



Home Office

Detention Services Order 20/2012

Multi-Agency Public Protection Arrangements (MAPPA)

July 2019



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Document Details

Process: To provide instructions to those operating in Home Office immigration removal centres, short-term holding facilities and during in-country and overseas escort on dealing with MAPPA offenders.

Implementation Date: December 2011 (reissued July 2019)

Review Date: July 2021

Version: 3.0

Contains Mandatory Instructions

For Action: All Home office staff and suppliers operating in immigration removal centres, pre-departure accommodation and short-term holding facilities.

For Information: Home Office caseworkers

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Processes Affected: Detention and release of MAPPA offenders

Assumptions: All staff will have the necessary knowledge to follow these procedures.

Notes: This DSO rebrands 20/2012, that was originally implemented in December 2011.

Instruction

Introduction

1. This detention services order (DSO) provides information for all staff and suppliers on the process for dealing with MAPPA offenders in immigration detention in England and Wales.
2. MAPPA is a set of arrangements which provides a common framework for the identification, assessment and management of certain offenders **in the community**. For those convicted in England and Wales the MAPPA Guidance (<https://www.gov.uk/government/publications/multi-agency-public-protection-arrangements-mappa--2>) sets out a list of the relevant sexual and violent offences.
3. This DSO clarifies the procedures to be adopted by all immigration removal centres (IRCs) that receive time served foreign national offenders (TSFNOs) from the Prison Service who have been convicted of offences which bring them into MAPPA.
4. Two different Home Office teams operate in IRCs:
 - Detention and Escorting Services Compliance team (Compliance team)
 - Immigration Enforcement Detention Engagement team (DET)

The **Compliance team** are responsible for all on-site commercial and contract monitoring work. The **DETs** interact with detainees face-to-face on behalf of responsible officers within the detention centres. They focus on communicating and engaging with people detained at IRCs, helping them to understand their cases and detention. DETs are managed by an on-site Home Office DET manager.

There are no DETs at residential STHFs, functions which are the responsibility of the DET in RSTHFs are carried out by the Detainee Monitoring and Population Management unit (DEPMU).

Purpose

5. The purpose of this order is to ensure that all TSFNOs subject to MAPPA who are transferred to the detention estate are located appropriately and are only released into the community when the appropriate arrangements are in place for such release and not before.

Procedures

6. Any foreign national offender (FNO) who is imprisoned for an offence which brings them into MAPPA should be flagged as a MAPPA “nominal” on the Prison-NOMIS system. However, being identified as a MAPPA nominal does not indicate the risk of serious harm that the offender poses, or the MAPPA level at which the offender will be managed if released into the community. There are three categories of MAPPA offender, as follows:

Category 1: sexual offenders subject to notification requirements (often called registered sex offenders).

Category 2: violent offenders who have been sentenced to twelve months or more in custody or a hospital or guardianship order. This category also includes some sexual offenders who do not qualify for category 1.

Category 3: other dangerous offenders - who have been cautioned for/ or convicted of an offence which indicates that he or she is capable of causing serious harm AND which requires multi-agency management.

7. The process for the management of MAPPA offenders being released from prison under the supervision of Community Offender Managers is set out in the MAPPA Guidance. A MAPPA offender will have an identified Offender Manager who will assess the level of MAPPA management the offender requires prior to the offender’s earliest possible release date from prison. This level of management will continue to apply when the TSFNO is transferred to the detention estate, with the Offender Manager remaining responsible for the case until the licence expires. The three levels of management for dealing with MAPPA offenders are as follows:

Level 1: ordinary agency management, where the offender can be managed by the lead agency in consultation with other agencies involved.

Level 2: for cases where active interagency management is required in order to manage the risk of serious harm posed.

Level 3: for the most complex cases which require active interagency management by Senior Managers from the agencies involved.

8. All adult offenders, including FNOs, who are released before their sentence expiry date will be subject to licence on release and therefore will be managed by the National Probation Service (NPS) or a Community Rehabilitation Company (CRC). All MAPPA offenders will be managed by the NPS. This will include a number of TSFNOs who, if released from detention, will be subject to licence and/or notification requirements. All young offenders will be subject to either a period of supervision or licence which will be held by a member of the Youth Offending Team. Most offenders sentenced for a sexual offence will be subject to notification requirements when released into the community.
9. All MAPPA offenders, including FNOs, who will be managed at MAPPA level 2 or 3 should be identified at least six months before their earliest release date from prison by the NPS Community Offender Manager in order for the referral, and review of the case, to be undertaken.
10. In cases where the offender is subject to MAPPA management at level 1, the Home Office should be involved in information sharing and risk management planning. For cases managed at MAPPA level 2 or level 3, the Home Office is required to contribute to the risk management plan by actively engaging in information and intelligence sharing within the meeting on an ongoing basis. This will apply in cases when the FNO would be subject to licence or police management should they be released into the community before their sentence end date. The Criminal Casework (CC) case owner is responsible for providing Home Office input.
11. Requests for information on a MAPPA offender should be tasked through the CC MAPPA co-ordinator to both the DET Manager and the Supplier Centre Manager. The CC case owner or the DET Manager should attend a MAPPA meeting in person, if requested and should be in a position to provide the panel with current, relevant information. They should also be of appropriate seniority to make decisions in relation to the risk management of the offender. If the behaviour of a MAPPA offender in an IRC is relevant to their ongoing risk management, the Supplier Security team should complete an IS91 Part C and submit to the Compliance team manager, DET managers and to the DET inbox. The DET manager, will send to the CC MAPPA co-ordinator (on Poise) and relevant case-owner.

12. The holding prison should provide the DEPMU risk assessment team with sufficient information around a detainee's MAPPA status to assist them in assessing the risk posed by a detainee by ensuring the information is recorded accurately on NOMIS. The provision of a risk assessment will need to be requested by DEPMU in line with the guidance in PI 52/2014 (also issued as PSI 34/2014). This information, along with a full risk assessment based on criminal conviction, sentence length and custodial behaviour, will inform the Population Management system as to where the TSFNO is best placed to be detained within the detention estate. MAPPA details will be routinely recorded by DEPMU on the Casework Information Database (CID) on the special conditions screen as part of the risk assessment recording.

Safeguarding and MAPPA TSFNs in IRCs

13. All visitors (including children) to IRCs should be protected by the safeguarding arrangements outlined in DSO 04/2012 'Visitors and Visiting Procedures' and DSO 10/2012 'Detention and escorting safeguarding children policy', to ensure they are safe and protected in any environment for which the Home Office has responsibility.

Release of TSFNs from immigration detention

14. If a TSFNO is released into the community from an IRC, the IRC supplier is responsible for ensuring the detainee has a copy of their licence prior to their release. In cases of sexual offenders, the TSFNO may also be subject to notification requirements and as such the TSFNO should be reissued with the notification requirement. Both documents are included in the 2050 Prison Core File or from the allocated Offender Manager.
15. Releases should be facilitated during daytime where possible, unless there are significant operational reasons that mean that release at other times would be unavoidable. The DET team are responsible for the release of a TSFNO and all the communications with the case owner.

Revision History

Review date	Reviewed by	Review outcome	Next review
March 2016	Frances Hardy	Rebranded and change to process to information sharing	March 2018
June 2016	Emily Jarvis	Reference to 'Annex A' removed	June 2018
July 2019	Shadia Ali	Amended to include the roll out of DET teams and individual responsibilities	July 2020