



Multi Agency Public Protection Arrangements

KENT



Annual Report

Introduction

We are pleased to introduce the Kent MAPPA Annual Report for 2020-2021

This report is presented on behalf of the Kent Strategic Management Board, highlighting the performance and practice development of Multi Agency Public Protection Arrangements in Kent. The role of the Strategic Management Board (SMB) is to provide oversight of, and assurance of, effective public protection arrangements in the county.

The SMB is made up of the three Responsible Authorities who are the Police, the Probation Service and the Prison Service. Alongside the responsible authorities are key Duty to Co-operate agencies who include partners from Children and Adult Safeguarding, Youth Offending Services, Health, Department of Work and Pensions, Local Authority Housing and Home Office Immigration Enforcement.

The SMB meets every quarter to review progress and to assure effective and efficient arrangements are in place to achieve the priority of protecting the public from harm by those subject to MAPP arrangements and to reduce their re-offending.

The SMB is supported by a Development sub-group which, like the SMB, meets quarterly to deliver against the core areas of operational business.

The last year has presented significant challenges for all agencies as we have experienced the Covid-19 pandemic. MAPPA operational delivery has adapted to meet these challenges through expanding the use of available technology. This has enabled MAPPA conference meetings to continue despite the restrictions imposed by social distancing requirements and lockdowns.

We are very pleased to report the MAPP arrangements in the county continue to adhere to the MAPPA National Guidance framework. Additionally, professional staff development days have continued that in turn has further enhanced the standards of practice in areas such as the effective chairing of MAPPA meetings.

Many offenders who fall under MAPP arrangements will present with a range of complex issues. These issues often require the skills and resources of all the agencies who participate in MAPPA to co-ordinate activity in partnership to achieve the effective and safe management of the individual in the community.

Risk management planning is at the heart of the process to successfully address the identified risks posed. Public protection and reducing reoffending are at the core of MAPPA. By overseeing the implementation by Responsible and DTC agencies of evidence-based risk management plans and interventions to reduce the risk posed by the individual, we continue to serve and protect victims and our diverse communities.

Alongside the uncertain working conditions imposed on us by the pandemic, we have also seen a significant organisational change for the probation Service, with the amalgamation of the former National Probation Service and the Community Rehabilitation Company into one new Probation Service.

We are hopeful that the new service will bring additional resilience and resources to MAPPA work over the coming year, as we further develop our practice at the Level 1 arrangements.

We also look forward to further developments in the work of the Probation Service National Security Division as we introduce new arrangements for those who have been convicted of Terrorist Act offences or who are suspected to be involved with terrorism or serious organised crime.

Whilst this report reflects the good work done retrospectively and for the period of 2020-21, at time of writing this introduction we remain uncertain as to how the Covid-19 pandemic may continue to impact on MAPP arrangements over the coming months.


We are pleased that, despite these continuing unprecedented times, we have been able to ensure that MAPPA has operated effectively across our area and that we provided a quality service to the public.

Signature: 

Mark Burden
SMB Co-Chair and Head of Public Protection
Kent Surrey and Sussex

Signature: 

Gary Price
Governor, HMP Standford Hill
Co-Chair, Kent MAPPA Strategic Management Board

Signature: 

Andrew Pritchard
Detective Chief Superintendent Kent Police
Chair, Kent 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, violent and terrorist 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.

Local Strategic Management Boards comprising senior representatives from each of the Responsible Authority and DTC agencies are responsible for delivering MAPPA with their respective areas. The Responsible Authority is also required to appoint two Lay Advisers to sit on each MAPPA area Strategic Management Board (SMB).

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 more senior oversight and 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 enables 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

MAPPA 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	1882	632	-	2514
Level 2	6	10	11	27
Level 3	0	0	1	1
Total	1888	642	12	2542

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	37	21	15	73
Level 3	2	3	1	6
Total	39	24	16	79

RSOs cautioned or convicted for breach of notification requirements	30
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RSOs who have had their life time notification revoked on application	7
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	139
SHPO with foreign travel restriction	0
NOs	5

Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)	3
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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	1	2	7
Level 3	0	1	0	1
Total	4	2	2	8
Breach of SOPO				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

Total number of Registered Sexual Offenders per 100,000 population	115
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This figure has been calculated using the Mid-2020 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 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 and terrorist 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 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.

MAPPA in Kent

Message from the Kent MAPPA Coordination Unit

Over the past 12 months, we have experienced several national changes within the Probation Service and more locally a geographical split within East and West Kent. The MAPPA team during this time has continued to work closely with the Kent Police MOSOVO (Management of sexual or violent offenders) team in ensuring a high level of joint working continues across agencies to provide effective public protection.

In April 2021, we developed an information sharing forum between local Community Mental Health Teams, Probation and Police to further support the development of robust risk management planning for critical MAPPA cases. Relationships have significantly improved since the implementation of this forum allowing services to access and share information on individuals with complex forensic histories.

During 2021, the MAPPA unit in Kent has delivered extensive internal training to both MAPPA Chairs and Minute Takers following the reunification of the service. Improved training for Duty to Co-operate agencies and Responsible Authorities has continued over the past year, with positive feedback. Delivery at the Communities of Practice event in July 2021 was very positive in increasing awareness and confidence for safeguarding practitioners working within the MAPPA process.

In August 2021 MAPPA Housing Panels were re-introduced. Although newly implemented this has already proved valuable in providing an advisory board for complex cases where managerial involvement is considered essential to explore access to housing for individuals.

Developments in practice and joint working arrangements with Secure Units across Kent took place in May 2021. This has led to an adapted and developed approach to information sharing at risk forum meetings. Delivery of practitioner training around referral making and effective communication has been positive and will continue to be delivered. The newly developed meetings ensure critical cases approaching

discharge or unescorted leave are appropriately discussed and consideration around the MAPPA management level is given. This ensures cross agency public protection measures are in place and provides an effective information sharing process.

Relationships between the MAPPA team and GP consultancy safeguarding managers remain effective. In June 2021, joint working processes were revisited with further communications shared around practice and information sharing protocols.

The MAPPA team have continued to strengthen practice and implement change during a challenging and unsettled time. It is reflected within the working relationships we have with other agencies, both Responsible Authorities and Duty to Cooperate, that we can make such positive developments.

MAPPA Co-Ordinator, KENT

Victim Contact Service

The role of the Victim Liaison Officer in MAPPA is crucial. This is the case whether the discussion is on an offender being released from custody on licence, or a Mentally Disordered (MDO) patient in hospital, where discharge is being considered. The Victim Liaison Officer, where the victim(s) have opted into the Victim Contact Scheme, will hold the most current information on that victim and is able to put forward their concerns around the Person on Probation/patient being released into the community. This will include the request for restrictions or licence conditions. Victims often disclose information to the Victim Liaison Officer which has not been disclosed to other agencies, this may be current or historic in nature. The new licence policy in effect since August 2021, highlights the importance of victim's licence requests. This includes the requests for exclusion zones and the reason for them.

VLO, Kent VCS

A Kent VLO's Experience of MAPPA;

MAPPA was convened at the point the patient was starting leave in the community to allow collaborative working and manage the risk he posed in the community.

Agencies involved include the Police, Victim Liaison Officers and the Mental Health services both in the hospital setting and the community. Information was shared regarding the patient's offending history to give all parties a clear understanding of risk. Appropriate accommodation has been found for the patient to prepare for the patient's conditional discharge. Safeguarding measures have also been put in place for the victim. The victim, from information shared at MAPPA, has been regularly updated with developments, which in turn has made them feel safer in the community, supported and reassured their voice has been heard.

The victim's requests for restrictive conditions of no contact and an exclusion zone have been put in place. All agencies are aware of the necessity for these requests. The MAPPA meetings will continue until the risk level is deemed manageable and no current concerns are raised.

Kent Housing Perspective;

At an operational level, housing is often a key issue for those subject to MAPPA and working in close partnership with MAPPA demonstrates how essential housing is in the management of people on probation, and the prevention of reoffending. MAPPA involvement from a housing perspective has increased in our district over the last couple of years, this has meant that officers have engaged more with this process and this has given them a greater understanding of what MAPPA is and means. It has also improved joint working between the authority and other agencies that engage with the processes. More engagement with MAPPA has also resulted in the profile being raised corporately as it has been and continues to be discussed at our corporate safeguarding group which meets quarterly.

Engagement with the Strategic Management Board and input into the Business plan is also essential to understand the strategic approach to MAPPA and how we can feed into and contribute to this. Engagement with this has resulted in the development of a Housing Panel Meeting, which is an advisory board, to which more difficult cases are referred with the focus of this meeting being on housing, and all housing options explored for

the individual. Engagement with all aspects is essential to support those who may have housing issues.

CK, Housing Solutions Manager T&MBC

Kent SMB Member Perspective;

"The relationship between MAPPA and mental health services cannot be underestimated. We all know there is a significant relationship between offending and Mental Health problems, even it that leads us to question what might underlie any correlation between the two. The bottom line is that there is a significant number of people who offend, who may have underlying mental health difficulties. That leads me to conclude that the relationship between mental health services and forensic mental health services is critical; critical to ensure safety of the public and also to ensure those people on probation who have mental health problems get the appropriate care and support they need. In addition, to contribute to continued public safety and to ensure that the people we provide direct support to are kept safe and

Over the last year or so and with careful support from the MAPPA Co-ordinator, we have made significant advances in building and supporting local relationships between MAPPA colleagues and Community Mental Health Teams (CMHTs). It is at this local level that direct work with people subject to MAPPA can be really effective. We found a way that CMHTs could invite our MAPPA colleagues to join mental health practitioners to talk together about the people we support. These connections are intended to improve communication between agencies and build our professional networks that we might work more effectively together."

MC, Care Group Safeguarding Lead

Kent SMB Member Perspective;

I am the Level 3 MAPPA Chair for cases involving Sexual Offences and the Co-Chair for those convicted of Violent Offences. I have recently joined the team having not led this role prior to COVID and have received a lot of support from colleagues in Probation and find myself comfortable with the process. Due to the restrictions, all Level 3 meetings have taken place over Teams. This appears to have worked very well and I suspect attendance has improved during this period. There have been various training inputs for attendees and "Chair" training which has been very useful, and I know this will

continue going forward. There have been challenges around the management of people on probation, for example prisons were unable to continue with some of the offending behaviour work and any releases on temporary licence were suspended.

From a Police point of view the management of ViSOR nominals was also a challenge due to staff isolating or shielding but also ensuring the risk to the person on probation was managed without compromising on visits and contact. There is now a level of normality, although the MAPPA meetings continue to be over Teams – I am sure there will be a view on this going forward.

HC DCI Kent Police

Kent SMB Member Perspective:

Relationships between Probation/MAPPA and Integrated Children's have further strengthened this year with key developments made to communication processes and systems between the services to ensure information sharing remains effective and robust. This includes the introduction of a single point of entry into Integrated Children's Services for all MAPPA meeting invitations to ensure appropriate attendance by relevant practitioners. More recently, a template was jointly developed to support Integrated Children's Services practitioners in collating key information in preparation for MAPPA meetings. This process will be reviewed by the end of July 2022. Staff from the Probation Service jointly delivered a bespoke Communities of Practice event in July 2021 to practitioners within Children's Services. The event outlined the key role of MAPPA within the safeguarding arena and built on the emerging learning from MAPPA Serious Case Reviews. These activities were designed to increase awareness and confidence of Integrated Children's Services practitioners of MAPPA.

JM Service Manager Children's Safeguarding

Lay Advisor Report

Another difficult and challenging year with all meetings being held via Teams. There have been positives which I can report on this year. SMB meetings still have a larger attendance as do many L2 meetings. While the improved attendance has some positives face to face meetings allows for better in interaction. There were two SCR's and I attended one of these. Interesting but little input required from the Lay-Advisor.

Level 2 cases continue to be professionally conducted but there are still pockets of poor co-operation by previously mentioned partner agencies. The SMB is in the process of getting the co-operation and commitment required from all agencies. One of the most experienced MAPPA chairs has moved her area so there will be a period of learning for the new chairpersons.

The MAPPA Deputy Manager has had a steep learning curve in the absence of the MAPPA Manager and has led Kent's MAPPA team under difficult circumstances. Support from the MAPPA Administrators has been effective and professional making attending meetings easier to arrange. Finally, I must mention that I am saddened that there has been little if any interaction between the two Kent Lay Advisors over the past year but then COVID has made things difficult for everyone.

KH Kent MAPPA Lay Advisor

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Probation
Service



Kent
Police