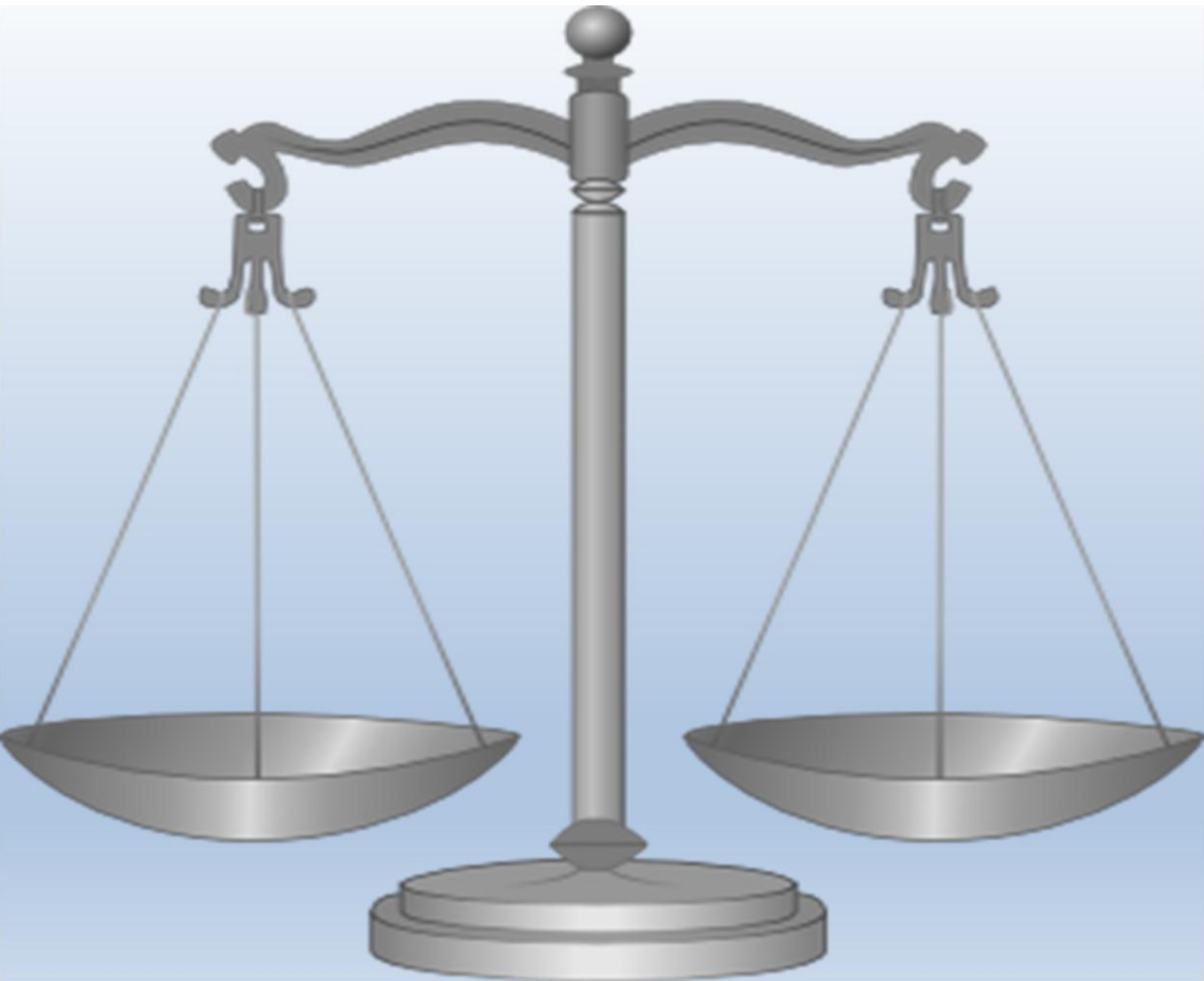




WEST MERCIA



Annual Report

Introduction

Foreword

On behalf of the MAPPA Strategic Management Board (SMB) for West Mercia, I welcome readers to the annual report for 2016-17 which is retrospective in terms of its activity, but forward looking with its partners, focused on continuous improvement. This report contains information on the nature and scale of working with sexual and violent offenders in the community, together with key performance measures which identify how well we are doing.

Once again as Chair of the SMB, I pay particular regard to the staff and partners that comprise the MAPPA team for their dedication and professionalism in providing a consistent service and response throughout the year, often outside conventional working hours. Thank-you to those staff, and to all our partners in achieving the fundamental purpose of protecting the public. I greatly value our Lay Advisors and their role in supporting the high professional standards that have been set in this area.

This is the 14th Annual report for MAPPA in West Mercia (Herefordshire, Worcestershire, Shropshire, Telford and Wrekin). The cornerstone of our MAPPA lies in forging and maintaining effective working relationships with key partners. We continue to monitor the levels of attendance and engagement as a measure of this effectiveness. Where that might change over time the response is always emphatic in reminding Chief Executives and Senior Managers of their public and statutory responsibilities in this process. In a world of constant resource pressure there is a serious risk that the effectiveness of MAPPA may be compromised.

Whilst there are three named authorities responsible for establishing and maintaining effective arrangements (National Probation Service, Police and Prison Service) there are several Duty to Cooperate organisations, including the Local Authorities, Health and Statutory Housing providers. Overall governance rests with the West Mercia Strategic Management Board, informed by the national MAPPA team within the Ministry of Justice (Her Majesty's Prison and Probation Service Directorate). West Mercia Police are in a strategic alliance with Warwickshire Police and this provides opportunities for sharing of good practice across the two areas.

MAPPA currently operates with two full time Coordinators; Neil Slater, a Senior Probation Officer, and Emma Morgan, a Senior Police civilian Staff member who Chair all Level 2 and 3 Panels. Two full time Administrators and a VISOR Administrator support the work of the MAPPA team. Whilst the NPS is seeking nationally to achieve parity and consistency of staffing and grade, it is for the MAPPA SMB to determine its own resource levels and its own priorities, subject to the nationally agreed framework and guidance.

This year has been a significant period of transition for reasons already identified but we also said good bye to our part time MAPPA Coordinator, Esther Vaughan. Prior to her departure she had implemented a review process for Level 1 nominals across West Mercia which account for the majority of cases on the NPS caseload (890 approx). This review process is now embedded into practice with local Senior Probation Officers and Police (Detective Inspectors).

This year has also seen the transfer of the MAPPA SMB Chair from myself to Assistant Chief Constable Richard Moore, as I wend my way imminently towards retirement.

I extend a very warm welcome to Richard and wish him and the SMB every success in achieving its stated purpose to protect the public.

During the past year, the MAPPA SMB undertook a Discretionary Serious Case Review in West Mercia on a young male MAPPA nominal convicted of rape, and more recently commissioned a Mandatory SCR on a man sentenced to life imprisonment. As with all SCRs, whether discretionary or mandatory, their purpose is to learn from previous practice, and to ensure that any required improvements are embedded into future practice. This demonstrates a substantial commitment to 'learning the lessons' in each and every case. The MAPPA SMB has a primary role to ensure these are taken on by all partners, but each individual organisation must discharge its own responsibility to act. In so doing we collectively close the gaps that sometimes lead to poor decision making in managing such cases. One of the important ways we have of ensuring that this does actually make a difference is through the process of multi agency audit and this is a major work-stream for the Performance and Standards Sub-Group.

The trend towards increased reporting of historic and internet sex offences has continued, and both national and local media have had an influence which has not always been helpful particularly in relation to ongoing issues around child sexual exploitation. The response to these issues has significant resource implications for MAPPA and all organisations seeking to manage the perpetrators and supporting their victims.

The number of mental health cases reviewed by MAPPA during the year is of concern which highlights the need to maintain or improve working relationships with those working in this specialist arena. Offenders who commit violent or sexual offences and have mental health issues present particularly complex challenges to agencies, particularly at a time of severe resource constraint.

The NPS developed (with NHS England) a co-commissioned Offender with Personality Disorder pathway service which supports the MAPPA process well and will be enhanced by further investments in Forensic Psychology assessment provision in recognition of the increasing demand for such services.

I am grateful to all partners, both statutory (responsible authorities) and duty to cooperate organisations for their commitment to the MAPPA process. The downward pressures on budgets continue to challenge partners and their commitment to the MAPPA process but any withdrawal can only result in negative outcomes whether this is at Level 2, 3 or at the SMB. In my view there can be no relaxation of the high standards and demands required on all of us to ensure public protection.



Tom Currie
Chair of West Mercia SMB
Assistant Chief Officer
Head of National Probation Service in West Mercia

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 Services, 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 DTC agencies.

Lay Advisers are members of the public appointed by the Minister with no links to the business of managing MAPPA offenders who 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 between agencies to inform the risk assessments and risk management plans of those managing or supervising them.

That is as far as MAPPA extend in the majority of cases, but some cases require structured multi-agency management. 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** – mainly violent offenders sentenced to 12 months or more imprisonment or a hospital order; 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 levels of management to ensure that resources are focused where they are most needed; generally those involving the higher risks of serious harm.

- **Level 1** involves ordinary agency management (i.e. managed by the lead agency with no MAPPA formal meetings);
- **Level 2** is where the active involvement of more than one agency is required to manage the offender.
- **Level 3** is where risk management plans require the attendance and commitment of resources at a senior level.

MAPPA are supported by ViSOR. This is a national IT system to assist in the management of offenders who pose a serious risk of harm to the public. The use of ViSOR increases the ability to share intelligence across organisations and enable the safe transfer of key information when high risk offenders move, enhancing public protection measures. ViSOR allows staff from the Police, Probation and Prison Services to work on the same IT system for the first time, improving the quality and timeliness of risk assessments and interventions to prevent offending.

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

MAPPA Statistics

MAPPA-eligible offenders on 31 March 2017

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	1251	348	-	1599
Level 2	24	9	24	57
Level 3	3	1	1	5
Total	1278	358	25	1661

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	41	44	44	129
Level 3	4	4	7	15
Total	45	48	51	144

RSOs cautioned or convicted for breach of notification requirements

53

RSOs who have had their life time notification revoked on application

14

Restrictive orders for Category 1 offenders

SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts

SHPO	197
SHPO with foreign travel restriction	0
NOs	2

Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)

1

Level 2 and 3 offenders returned to custody				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Breach of licence				
Level 2	3	5	3	11
Level 3	2	0	1	3
Total	5	5	4	14
Breach of SOPO				
Level 2	1	-	-	1
Level 3	1	-	-	1
Total	2	-	-	2

Total number of Registered Sexual Offenders per 100,000 population	114
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This figure has been calculated using the Mid-2016 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, 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 2017 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2016 to 31 March 2017.

(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 are actually managed under ordinary agency (Level 1) arrangements rather than via MAPPA meetings. These figures only include those MAPPA eligible offenders living in the community. They do not include those in prison or detained under the Mental Health Act.

(b) Registered Sexual Offenders (RSOs) – those who are required to notify the police of their name, address and other personal details and to notify of any subsequent changes (this is known as the “notification requirement.”) Failure to comply with the notification requirement is a criminal offence that carries a maximum penalty of 5 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.

(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 MAPPA meetings.

(e) Breach of licence – offenders released into the community following a period of imprisonment 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 Harm Prevention Order (SHPO) (including any additional foreign travel restriction). Sexual Harm Prevention Orders (SHPOs) and interim SHPOs replaced Sexual Offence Prevention Orders. They are intended to protect the public from offenders convicted of a sexual or violent offence who pose a risk of sexual harm to the public by placing restrictions on their behaviour. It requires the offender to notify their details to the police (as set out in Part 2 of the 2003 Act) for the duration of the order.

The court must be satisfied that an order is necessary to protect the public (or any particular members of the public) in the UK, or children or vulnerable adults (or any particular children or vulnerable adults) abroad, from sexual harm from the offender. In the case of an order made on a free standing application by a chief officer or the National Crime Agency (NCA), the chief officer/NCA must be able to show that the offender has acted in such a way since their conviction as to make the order necessary.

The minimum duration for a full order is five years. The lower age limit is 10, which is the age of criminal responsibility, but where the defendant is under the age of 18 an application for an order should only be considered exceptionally.

(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) Sexual Risk Order (including any additional foreign travel restriction)

The Sexual Risk Order (SRO) replaced the Risk of Sexual Harm Order (RoSHO) and may be made in relation to a person without a conviction for a sexual or violent offence (or any other offence), but who poses a risk of sexual harm.

The SRO may be made at the magistrates' court on application by the police or NCA where an individual has done an act of a sexual nature and the court is satisfied that the person poses a risk of harm to the public in the UK or children or vulnerable adults overseas.

A SRO may prohibit the person from doing anything described in it, including travel overseas. Any prohibition must be necessary to protect the public in the UK from sexual harm or, in relation to foreign travel, protecting children or vulnerable adults from sexual harm.

An individual subject to an SRO is required to notify the police of their name and home address within three days of the order being made and also to notify any changes to this information within three days.

A SRO can last for a minimum of two years and has no maximum duration, with the exception of any foreign travel restrictions which, if applicable, last for a maximum of five years (but may be renewed).

The criminal standard of proof continues to apply. The person concerned is able to appeal against the making of the order and the police or the person concerned are able to apply for the order to be varied, renewed or discharged.

A breach of a SRO is a criminal offence punishable by a maximum of five years' imprisonment. Where an individual breaches their SRO, they will become subject to full notification requirements.

Individuals made subject of a SRO are now recorded on VISOR as a Potentially Dangerous Person (PDP).

(i) Lifetime notification requirements revoked on application

A legal challenge in 2010 and a corresponding legislative response means there is now a mechanism in place that allows qualifying sex offenders to apply for a review of their notification requirements.

Individuals subject to indefinite notification will only become eligible to seek a review once they have been subject to indefinite notification requirements for a period of at least 15 years for adults and 8 years for juveniles. This applies from 1 September 2012 for adult offenders.

On 21 April 2010, in the case of *R (on the application of F and Angus Aubrey Thompson) v Secretary of State for the Home Department [2010] UKSC 17*, the Supreme Court upheld an earlier decision of the Court of Appeal and made a declaration of incompatibility under s. 4 of the Human Rights Act 1998 in respect of notification requirements for an indefinite period under section 82 of the Sexual Offences Act 2003.

This has been remedied by virtue of the Sexual Offences Act 2003 (Remedial) Order 2012 which has introduced the opportunity for offenders subject to indefinite notification to seek a review; this was enacted on 30th July 2012.

Persons will not come off the register automatically. Qualifying offenders will be required to submit an application to the police seeking a review of their indefinite notification requirements. This will only be once they have completed a minimum period of time subject to the notification requirements (15 years from the point of first notification following release from custody for the index offence for adults and 8 years for juveniles).

Those who continue to pose a significant risk will remain on the register for life, if necessary. In the event that an offender is subject to a Sexual Offences Prevention Order (SOPO)/Sexual Harm Prevention Order (SHPO) the order must be discharged under section 108 of the Sexual Offences Act 2003 prior to an application for a review of their indefinite notification requirements.

For more information, see the Home Office section of the gov.uk website:

<https://www.gov.uk/government/publications/sexual-offences-act-2003-remedial-order-2012>

MAPPA Lay Adviser Report

I was appointed as a Lay Adviser in March 2015 and am now half way through my four year term. I now feel I understand the complications of the MAPP process better and I am able to make a more meaningful contribution. The role may be summarized as acting as a critical friend to the professionals and to take an active part in the Strategic Management Board and the Performance and Standards Sub Group. This year I have attended 4 MAPPA meetings, 3 SMB's and 4 PSSG's, as well as being a panel member on 2 Serious Case Reviews.

The work shows a high level of commitment from almost all professionals in trying to rehabilitate offenders and keep the public safe: The MAPPA Co-ordinators have a difficult job which they do very well and in fact West Mercia monitors higher numbers of eligible offenders than other areas and this is an example of good practice, which is confirmed by the low numbers of serious crimes committed by MAPP monitored offenders.

My report last year expressed concern that the number of sex offenders in MAPPA had increased by over 30% 2015/16 and there is a smaller increase this year (16%) but the numbers are large and difficult to manage.

My concern is that there is an acute shortage of suitable accommodation for sex offenders on release from prison and they are often placed in places where re-offending is more likely. This is a national issue and requires a solution urgently. West Mercia has a large increase in the number of Category 3 - Other Dangerous Offenders- rising from 5 last year to 25 currently.

This year I have spent time with a Victim Liaison Officer, discussing her work and I was

impressed by the professionalism she showed and the difficulties of working with very vulnerable members of the public. Inevitably, the number of victims one VLO has to support is very large and one way of improving the liaison was identified in our talk. This has been taken to the SMB for action.

The West Mercia MAPPA Annual report shows a wide range of good work which is being done by the Police and Probation Services together with the other agencies to make our society safer. The public generally are unaware of much of this work and I hope that this Annual Report will go some way to making an understanding of the MAPPA process more accessible to our community.

[Tam Park](#)
[Lay Adviser to West Mercia MAPPA Strategic Management Board](#)

Victim Contact Unit

Report

The past 12 months have, as ever, been an interesting time for the Victim Contact Unit. West Mercia has a team of dedicated, hard working Victim Liaison Officers who have continued to undertake this challenging role serving the members of the Victim Contact Scheme and liaising with partner agencies through mechanism such as MAPPA to work towards protecting the public.

The key tasks undertaken by the Victim Contact Unit are:

- Explaining the sentence to the victim and how an offender is likely to progress through the prison system.
- Working with the victim to prepare a victim personal statement for the parole board in eligible cases
- Liaising with the Victim and the Offender Manager to agree proportionate and appropriate licence conditions in respect of the individual circumstances of the case.

To achieve this we work alongside other agencies in forums such as MAPPA and MARAC meetings. Through working with partner agencies we are able to help to build a comprehensive picture which allows those agencies to work together towards the aim of protecting the public. We value this multi agency approach and the willingness of agencies to work together towards this shared aim.

Moving forward we are working ever more closely with victims units across the wider Midlands area. The use of one national database has allowed more joined up working across geographical boundaries, we are currently exploring other ways to use resources effectively across the region.

Becoming part of a regional team of victims units across the National Probation Service Midlands Division is allowing us to share good practice across the area, the benefits of which we will be bringing back into our work across West Mercia.

[Kate Parsons](#)
[Senior Probation Officer](#)
[Victim Contact Unit Manager](#)

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