



Multi Agency Public Protection Arrangements

SOUTH WALES



Annual Report 2020- 2021

Intro



David Thorne
Assistant Chief Constable
South Wales Police
SMB Chair

I am delighted to continue in my role as chair of the MAPPA Strategic Management Board for the South Wales region.

This report will outline some of the challenges we have faced as a region, as well as highlighting the positive progress and good practice in the management of offenders through the MAPPA process.

2021 has been a difficult year for all agencies, presenting many challenges to a number of areas of business, in particular the management of offenders. The difficulties faced in conducting face-to-face visits and managing the welfare of staff has added an extra layer of complexity. The pandemic has also highlighted some differences to the type and extent of offending in our communities. These challenges and changes have caused us all to adapt our working practices to ensure we continue to keep vulnerable people safe.

There is light at the end of the tunnel as the roll-out of the vaccine seems to have effectively brought about some sense of normality, however in the meantime, as partnerships, we will need to remain determined, effective and flexible in our approach to offender management and public protection.

The SMB is responsible for scrutinising arrangements

across the region, working with the 'Responsible Authorities' in MAPPA; Police, National Probation Service and Prisons, continuing to focus on the key priority of protecting the public from harm, assisted by organisations which have a 'Duty to Cooperate' with MAPPA. This year we have seen the establishment of two new lay advisors. These are very experienced individuals who are acting as 'critical friends' to the SMB and the wider MAPP arrangements. We are extremely grateful for their involvement, contribution and commitment. This will help to keep us effective.

It is inevitable and entirely appropriate that MAPPA will need to play a significant role in mitigating the threats from areas such as domestic violence, illicit drug supply, knife crime and other serious violence. MAPPA is a key tool to build safer and more resilient communities through strong partnership working.

The South Wales Offender Management Programme Board will also seek to make significant long-term improvements to our approach, challenging the effectiveness of established practice whilst seeking new and innovative ways to both manage and divert offenders away from criminality.

MAPPA, has proven to be a highly effective, familiar and respected model across the United Kingdom in the management of offenders. I have witnessed the passion and commitment by those charged with carrying out their duties within this arena. I therefore remain confident that the communities in our region can be reassured that every effort will continue to be made to keep them safe



Nicola Davies,

Wales Divisional Director Probation Service

We are pleased to introduce the 2020/21 MAPPAs Annual Report for the South Wales Multi-Agency Public Protection Arrangements Strategic Management Board.

2021 has again been a year of great challenge with the continuation of the COVID-19 global pandemic and the impact this has had upon our communities and the way in which we work. It has impacted upon many organisations and has consequently led to changes in the way services are conducted. However, during these unprecedented times, the effectiveness of MAPPAs has not been impacted. This is due to the commitment from all organisations involved in ensuring that public protection is our utmost priority to keep our communities safe.

This report outlines the work the Strategic Management Board has undertaken to improve the effectiveness of MAPPAs during the year in managing violent and sexual offenders to both reduce reoffending and protect the public. It also offers the opportunity for us to demonstrate our accountability to the local communities we serve.

Protecting the public is essential to the MAPPAs Responsible Authority (Police, Prison and National Probation Service) and everything we do is focused on ensuring the continued safety of our communities. This is supported by the valued contribution of the Duty to Co-operate and other agencies. Sexual and violent offending forms a small percentage of the crimes dealt with by the four constabularies across Wales. However, the devastating impact these incidents have on both victims and communities is huge. Members of the public can be assured, through this report, that work continues 24 hours a day, seven days a week to protect the communities we live in.

It is never possible to eliminate entirely 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. Therefore, this report not only contains statistical information about those who are managed under MAPPAs in South Wales during the last business year, but it also provides information about how these arrangements work in practice locally.

There have been significant developments following an independent review of the management of individuals involved in counter terrorism. As such, the Probation Service has created a specialist, dedicated and highly skilled National Security Division which will provide an enhanced level of management and intervention for the most high-risk, complex and high-profile sentenced individuals in the community. Specialist staff will deliver an enhanced set of national standards to the management of terrorist offenders, serious organised criminals and other critical public protection cases. MAPPAs will be key to the multi-agency management of individuals in this cohort.

The Strategic Management Board's achievements reflect the significant contributions made by all agencies involved in MAPPAs across South Wales and we would like to thank all our partners who have contributed to these arrangements over the last year. The breadth of experience and expertise in managing MAPPAs cases is exceptional and there is no doubt of the commitment agencies demonstrate to achieve the highest of standards. We also trust that this report illustrates the commitment and professionalism of our staff whose demanding and complex work rarely receives public attention. Their dedication is key to ensuring our communities remain safe.

In recommending this report to you, we hope it provides a valuable insight into our work and offers reassurance that public protection and the needs of victims remain our highest priorities.

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	1622	459	-	2081
Level 2	55	53	10	118
Level 3	4	5	1	10
Total	1681	517	11	2209

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	115	101	42	258
Level 3	5	8	2	15
Total	120	109	44	273

RSOs cautioned or convicted for breach of notification requirements	26
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RSOs who have had their life time notification revoked on application	4
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	118
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)	1
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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	24	33	14	71
Level 3	1	1	0	2
Total	25	34	14	73
Breach of SOPO				
Level 2	1	-	-	1
Level 3	0	-	-	0
Total	1	-	-	1

Total number of Registered Sexual Offenders per 100,000 population	141
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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.

Local page



Lay Advisors to South Wales Strategic Management Board

As we were both only appointed in December 2020, the final quarter of the 2019-20 provided a solid induction period to aid us to start fulfilling our roles effectively. This included comprehensive training sessions facilitated by our local MAPPA coordinator, to whom we are both deeply indebted; the opportunity to meet key personnel and start attending MAPPA L2 and L3 meetings; as well as participating in the overarching MAPPA frameworks by attendance at operational group and strategic management board meetings.

What was obvious from the outset, was the commitment shown by so many agencies to come together as professionals to ensure the effective implementation of the MAPPA arrangements; and their diligence in seeking to ensure the public's protection in the six regions served by South Wales MAPPA. The volume of cases handled and the level of complexity which needs to be managed to put in place adequate safeguarding measures for the public and the victims of serious crimes has struck us both as exceptional. The attempts by Housing, particularly, to accommodate offenders when there is a national housing stock deficit has been inspiring. That is not to suggest that we should not be seeking to continuously improve and or provide critical challenge but simply to acknowledge the professionalism that we have witnessed to date.

It was also evident how promptly the differing agencies had had to adapt to changing working environments because of the pandemic – an exceptional year for the whole nation. There had clearly been an initial reticence to undertaking remotely accessed meetings, given their confidential nature and real concerns about the threats to cyber security. However, exploiting the technology has proved beneficial in enabling high levels of attendance at these exceptionally resource intensive meetings to develop comprehensive Risk Management Plans and we imagine that what was originally considered a novel response will now become embedded as business-as-usual practice because of the benefits the digital platform has provided.

Now that we are more equipped, we hope to start adding value and providing appropriate challenge as “critical friends” in the 2021-22 period and beyond; not least by contributing more fully to business planning and KPI

monitoring; and by participating in audits and Serious Case Reviews. Although the annual conference for Lay Advisers has been on hold because of the impact of Covid, we also hope to reach out to other lay adviser colleagues to share best practice across Wales & England and aid our SMB to benefit from wider learning and perspectives.

Tony Richards & Kim Tester – SW MAPPA Lay Advisers

Victim Liaison

Whilst the work undertaken by the Probation Service in the areas of Offender Management and rehabilitation are well documented and understood within our communities, the outstanding work that is undertaken by Probation 'Victim Liaison Officers' in South Wales is less well known, and therefore the MAPPA Annual report provides the Probation Service in Wales with an excellent opportunity to inform the public of the services provided in support of Victims throughout South Wales both inside and outside of the MAPPA framework.

The statutory Probation Service 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). In South Wales there are the full time equivalent of six and a half Victim Liaison Officers supporting 1,020 victims.

Victim Liaison Officers support victims through every facet of the Criminal Justice process, and provide critical information to Victims on the type of sentence the offender has received, and important information such as release dates and restrictive licence conditions that victims can request upon the offenders release. Such conditions can include geographical exclusion zones and no contact conditions.

MAPPA provides a multi-agency platform whereby Victim Liaison officers can inform the agencies who make important decisions on custodial and community offender management, about the impact such offences have had upon victims and their families. In addition to this, Victim Liaison Officers facilitate and support victims in the construction of 'Victim Impact Statements' for Criminal Justice proceedings such as Parole Boards and Tribunals, as well as making referrals to a range of support agencies to ensure that victims receive the required emotional, psychological and practical care following such traumatic events.

The Probation Service is extremely proud of the support it provides to Victims and our unwavering dedication and commitment to ensure that Victims within the Probation Victim Contact Scheme receive the very best service and support will endure with MAPPA playing a significant role both now and in the future.

Rachel Edwards, Senior Probation Officer

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