

# ANNUAL REPORT

## 2021/22



**CUMBRIA MULTI-AGENCY  
PUBLIC PROTECTION  
ARRANGEMENTS**



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# INTRODUCTION

## PROTECTING PEOPLE IN CUMBRIA FROM SEXUAL AND VIOLENT OFFENDERS

I am pleased to introduce the 2020- 2021 annual report of the Multi-Agency Public Protection Arrangements (MAPPA) in Cumbria, which reviews the work we have undertaken to protect the public and make our communities safer.

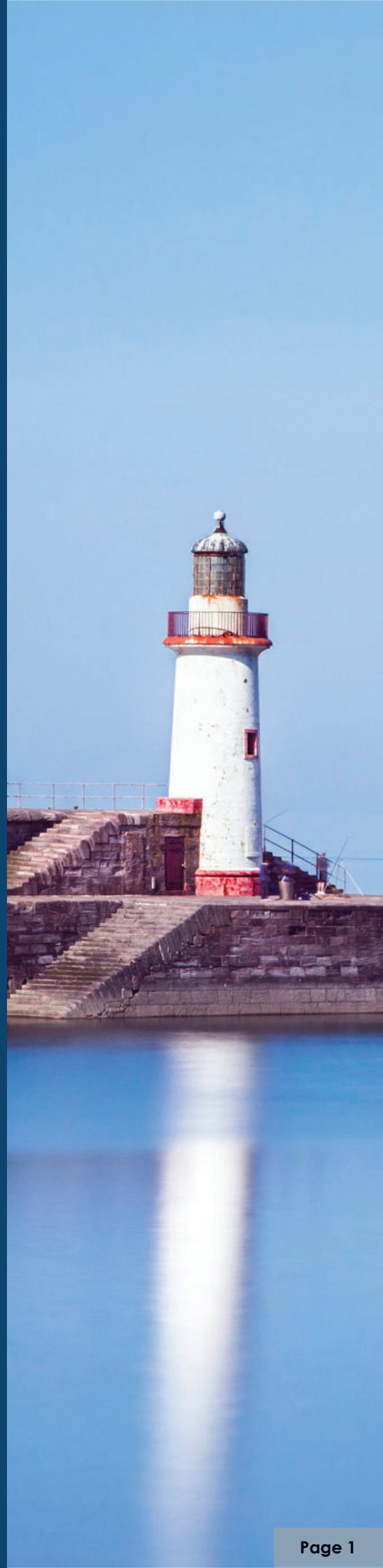
Protecting the public is paramount and everything we do is focused on ensuring the continued safety of our communities. Members of the public can be assured, through this report, that work is ongoing to robustly manage dangerous offenders, reduce the likelihood of re-offending and protect all members of society including the most vulnerable.

It is impossible to fully eliminate the risks posed by serious offenders. However, what can be expected is that all reasonable steps have been taken to reduce the risk of serious harm to the public from known offenders and promote rehabilitation.

The MAPPA Responsible Authority agencies work together with the statutory Duty-to-Cooperate agencies to establish robust risk management plans and co-working approach in managing offending behaviour. The positive relationships that have been developed between professionals from MAPPA partner agencies in Cumbria have contributed to successfully maintain the very high standard of offender management that has been evident over previous years. The key performance figures that are returned, quarterly, to the Ministry of Justice show that Cumbria is one of the most effective MAPPA areas in England and Wales.

Everyone has been affected by the Covid pandemic and it is still a major factor in the delivery of MAPPA processes. We are still conducting MAPPA level 2 and level 3 meetings via Microsoft Teams and I am delighted to report that there has been no adverse effect on attendance at these meetings. In fact, professionals attending the virtual meetings benefit greatly from the reduction in travelling time.

The MAPPA Strategic Management Board would like to thank all our partners who have contributed to these arrangements over the last year at a strategic level, but more importantly the front-line. The expertise and contribution of partners has been exceptional. We hope that this report illustrates the professionalism of all staff involved within Cumbria MAPPA whose demanding and complex work rarely receives public attention or the acknowledgment it deserves. Their dedication and commitment to public protection is key to ensuring our communities remain safe.



# 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.

## MAPPA AND TERRORISM

In response to the terrorist attack committed by Usman Khan at Fishmongers' Hall on 29 November 2019, the Home Secretary and the Lord Chancellor commissioned Jonathan Hall QC, who is the Independent Reviewer of Terrorism Legislation, to undertake a review of MAPPA and the management of known terrorists and other extremist offenders (TACT Offenders). The terrorist attack committed by Sudesh Amman in Streatham High Road on 2 February 2020 served to reinforce the need for the review, since both Khan and Amman had been managed under MAPPA. The government published the report on 2 September 2020 and published a response to it on 9 December. Both documents are available at <https://www.gov.uk/government/publications/multi-agency-public-protection-arrangements-review>. The report made a number of recommendations, several of which have been or are being implemented via the Counter-Terrorism and Sentencing Act 2021 and the Police, Crime, Sentencing and Courts Bill. Others have already been introduced by the creation of the National Security Division (NSD) in the Probation Service to manage terrorist offenders. The Secretary of State has also revised the statutory MAPPA Guidance on terrorist offenders.

The Probation Service, via the NSD, has created a specialist dedicated and highly skilled workforce, which provides an enhanced level of management and intervention for the most high-risk, complex and high-profile offenders in the community. This will include the management of terrorist connected and terrorist risk offenders. Five Probation Service national security units have been established across England & Wales during 2020/21. The NSD and Counter-Terrorism Policing will be working closely with local Strategic Management Boards to ensure the robust management of terrorism cases. The NSD also manages serious organised crime and the most high risk and high profile public protection cases.

All MAPPA reports from England and Wales are published online at: [www.gov.uk](http://www.gov.uk)



# LAY ADVISER – MAPPA

## THE CAREFUL BALANCE OF RISK A REFLECTIVE VIEW THROUGH THE PANDEMIC

We have all lived and experienced the impacts of the Pandemic and the consequences to the rhythm of our lives, as the management of risk has resulted in changes to our well-established personal and much-loved freedoms.

In managing the risks to public health, HM Govt through legislative arrangements and regulations have limited our personal freedoms so as to reduce the transmission of Covid-19.

And how does this relate to MAPPA? Well at the heart of MAPPA is the management of risk to ensure public safety is not compromised. Risk is managed by taking a balanced and proportionate approach to the risks posed by an offender.

This means putting the safety of Cumbrian residents at the forefront of decision making which may constrain, supervise or monitor an offender's personal freedoms so that any potential risks are carefully managed.

The operations of MAPPA during this health emergency have led to new ways of working with all agencies co-operating to put public safety as the number one priority. This has led to the use of on-line meetings and as Lay Advisors we are assured that both strong and robust arrangements continue to focus on risk reduction and deliver on safer communities for Cumbria.

So personal freedoms have been in the spotlight since the start of the pandemic and as individuals we may look back at this time and take-stock of that difficult balance in managing risk and the impact on our way of life.

MAPPA has been working with the balance of risk and intervention in personal freedoms for many years, and it is this experience which supports MAPPA decision making with a clear focus on public safety.



# MANAGEMENT OF MAPPA IN CUSTODY

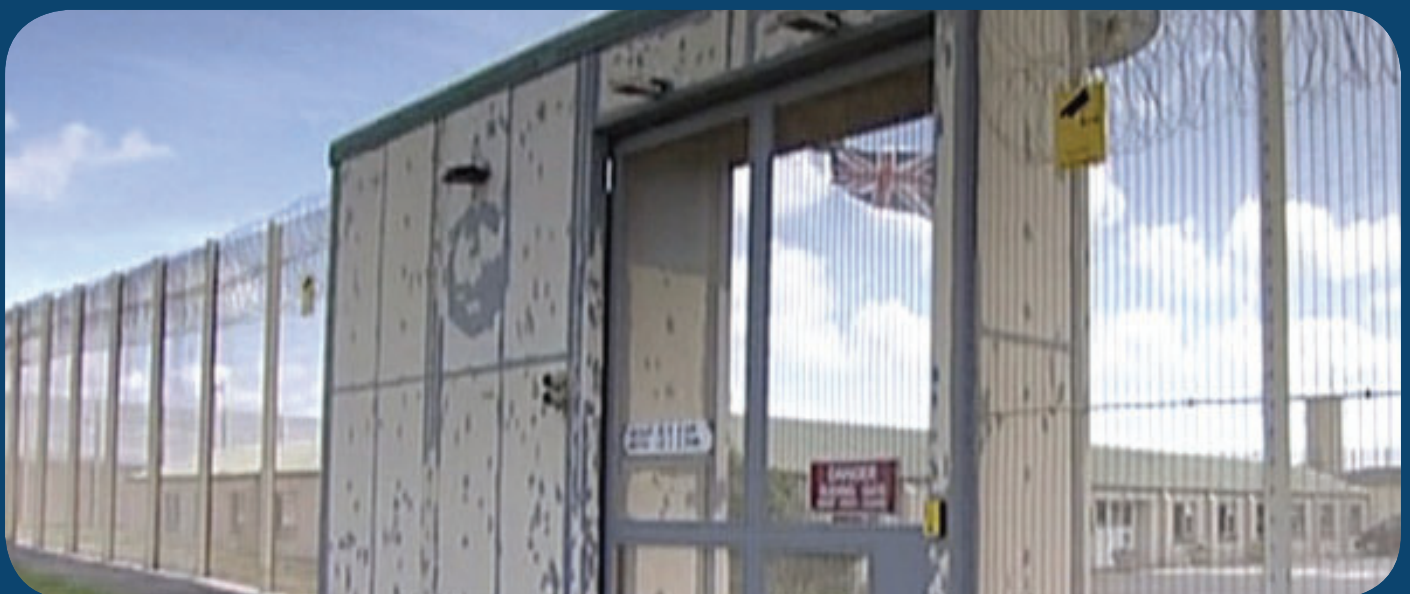
## THE ROLE OF THE OFFENDER SUPERVISOR

HMP Haverigg is a Category D (open) prison in the south of Cumbria. Set on the site of an old RAF base, the prison was a Category C establishment for many years before it changed role into an open prison in 2019.

HMP Haverigg is capable of holding up to 480 prisoners; the majority of whom have progressed through lengthy sentences in higher security conditions and have been assessed as being suitable to be managed in less secure conditions. This allows prisoners to be gradually re-integrated back into society by giving them the opportunity to engage in gradual stages of temporary release. This can include opportunities to re-build family ties and to gain and maintain employment. It also provides the opportunity to test compliance and adherence to licence conditions and give close observation of potential risk factors. This often provides evidence of a prisoner's suitability to be released on licence.

HMP Haverigg is a national resource and receives cohorts of prisoners from around the country. It works closely with key MAPPA partners to ensure that information relating to risk and risk management is shared. In addition, HMP Haverigg also has re-doubled its local focus and community outreach is at the heart of the prison's function. Local work parties provide assistance to community projects, the prison's recycling unit has been opened up for community use and in 2020, the internal space of the prison was used as designated nursery to develop the threatened aspen tree species.

A positive inspection in 2021 by Her Majesty's Inspectorate of Probation (HMIP) found the prison to be performing well against the tests of a health prison. HMIP were encouraged by the way the prison was sustaining its approach to sentence management, critical risk of harm reduction work and rehabilitative services. The focus on risk reduction and management, rehabilitation and community engagement remain key to the prisons priorities into 2022 and beyond,



# MAPPA CUMBRIA: STATISTICS

## MAPPA-ELIGIBLE OFFENDERS ON 31 MARCH 2021

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	627	169	-	796
Level 2	4	12	3	19
Level 3	0	0	0	0
Total	631	181	3	815

## 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	10	3	3	16
Level 3	0	0	0	0
Total	10	3	3	16

## RSOS CAUTIONED OR CONVICTED FOR BREACH OF NOTIFICATION REQUIREMENTS

17

## RSOs WHO HAVE HAD THEIR LIFE TIME NOTIFICATION REVOKED ON APPLICATION

4

## RESTRICTIVE ORDERS FOR CATEGORY 1 OFFENDERS

### SHPOs AND NOs IMPOSED BY THE COURTS

SOPOs	43
SHPO with foreign travel restrictions	0
NOs	1

## 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
<b>Breach of licence</b>				
Level 2	1	4	0	5
Level 3	0	0	0	0
Total	1	4	0	5
<b>Breach of SOPO/SHPO</b>				
Level 2	3	-	-	3
Level 3	0	-	-	0
Total	3	-	-	3

## TOTAL NUMBER OF REGISTERED SEXUAL OFFENDERS PER 100,000 POPULATION

140

This figure has been calculated using the mid-2020 estimated resident population, published by the Office for National Statistics on 25 June 2021, excluding those aged less than ten years of age



# MAPPA BACKGROUND

## EXPLANATORY COMMENTARY ON STATISTICAL TABLES

The totals of MAPPA-eligible offenders, broken down by category, reflect the picture on 31 March 2021 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2020 to 31 March 2021.

- 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 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 (incl. 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).

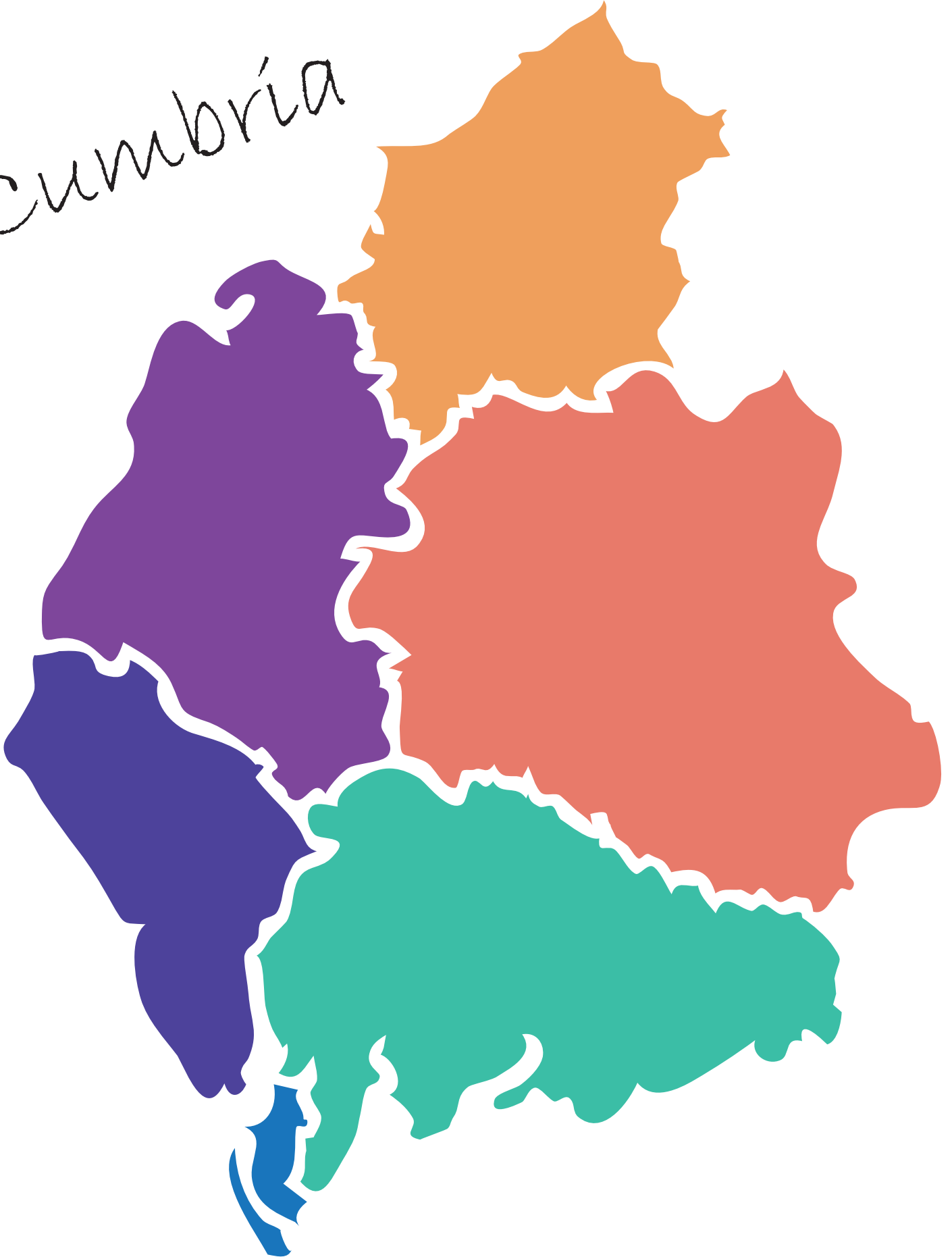
## **Lifetime notification requirements revoked on application**

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.

# i

Cumbria



HM Prison &  
Probation Service

