of the Community Rehabilitation Companies (CRC) are due to be awarded by the end of 2014. This opens the market to new rehabilitation providers, with the aim of getting the best from the public, voluntary and private sectors to stimulate innovation in rehabilitation services.

Despite these challenges, we have built upon well established mutually beneficial relationships across the Police, Probation, Prison and a range of other partners.

Assistant Chief Constable Karen Manners, of Warwickshire Police and West Mercia Police, is chair of the Strategic MAPPA Board and as she is also the Chair of the Warwickshire SMB, she is exploring opportunities to share effective practice and work more effectively.

The Protecting Vulnerable People Department (PVP), led by Detective Superintendent Steve Cullen assumes the lead for MAPPA. Staff within PVP work closely with colleagues from the Probation and Prison Service to protect the public from harm.

We are committed to continuous improvement and strive to learn from serious case or independent management reviews. We continue to refine and develop how we manage offenders not only in terms of implementing effective practice but also influencing the national agenda.

We are proud of the commitment and professionalism that our staff consistently demonstrate in keeping our communities safe.

What is MAPPA?

MAPPA background

- MAPPA (Multi-Agency Public Protection Arrangements) are a set of arrangements to manage the risk posed by the most serious sexual and violent offenders (MAPPA-eligible offenders) under the provisions of sections 325 to 327b of the Criminal Justice Act 2003.
- They bring together the Police, Probation and Prison Services in each of the 42 areas in England and Wales into what is known as the MAPPA Responsible Authority.
- A number of other agencies are under a Duty To Co-operate (DTC) with the Responsible Authority. These include Social Services, Health Trusts, Youth Offending Teams, Jobcentre Plus and Local Housing and Education Authorities.
- The Responsible Authority is required to appoint two Lay Advisers to sit on each MAPPA area Strategic Management Board (SMB) alongside senior representatives from each of the Responsible Authority and duty to co-operate agencies.
- Lay Advisers are members of the public with no links to the business of managing MAPPA offenders and act as independent, yet informed, observers; able to pose questions which the professionals closely involved in the work might not think of asking. They also bring to the SMB their understanding and perspective of the local community (where they must reside and have strong links).

How MAPPA works

- MAPPA-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.
- In the majority of cases that is as far as MAPPA extends but in some cases, it is determined that active multi-agency management is required. In such cases there will be regular MAPPA meetings attended by relevant agency practitioners.
- There are 3 categories of MAPPA-eligible offender: **Category 1** - registered sexual offenders; **Category 2** - (in the main) violent offenders sentenced to imprisonment for 12 months or more; and **Category 3** - offenders who do not qualify under categories 1 or 2 but who currently pose a risk of serious harm.
- There are three management levels intended to ensure that resources are focused upon the cases where they are most needed; generally those involving the higher risks of serious harm. **Level 1** involves ordinary agency management (i.e. no MAPPA 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 oversight is required the case would be managed at **Level 3**.

MAPPA is supported by ViSOR. This is a national IT system for the management of people who pose a serious risk of harm to the public. The police have been using ViSOR since 2005 but, since June 2008, ViSOR has been fully operational allowing, for the first time, key staff from the Police, Probation and Prison Services to work on the same IT system, thus improving the quality and timeliness of risk assessments and of interventions to prevent offending. The combined use of ViSOR increases the ability to share intelligence across organisations and enable the safe transfer of key information when these high risk offenders move, enhancing public protection measures.

All MAPPA reports from England and Wales are published online at: www.justice.gov.uk.

How MAPPA Operate Locally

The structures supporting West Mercia MAPPA have remained in place, providing regular, well-attended meetings chaired by co-ordinators who are employed by the Strategic Management Board and who operate quite independently of any single contributing agency. We believe this has helped to provide stability across partner agencies during times of constant change and restructuring.

The past 12 months has seen an increase in the numbers of cases managed across all three levels. We have been able to work flexibly to meet the varying demand across the area. We have increased numbers of meetings in specific areas to meet the needs. We continue to work to the principle that the case should be managed at the lowest level at which it can be effectively managed. This allows the appropriate resource to be directed to those cases posing the highest risk.

The numbers of those who are managed at Level 2 or 3 and have breached their licence or their SOPO requirements remains relatively low. A good reflection of how offenders subject to Responsible Authority and MAPPA management within West Mercia are successfully managed and rehabilitated without further harm being caused to the public.

We have continued to build on previous work to engage with non duty to cooperate agencies, such as religious organisations, to effectively share information. The austerity measures faced by all organisations have limited the scope of agencies to go above and beyond their statutory duties. Through having all relevant parties around the table for a case we can ensure that all possible measures are taken and that complex safeguarding issues are appropriately covered. Through working together agencies are able to limit the duplications of work whilst increasing effectiveness.

We are aware of the need for improved information sharing between agencies in cases where offenders are detained with significant mental health issues. This will be focused on in the coming year with regard to increasing knowledge of practitioners across the area and sharing of best practice.

Case Studies

We have wanted to share with you examples of effectiveness of the MAPPA processes throughout the Criminal Justice journey. As you are aware there are numerous changes occurring within all aspects of Criminal Justice, however throughout this period, we feel that the following cases identify that MAPPA is and will continue to be an excellent method of ensuring our communities are safe. We have included case examples which we feel demonstrate the breadth of our work. They are built from a combination of different individual circumstances and outcomes so that we do not identify individuals, rather typical scenarios and principles.

Case Study Q

Q was referred into MAPPA via Police senior management following an application for him to be registered as a Potentially Dangerous Person. Police intelligence indicated that **Q** had a lengthy history of severe domestic abuse and sexual deviance. Recent intelligence, combined with this historic information indicated that a serious offence could happen at any time. He was not currently subject to any statutory management from criminal justice agencies.

Intelligence indicated a high level of violence, sexual deviance and fear from previous partners, some of whom live in other areas. Intelligence known about **Q** indicated that he has entered properties of lone females without consent and used high levels of sexual violence. **Q's** work gave him access to a range of vehicles and required him to travel widely. There was indication of manipulative behaviour by **Q**. A cross border approach was needed to manage the case.

Through sharing of information at a Level 3 meeting agencies were able to build a more comprehensive picture of the risks posed by **Q**. Agencies were able to research any knowledge they had of **Q** and any links he had to partners or children. Representation from across geographical areas enabled agencies to identify further potential victims and also built links for ongoing information sharing outside of the meeting. Children's Services were able to identify children that **Q** was linked to and take steps to protect them.

Decisions were then made with regard to disclosure of information to those at risk. The lack of any statutory management means that the primary agency involved in managing the risk is the Police. They continued to take proactive action to ensure that **Q** was monitored and his activities disrupted.

This proactive policing led to **Q** being intercepted by Police on numerous occasions, and therefore further intelligence was gathered on **Q** and his behaviour, which ultimately led to a successful prosecution and conviction of historic serious sexual offences.

It is only in exceptional circumstances that a case will be looked at in MAPPA when an individual is not yet charged with an offence and not currently under statutory management. However, this case highlights that in specific circumstances it can be valuable to ensure that information is shared with all relevant agencies and action can be taken.

The next example illustrates the role that MAPPA can play at the pre-sentence stage.

Case Study S

The case of **S** was referred into MAPPA by the Police when **S** was on remand having been charged with threats to kill and assault of his partner. There was concern that he was continuing to make contact with the victim and witnesses from custody.

The complex nature of domestic abuse means that it can often go unreported for a long period of time. The level of power and control that a partner can be subjected to can often leave them feeling unable to report the behaviour. Victims can also have complex feelings towards the perpetrator, they may have been with them for many years and invested years in creating a family life.

The victim in this case had been subject to years of abuse by **S**. She felt guilty that he was incarcerated as a result of her reporting the offence. She did not want his abusive behaviour to continue, but was anxious of a life without him in terms of raising their children, managing finances, living independently. Alongside this she was fearful of **S** and what he may do to her when released, either if found not guilty or when released following sentence. **S** was aware of her feelings and his contact from custody was aiming to exploit all of her fears and in doing so dissuade her from giving evidence at court and from ending their relationship.

The victim was being supported by the police and also by the Independent Domestic Violence Advocate. The case was considered at Level 2. This created the forum for all agencies to share information about the family and the work being undertaken. A coordinated approach was then taken to supporting the victim alongside an investigation by the Police and the Prison into how **S** was continuing to indirectly contact the victim. The contact was successfully stopped.

Following the successful conviction of **S** the probation service became involved in the case to prepare a presentence report. Having been involved in the MAPPA they were already aware of much of **S's** behaviour. Significantly they were aware of factors from his past that he identified as continuing to his offending, including mental health concerns he identified as stemming from his time in the forces. Armed with this information the Probation Officer was able to investigate this before preparing the report and to provide the court with a comprehensive picture of **S's** background.

The ongoing work with the victim by the Independent Domestic Violence Advocate and by Women's Aid led to an increase in self belief and self determination. The victim felt able to share more information about the abuse perpetrated upon her and her children. The sharing of information at the MAPPA meetings also led to agencies identifying other potential victims. As a result the Police undertook further investigations and further convictions followed. These further convictions are reflected in a lengthier time in custody and a criminal record that reflects the actual offending behaviour of **S**. When **S** reaches a point of release from custody the case is likely to be looked at once again in the MAPPA process.

In this case the MAPPA process led to all agencies coordinating their work to ensure that the individual was convicted, the victims were protected from further harassment and the court had a full picture when it came to sentencing.

The next case study demonstrates how agencies working together can plan for a successful release from custody.

Case Study T

T was serving a sentence for a conviction for robbery. He had previously been released on licence but had quickly been recalled due to further offending. He was therefore due for release at his sentence expiry date and as such would not be subject to statutory supervision. Whilst in custody **T's** behaviour had been poor. He had been involved in disruptive behaviour and been difficult to manage for most of his sentence.

T had been known to the Youth Offending Service and his behaviour in the community had led to his exclusion from most accommodation providers. He posed a risk of harm to his parents and his siblings. There was reference to potential mental health concerns however **T** had never engaged with services long enough for assessment to be completed and diagnosis made.

The agencies involved in the MAPPA meeting were able to share information to safeguard the individual that the threat was made to. The Youth Offending Service were working with several of **T's** associates and as such had useful information that they could share with the Prison and the Police regarding intelligence about **T**.

The Prison Offender Supervisor attended the meeting in person. This was invaluable in terms of the opportunity to ask questions and for him to expand upon the report provided. In return he built up a fuller picture of the risks **T** posed, the need for monitoring and significantly the best ways to engage with **T**. The engagement of the Prison Offender Supervisor was significant in persuading **T** to engage with the Prison In Reach Team. Due to this intervention a period of relative stability followed for **T** in custody. He engaged well with the psychologist and his behaviour was much improved. This provided a positive base from which to move forward upon release.

T met the criteria for inclusion in the Integrated Offender Manager (IOM) scheme by virtue of his prolific offending. This meant that an IOM Officer was identified and attended the MAPPA meetings. This provided a single point of contact from a criminal justice agency who would be involved in the case pre and post release. Through their attendance at the MAPPA meeting they gained an understanding of **T** as a person, of his needs and of the risks he posed. They met with him pre release and liaised with his Probation Offender Manager. Close liaison between the IOM Officer, the Probation Offender Manager and the Prison Offender Supervisor eventually led to accommodation being secured for **T** upon release. Pre release planning was undertaken by all agencies which included appropriate assessments being undertaken by Children's Services and working agreements being put in place. Police risk management plans were put in place with regard to those identified as being at risk from **T**.

Whilst **T** had made good progress with regard to engaging with the psychologist in custody he chose not to pursue this upon release. Following release he began to take some steps to repair his relationship with his parents, support by the IOM Officer. The protective measures in place and the links that the IOM Officer had built with **T** and his family helped to protect those who had been identified as being at risk from **T**.

These cases studies demonstrate that by putting the right resources in place at the right time the MAPPA processes can be effective at supporting the risk management processes of the partner agencies.

Victim Liaison Unit's Comments

Victim safety, the prevention of re-victimisation and avoiding the creation of new victims are fundamental to MAPPAs public protection role. It is therefore essential that MAPPA is informed by engagement with an offender's previous, current and, where possible, future victims. This enables the Risk Management Plan devised at each MAPPA to accurately reflect concerns about victims and provide appropriate measures to protect them.

Over the last 12 months the West Mercia Victim Liaison Unit has continued to contribute to achieving this by ensuring that Victim Liaison Officers (VLOs) attend MAPPAs, or send a written report, for all victim cases they are currently involved with.

VLOs continue to provide essential information to MAPPA about victims' views, including significant risk information and representations about licence conditions. This enhances risk assessment and the formulation of effective release and risk management plans. The VLO's presence, and the information they provide, also raises awareness of the victim perspective amongst all agencies. VLOs can also often provide information about any risk posed to the offender, either from individuals or the local community.

Attendance at MAPPAs also enables VLOs to listen to and take into account the opinions and knowledge of other agencies involved and to have access to any available resources. This will often lead to joint working between VLOs and other agencies, such as the police and Independent Domestic Violence Advisers, to strengthen victim safeguarding. For example, in a recent case interagency working proved key in safeguarding a high risk domestic violence perpetrator's new partner. Due to the relationship being perpetuated by both sides, managing the risk was becoming increasingly difficult. Liaison with the IDVA and the Domestic Abuse Unit via the MAPPA process enabled the victim to be given the tools needed to end the relationship in the safest possible way and ensured the potential victim was protected to the best of our ability throughout this process. The offender was ultimately recalled to custody.

VLOs continue to inform victims about the offender's involvement in the MAPPA process. Feedback from VLOs and the victims themselves evidences that this can provide a sense of security by assuring victims that the offender in their case is being managed effectively by a range of agencies. Inclusion within the MAPPA process also validates the harm victims have been caused.

VLOs have also continued to refer cases to MAPPA where risk is deemed so serious that multi-agency action is needed. For example, in November 2013 a VLO was assigned to case of a seemingly innocuous neighbourhood dispute. At the first meeting between the VLO and the victims it became apparent that the offenders impending release could put the victims and the wider community at risk of significant further harm. As a result of this first meeting and after liaison with the OM the VLO referred the case to MAPPA and the OM referred the case to an Approved Premises to prevent him immediately returning to his home. After several meetings at Level 2 the case was escalated to Level 3 as new intelligence and information was fed into the process. As a result of this escalation an unprecedented police operation was mounted on the offender's release and significant victim safeguarding measures were put in place.

Since June 2014 VLOs may now offer the Victim Contact Scheme to discretionary cases; that is to those victims who do not statutorily qualify for the scheme. Referrals to the scheme can be received from various sources such as the NPS, CRCs, the Police and Witness Care Units and the victim themselves. Discretionary cases are offered the same service as statutory victims; they are assigned a VLO, provided with the opportunity to make representations about licence conditions, and provided with information which is considered to be appropriate. To date West Mercia Victim Liaison Unit have received at least one referral a month for discretionary cases, the majority of these from the Witness Care Unit and it is expected that the volume of discretionary cases referred will increase in time. A recent example of a discretionary case is when a burglary victim contacted the VLU to express their anxiety about the future release of an offender who lived on the same road that they did. Through her involvement with a VLO the victim was reassured that the offender was to be released to a different area and as part of their risk management plan victim related licence conditions were imposed which served to further reassure the victim.

Jenny Baynton
Victim Liaison Unit Manager

MAPPA Statistical Information

MAPPA-eligible offenders on 31 March 2014

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	1001	286	-	1287
Level 2	11	15	8	34
Level 3	0	6	2	8
Total	1012	307	10	1329

MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total)

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	38	54	23	115
Level 3	10	7	4	21
Total	48	61	27	136

RSOs cautioned or convicted for breach of notification requirements	59
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Restrictive orders for Category 1 offenders

SOPOs, NOs & FTOs imposed by the courts

SOPOs	86
NOs	2
FTOs	0

Level 2 and 3 offenders returned to custody

Breach of licence

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	1	4	1	6
Level 3	0	0	1	1
Total	1	4	2	7

Breach of SOPO

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	2	-	-	2
Level 3	0	-	-	0
Total	2	-	-	2

Total number of Registered Sexual Offenders per 100,000 population	92
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This figure has been calculated using the Mid-2013 Population Estimates: Single year of age and sex for Police Areas in England and Wales; estimated resident population, published by the Office for National Statistics on 26 June 2014, excluding those aged less than ten years of age.

Explanation Commentary on Statistical Tables

MAPPA background

The totals of MAPPA-eligible offenders, broken down by category, reflect the picture on 31 March 2014 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2013 to 31 March 2014.

(a) MAPPA-eligible offenders – there are a number of offenders defined in law as eligible for MAPPA management, because they have committed specified sexual and violent offences or they currently pose a risk of serious harm, although the majority (96% this year) are actually managed under ordinary agency (Level 1) arrangements rather than via MAPP meetings.

(b) Registered Sexual Offenders (RSOs) – those who are required to notify the police of their name, address and other personal details and to notify any changes subsequently (this is known as the “notification requirement”). Failure to comply with the notification requirement is a criminal offence which carries a maximum penalty of five years’ imprisonment.

(c) Violent Offenders – this category includes violent offenders sentenced to imprisonment or detention for 12 months or more, or detained under a hospital order. It also includes a small number of sexual offenders who do not qualify for registration and offenders disqualified from working with children.

(d) Other Dangerous Offenders – offenders who do not qualify under the other two MAPPA-eligible categories, but who currently pose a risk of serious harm which requires management via MAPP meetings.

(e) Breach of licence – offenders released into the community following a period of imprisonment of 12 months or more will be subject to a licence with conditions (under probation supervision). If these conditions are not complied with, breach action will be taken and the offender may be recalled to prison.

(f) Sexual Offences Prevention Order (SOPO) – 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. The full order lasts for a minimum of five years and can last indefinitely. 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 five years' imprisonment.

(g) Notification Order – this requires sexual offenders who have been convicted overseas to register with the police, in order to protect the public in the UK from the risks that they pose. The police may apply to the court for a notification order in relation to offenders who are already in the UK or are intending to come to the UK.

(h) Foreign Travel Orders – these prevent offenders with convictions for sexual offences against children from travelling abroad where this is necessary to protect children from the risk of sexual harm.

Contacts

West Mercia Police

Karen Manners - Assistant Chief Constable

West Mercia Police Headquarters
Hindlip Hall
PO Box 55
Worcester
WR3 8SP

Telephone: 101

Email: karen.manners@warwickshire.pnn.police.uk

National Probation Service - West Mercia

Tom Currie - Assistant Chief Officer

National Probation Service
Stourbank House
90 Mill Street
Kidderminster
DY11 6XA

Telephone: 01562 748375

Email: tom.currie@probation.gsi.gov.uk



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