



Multi Agency Public Protection Arrangements

WEST MERCIA



Annual Report

Foreword

On behalf of the Strategic Management Board (SMB) for West Mercia Multi Agency Public Protection Arrangements (MAPPA), it is our pleasure to present the Annual Report for 2019/2020.

The key aim of MAPPA is to ensure the protection of public by ensuring robust assessment and management of those individuals in our communities who have committed serious acts of violent or sexual offending. This cannot be delivered by one agency alone, hence the need for the co-operation of agencies across a full range of disciplines. MAPPA thus consists of those agencies known as Responsible Authorities (Police, Probation Services and Prison Service), and Duty to Co Operate agencies such as National Health Service, Local Authorities, Youth Justice and Housing Providers. All agencies have a crucial role to play in the formulation of defensible decision making, using all resources and options available to secure the best outcomes for the management, resettlement and rehabilitation of those individual identified within the MAPPA cohort. It is only by working together that we can seek to reduce the risk of harm to the public and reduce the number of future victims.

The West Mercia SMB meets quarterly to oversee the delivery of MAPPA across the area and ensure full implementation of the National MAPPA Guidance. Membership of the SMB consists of senior representatives of the RA and DTC agencies. The work of the SMB is supported by Lay Advisors who have a key role in representing the local public.

The production of the annual report should naturally reflect upon the 12 months of delivery. We note as we write this foreword that it is December 2020, and in more usual circumstances this would have been written at a much earlier stage. The onset of the global Covid-19 pandemic in the early months of 2020 has delayed publication of this report.

Reflecting upon 2019/20 it is important to note the ongoing upward trend in terms of the prosecution of perpetrators of sexual offences, resulting in a growing workload for MAPPA teams and partners. Locally this has been managed within existing resources with little change to reflect this as a trend over the past few years, and we look forward to a pending review which we are hopeful will address this. We have continued to demand and receive assurance that the West Mercia area adheres to the requirements of the national guidance, and we have used learning points from our last Serious Case Review to improve and enhance our service.

Throughout this period we have continued to apply a learning and improvement culture in our approach to MAPPA. In particular we have concentrated on Accommodation and Mental Health pathways, working with SMB partners to secure better outcomes for the MAPPA cohort with the aim of reducing re offending. I am very grateful for colleagues who have worked hard to progress this work.

Our Lay Advisors have continued to support the MAPPA process throughout the year, ensuring that the public voice is kept on the agenda at all times, challenging all agencies to work together to meet the objective of public protection and accountability. The SMB is indebted to them for their knowledge, observation and perspective and the energy and commitment they bring to this task. It has been a pleasure working with our Lay Advisors, all agency representatives and our diligent and hardworking MAPPA Coordinators and administrative team.

Although the greater detail will be covered in the 2020/2021 report it would be remiss of us, in December 2020, not to mention the incredible resilience demonstrated by all MAPPA contributors since March 2020 and the outbreak of the Covid-19 pandemic.

As a result of this, and the hard work of the MAPPAs team to establish the delivery of MAPPAs on a remote basis, we have been able to continue our assurance work under a set of very different circumstances.

To conclude this introduction we wish to say a very heartfelt thank you to all partners and staff involved in the MAPPAs processes across West Mercia, for the commitment to engage and work together to protect victims, the public, and manage risk through partnership.



Jackie Stevenson
Head of Service – National Probation Service
West Mercia
Chair of West Mercia MAPPAs SMB



Assistant Chief Constable Geoffrey Wessell
West Mercia Police
Deputy SMB Chair

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

MAPPA Statistics

MAPPA-eligible offenders on 31 March 2020				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	1389	344	-	1733
Level 2	16	6	3	25
Level 3	0	0	2	2
Total	1405	350	5	1760

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	51	34	32	117
Level 3	4	1	6	11
Total	55	35	38	128

RSOs cautioned or convicted for breach of notification requirements	16
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RSOs who have had their life time notification revoked on application	13
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	116
SHPO with foreign travel restriction	1
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	4	0	3	7
Level 3	0	1	3	4
Total	4	1	6	11
Breach of SOPO				
Level 2	0	-	-	0
Level 3	1	-	-	1
Total	1	-	-	1

Total number of Registered Sexual Offenders per 100,000 population	122
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This figure has been calculated using the Mid-2019 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 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. 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.

Victim Liaison Unit

As for all staff working within the Criminal Justice System during the past 12 months, the Victim Liaison Unit has had to rapidly change all of our working practices, to ensure that we were able to maintain an exemplary level of service to the victims that we serve, whilst dealing with the challenges of remote working that the Covid-19 pandemic required.

As staff who rarely need to see victims in an office environment, we were one of the first staff groups who were instructed to immediately work from home. With MAPPA shifting to an online platform the VLU had to adapt to ensure that the victim's representations were included in the planning for release and ongoing management of offenders.

Victim work is becoming increasingly complicated and sits more firmly within an increasing legal framework requiring Victim Liaison Officer (VLO's) to continually update their working practices and deal with cases on a far more individual basis than we have ever needed to before.

The recent report by the Victims Commissioner outlined further changes to the working practices of VLOs, with additional cases being added to our statutory case load. Our work within the MAPPP process is vital to ensure that these additional cases are being considered.

As the Victim Contact Scheme continues to expand, more victims are being brought into the MAPPA process, in turn ensuring that more victims are safeguarded. One of the key engagement opportunities that MAPPA provides for the VLOs, is to allow discussion around the needs of Offender Management in order to reduce risk, whilst also taking into consideration victim concerns. The MAPPA platform enables those discussions to take place and appropriate decisions to be made about the management of high-risk offenders. As our work continually evolves with the continuation of the Reconsideration Mechanism, which enables victims and the Secretary of State to voice concerns about the Parole Board Process, and the introduction of cases where offenders are subject to unrestricted Hospital Orders, it is imperative that we maintain our efficient working links with MAPPA, so that we can continue to discuss victim concerns and also advise partner agencies of the increasingly complicated landscape that we are navigating.

We are fortunate to be seen to have a key role at MAPPA and this can only benefit the victims that we are working with.

Susanna Petts
Victim Liaison Officer

Lay Advisers

Three Lay Advisers have been appointed to monitor and oversee the effectiveness of the MAPPA process in West Mercia. They have no executive powers but act as “critical friends” and in addition to attending panels where individual cases are discussed, they are also members of the Strategic Management Board along with the Performance and Standards Sub Group. The posts are unpaid, voluntary appointments.

Although not able make decisions as to the risk management of individuals, they can, and do, make comments and ask questions from the publics’ perspective about the risk management plans being devised so as to ensure that so far as they are concerned, all is being done that can be done.

Their attendance at panels provides them with the opportunity to assess the conduct of the meetings along with the performance of those involved and the quality of the material provided. Their findings and impressions are passed on to the Co-ordinators, whom they meet with regularly to discuss the MAPPA process.

In addition, two have attended the national conference of Lay Advisers. They have also been involved in formal West Mercia case audits, and one Lay Adviser has also been invited to assess another area’s application of a different approach and methodology to the MAPPA process to that used in West Mercia. A report of the findings has been provided to the SMB that assured managers that the process in West Mercia is very much indeed fit for purpose.

Overall during the year, Lay Advisers have attended 8 Level 3 panels and 18 Level 2 panels.

Disruption during the year has meant that all participating bodies have had to adapt their monitoring and supervising processes. This they have done despite the administrative difficulties.

It has been heartening to see, in the panels attended, that the enthusiasm of individuals to address and apply MAPPA principles has been maintained.

However, it is notable that there is a worrying variation in the quality of the oral reports from Case Managers at panel meetings which needs to be addressed. It is essential that sufficient relevant, up to date, and pertinent information is given, in addition to the written reports, so that an accurate assessment of risk can be made. Oral presentation to a group is a skill, and it is understood that virtual training is to be devised and this, together with closer managerial oversight, can only be beneficial.

It is unfortunate that Lay Adviser plans to follow specific cases through the system to see the reality of supervision and monitoring, and whether it matches the Risk Management Plans devised, have had to be temporarily shelved. Hopefully the scheme can be resurrected in the not too distant future.

In conclusion, the Lay Advisers recognise that the two MAPPA Co-ordinators have had the unenviable task of chairing panels at which some of the many members have been in attendance via Microsoft Teams, and yet others have been on audio conference with glitches being not infrequent.

Wrestling with the technology whilst keeping the meetings focussed on risk management planning and MAPPA principles, has been a major challenge. We would like to say that they have more than risen to the task.

Michael Park

David Stott

Anthony Selby

West Mercia MAPPA Lay Advisors

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