



# GWENT LOCAL DELIVERY UNIT



# Annual Report

# Intro

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HMPPS in Wales works to ensure our communities are safer, offenders are supported and victims are prevented. We aim to provide a continuous path to reform working in partnership with criminal and social justice services in Wales to create a seamless system for rehabilitation of offenders and increasing public safety in communities. The work undertaken through MAPPA is of critical importance to achieving this. As such, HMPPS in Wales is dedicated to working in partnership with MAPPA agencies to protect the public from becoming victims of serious harm in our local communities.

We recognise that by working collaboratively with agencies under MAPPA to manage risk is the only effective way to protect victims and prevent future

victims. MAPPA allows us to gather the necessary intelligence, expertise and valuable contributions of partner agencies within a legal framework to help inform our understanding of the possible risk posed by offenders released into the community and how that risk will be managed in order to protect the public.

HMPPS in Wales and all of the agencies involved in MAPPA place the protection of the public as their highest priority and this report reflects the determination and valued commitment of all agencies signed up to MAPPA, dedicated to protecting the public, while promoting safer communities in Wales.



**Amy Rees. Executive Director, HMPPS in Wales.**

# 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 formal MAPPA 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](http://www.gov.uk)

# MAPPA Statistics

<b>MAPPA-eligible offenders on 31 March 2018</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	725	411	-	1136
Level 2	33	24	5	62
Level 3	2	3	0	5
Total	760	438	5	1203

<b>MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total)</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	83	72	19	174
Level 3	2	3	0	5
Total	85	75	19	179

<b>RSOs cautioned or convicted for breach of notification requirements</b>	5
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<b>RSOs who have had their life time notification revoked on application</b>	2
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<b>Restrictive orders for Category 1 offenders</b>	
<b>SHPOs, SHPOs with foreign travel restriction &amp; NOs imposed by the courts</b>	
SHPO	84
SHPO with foreign travel restriction	0
NOs	0

<b>Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)</b>	0
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<b>Level 2 and 3 offenders returned to custody</b>				
	<b>Category 1: Registered sex offenders</b>	<b>Category 2: Violent offenders</b>	<b>Category 3: Other dangerous offenders</b>	<b>Total</b>
<b>Breach of licence</b>				
Level 2	5	6	4	15
Level 3	1	0	0	1
Total	6	6	4	16
<b>Breach of SOPO</b>				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

<b>Total number of Registered Sexual Offenders per 100,000 population</b>	147
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This figure has been calculated using the Mid-2017 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

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## 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.

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>

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.

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# Local page

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The Gwent MAPPA Strategy Management Board's (SMB) vision of ensuring offenders are managed at the right level with the appropriate amount of resources underpins the work of the multi-agency panels throughout its Local Delivery Unit (LDU). Each MAPPA Chair ensures the inclusion of the Responsible Authorities (RA)/ Duty to Co-operate (DTC) agencies in order to establish a robust risk management plan and co-working approach in managing offending behaviour.

Gwent MAPPA SMB Sub Committees are well established and demonstrate the ethos that maintaining a focus on specific areas is essential to reduce offending. The MAPPA sub Housing group, for example, links the housing areas across the LDU and aims to share resources for the more complex offenders whose accommodation needs are more challenging.

(Comments from a Gwent Housing Manager)

*"The use of social media can severely hamper the successful housing outcomes for some MAPPA clients and the impact on this for the housing partners is resource intensive. There is a need to take a more holistic approach to the Duty to Co-operate responsibility Housing have and we feel (we have) good examples of positive partnership working"*

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*"In order to accelerate the housing solutions into social housing, we feel it is critical that the social housing partners with stock in our borough need to have a better understanding of the MAPPA process, its control and management; well known to the relevant agencies, but not understood by the social landlords. To improve the wider understanding of the MAPPA process and to dispel the myths about the housing of MAPPA cases, the MAPPA Coordinator has committed their attendance to the social housing and homeless partners meetings early in 2018-19 which will have a positive effect on this process."*

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Ensuring RAs and DTCs understand the challenges of Housing providers enables a mutual respect and more responsive relationship which leads to resources being utilised in a more cost effective and risk-appropriate manner.

Gwent's Key Performance Indicators (KPIs) reflect the steady increase in partnership work. Agencies involved in managing/ supporting offenders are invited to SMB meetings to present their organisation's aims and objectives and demonstrate how their input feeds into risk management plan. This in turn increases the range of available resources to encourage desistance and victim safety. The KPIs also indicate the number of cases referred into MAPPA meetings and reflect the responsive nature of cases being scheduled into MAPPA meetings.

Evidence of continual improvements are set out in our MAPPA Annual Strategic Plan. MAPPA awareness training, delivered through Gwent Police and the MAPPA Co Ordinator, demonstrates how RAs work together to ensure a consistent approach and validate the MAPPA ethos. Feedback from training events include:

*"Good to have Police and Probation joint input"*

*"I know more about MAPPA eligibility and how to use it in everyday practice"*

*"Learning more about MAPPA... helps me support my clients when liaising with Probation and other agencies"*

Sharing good practice throughout Gwent and across Wales ensures local communities and the wider criminal justice system have confidence in MAPPA and Public Protection work. We look forward to building on this further in 2018/2019.

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## Key Contacts

### Chair of the Strategic Management Board

NPS Lead  
Heather Nicholls  
Acting Assistant Chief Executive  
Caerphilly Probation Office  
Centenary House  
Unit 1 De Clare Court  
Pontywindy Industrial Estate  
Caerphilly  
CF83 3HU

### Police Lead

Rhiannon Kirk  
Detective Superintendent  
Gwent Police HQ  
Turnpike Road,  
Croesyceiliog,  
Cwmbran,  
NP44 2XJ

### Her Majesty's Prison Lead

Governor Giles Mason  
HMP Prescoed  
102 Maryport Street  
Usk  
NP15 1AH

### MAPPA Co-ordinator

Gayle Gilder  
Caerphilly Probation Office  
Centenary House  
Unit 1 De Clare Court  
Pontywindy Industrial Estate  
Caerphilly  
CF83 3HU

All MAPPA reports from England and Wales are published online at:  
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