

Warwickshire MAPPA



Annual Report 2020

Working together for safer communities

Introduction

As Chair of the Warwickshire MAPPA Strategic Management Board (SMB), I am pleased to introduce this year's Multi Agency Public Protection Arrangements (MAPPA) Annual Report. I hope that it serves as a helpful overview of our local public protection measures.

Looking back on 2019/2020

The global Coronavirus pandemic has posed unprecedented challenges and will likely continue to do so throughout 2021. As a result, all agencies within the Criminal Justice System have had to adapt, to continue to protect the public, while responding to the myriad complications of doing so during a pandemic. All parties have proved to be flexible and shown commendable commitment and determination throughout these difficult months, making best use of available IT solutions and adapting their delivery models as required. There will no doubt be elements of these innovative changes that are retained, as we hope to move into a more 'standard' operating model, later in 2021.

Key agencies

The National Probation Service (NPS) manage all MAPPA eligible and high-risk adult offenders subject to supervision, while similarly, the Youth Justice Service are the lead agency for those under 18 years of age. The National Probation Service (including Victim Liaison Units), Police, Youth Justice Service, Mental Health and Prison Service, as part of Her Majesty's Prison and Probation Service (HMPPS) all play crucial roles, depending on the nature of the order or sentence imposed at Court. Child and adult safeguarding are fundamental priorities: Children's Services and Adult Social Care representatives provide expert advice for all cases, to ensure the public are appropriately protected.

Warwickshire Police provide an Integrated Offender Management approach (IOM), allocating resources to priority offenders with identified concerns relating to key areas, including: domestic abuse, serious acquisitive offending, organised crime groups, sexual offending (involving specialist sex offender management officers) and other prolific and priority offenders.

MAPPA audit

The SMB prioritises the ongoing development of local practice, sharing learning and developments from regional and national inspections and case reviews. Each year, the SMB also oversees a detailed MAPPA audit, involving multi-agency assessment of the management of eligible offenders. Our audit process benefits from the presence of two Lay Advisers. As members of the public who volunteer to assist the SMB, Lay Advisers are tasked with acting as 'a critical friend' to all the agencies involved and offer invaluable feedback to the MAPPA Strategic Management Board and the local MAPPA Coordinator.



All local agencies are committed to working together to ensure all relevant information is shared and a detailed plan is pieced together for every MAPPA offender.

2021 and beyond

This year will see the national reunification of the National Probation Service and the Community Rehabilitation Services: this should ensure a more joined-up approach to the management of offenders, and we anticipate that it will prove to be a positive change. There are also ongoing national reviews into both MAPPA and IOM: we welcome the opportunity to explore these further, to ensure we continually evolve in our efforts to reduce the harm posed by serious violent and sexual offenders.

ACC Debbie Tedds
Warwickshire Police
Assistant Chief Constable and Chair of the MAPPA Strategic Management Board.

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 presenting the higher risks of serious harm.

- **Level 1** is where the offender is managed by the lead agency with information exchange and multi-agency support as required but without formal MAPPA meetings;
- **Level 2** is where formal MAPPA meetings are required to manage the offender.
- **Level 3** is where risk management plans require the attendance and commitment of resources at a senior level at MAPPA meetings.

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

If you would like to know more about MAPPA and national MAPPA guidance, further details can be found at mappa.justice.gov.uk.

MAPPA Statistics

MAPPA-eligible offenders in the community on 31 March 2020				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	546	179	-	725
Level 2	1	2	2	5
Level 3	0	1	0	1
Total	547	182	2	731

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	7	3	3	13
Level 3	1	0	1	2
Total	8	3	4	15

RSOs cautioned or convicted for breach of notification requirements	7
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RSOs who have had their life time notification revoked on application	1
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	44
SHPO with foreign travel restriction	0
NOs	0

Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)	0
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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	2	0	5
Level 3	0	0	1	1
Total	3	2	1	6
Breach of SOPO				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

Total number of Registered Sexual Offenders per 100,000 population	107
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This figure has been calculated using the Mid-2018 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 2020 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2019 to 31 March 2020.

(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 at Level 1 without formal 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.”) These offenders are assessed and managed by the police. They may also be managed by probation or health services if they are subject to licence or a hospital order. 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. These offenders are assessed and managed by the National Probation Service, Youth Offending Team or Mental Health Services.

(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. These offenders are assessed and managed by whichever agency has the primary responsibility for them.

(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. They require 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 committed 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 can 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. Should an individual breach 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. Persons do not come off the register automatically. Qualifying offenders may submit an application to the police to review their indefinite notification requirements. The police review the application and decide whether to revoke the notification requirements. This decision is made at the rank of Superintendent. Those who continue to pose a significant risk will remain on the register for life, if necessary.

Individuals 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 applied from 1 September 2012 for adult offenders.

Proactive risk management throughout the sentence

The statistics provided on pages 3 and 4 include details for MAPPA offenders managed at Level 2 or 3 in the community throughout the year. However, as MAPPA Guidance asserts the need for effective planning *throughout an offender's sentence*, the Warwickshire Strategic Management Board has decided to include further statistics for all offenders, to include those in custody and secure hospitals who have been discussed at Level 2 or 3 within the period. We feel that this highlights the proactive stance taken by our local MAPPA agencies and is therefore a helpful reflection of the work undertaken in the Warwickshire area. A total number of formal multi-agency discussions at Level 2 and Level 3 ('MAPPA meetings') is therefore included below:

MAPPA meetings 2019-2020 (yearly total)	
MAPPA Level 2	50
MAPPA Level 3	22
Total MAPPA meetings	72
Total Offenders discussed	27

What is the Victim Contact Scheme?

The statutory Victim Contact Scheme (VCS) is offered to victims of violent and sexual offences where the offender receives a custodial sentence of 12 months or more. The purpose of the VCS is to provide eligible victims with information and advice about the criminal justice process by a designated Victim Liaison Officer (VLO). This includes being kept informed of key stages of the offender's sentence, such as progression to 'open conditions' (Category D prison), or release, and to make representations about victim-related conditions that can be attached to the offender's release licence.

Victims of any offender who has committed a specified violent or sexual offence and received a sentence of 12 months' imprisonment or more - or has been detained in a hospital for treatment under the Mental Health Act 1983 (MHA 1983) - are entitled to be notified about the VCS by their local Witness Care Unit.

Victims are entitled to:

- decide if they want to receive information about key stages of the offender's sentence;
- be assigned a VLO, who will act as their point of contact in the National Probation Service (NPS);
- receive information and make representations to the National Probation Service about victim-related conditions to be included on the offender's release licence, or conditions of discharge (under the MHA 1983). For example, this could include conditions to prevent the offender from contacting the victim or their family, or entering specific exclusion zones;
- be informed by the VLO about any conditions which an offender is subject to on release or discharge which relate to the victim or their family;
- be informed of the date on which these conditions will end;
- be informed about any other information which the National Probation Service considers to be appropriate in the circumstances of the case, including about key stages of the offender's sentence, or treatment in the case of mental health patients;
- The VLO can request Parole Board Decision Summaries are made available to victims;
- The VLO will also explain how to challenge a parole decision (if the Parole Board decides the offender is safe to release);
- If the offender is under 18, the Youth Justice Service will provide relevant details to the National Probation Service, so all qualifying victims are offered the contact scheme.

How does the VCS fit into MAPPA?

Victim Liaison Officers are invited to our local MAPPA meetings, and help to develop the risk management plans for all cases discussed. Locally, Victim Liaison Officers very much value being able to engage in multi-agency discussions at MAPPA panels: they are able to raise issues from a victim perspective and contribute positively to the plans and decisions made. Being able to be involved in this way has enhanced the service that the VLU can offer to those victims who elect to become members of the scheme.

If a victim decides not to join the scheme - or was not offered the scheme for any reason – they can still join by sending an email to: vcenquiries@justice.gov.uk.

Please see: [victim rights after a crime](#) for further information.

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National
Probation
Service

