



Multi Agency Public Protection Arrangements

# SUSSEX



# Annual Report



# Intro

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## **We are pleased to introduce the Sussex MAPPA Annual Report for 2020-2021**

This report is presented on behalf of the Surrey and Sussex Strategic Management Board, highlighting the performance and practice development of Multi Agency Public Protection Arrangements in Sussex. 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 is 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.

**Fiona Macpherson**  
**SMB Co-Chair and Assistant Chief**  
**Constable**

**Surrey Police**

**Mark Burden**  
**SMB Co-Chair and Head of Public**  
**Protection**

**Kent Surrey and Sussex Probation**  
**Service**

# What is MAPPA?

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## 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](http://www.gov.uk)

# MAPPA Statistics

<b>MAPPA-eligible offenders on 31 March 2021</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	1821	337	-	2158
Level 2	6	1	1	8
Level 3	0	0	1	1
Total	1827	338	2	2167

<b>MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total)</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	11	7	4	22
Level 3	1	0	2	3
Total	12	7	6	25

<b>RSOs cautioned or convicted for breach of notification requirements</b>	40
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<b>RSOs who have had their life time notification revoked on application</b>	11
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<b>Restrictive orders for Category 1 offenders</b>	
<b>SHPOs, SHPOs with foreign travel restriction &amp; NOs imposed by the courts</b>	
SHPO	102
SHPO with foreign travel restriction	1
NOs	2

<b>Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)</b>	
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<b>Level 2 and 3 offenders returned to custody</b>				
	<b>Category 1: Registered sex offenders</b>	<b>Category 2: Violent offenders</b>	<b>Category 3: Other dangerous offenders</b>	<b>Total</b>
<b>Breach of licence</b>				
Level 2	4	0	1	5
Level 3	0	0	0	0
Total	4	0	1	5
<b>Breach of SOPO</b>				
Level 2	4	-	-	4
Level 3	0	-	-	0
Total	4	-	-	4

<b>Total number of Registered Sexual Offenders per 100,000 population</b>	119
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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

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## 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

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## Sussex MAPPA Lay Advisers

Appointed by the Secretary of State in the Ministry of Justice, our voluntary role is to provide independent scrutiny and review of the effectiveness of MAPPA in its work to protect the public. We act as a critical friend to both the Lead and Duty to Cooperate (DtC) agencies to support the development of robust risk management plans in respect of MAPPA offenders released into the community.

In our last annual report we noted that we had been providing Lay Adviser support in Sussex with rather limited coverage across the county and that it was with much relief that a new Lay Adviser had joined the Sussex team. However, in the summer of 2020 both of our two Lay Adviser colleagues in Surrey reached the end of their appointed period of service and had to step down as Lay Advisers. In the midst of a pandemic, appointing new Lay Advisers was impossible and the Sussex team were asked to cover some of the Surrey MAPP meetings until the appointment situation in Surrey had been resolved. We readily agreed to do our best to support MAPPA in Surrey, and coverage was made possible by the fact that all MAPP meetings were being held remotely via TEAMS as a result of the coronavirus pandemic restrictions. This meant that none of us had to travel long distances and we could attend meetings from our homes.

Unfortunately, one of the three Sussex Lay Advisers has had to take prolonged leave of absence due to health issues, resulting in the coverage of both Surrey and Sussex being undertaken by the remaining two Lay Advisers. Because some Surrey meetings overlap with those in East Sussex and Janet Walker's other work commitments increased substantially at the beginning of 2021, all the MAPP meetings in Surrey since then have been covered by Marian Trendell along with Level 2 meetings in Brighton and Hove, Littlehampton and North West Sussex, while Janet has taken responsibility for all the Sussex Level 3 meetings together with level 2 meetings in East Sussex. While this situation has not been ideal in terms of ensuring coverage of both Surrey and Sussex MAPP meetings, the continuation of remote meetings has enabled us both to maintain regular commitments in both counties and ensure that all level 2 and level 3

meetings have been attended by a Lay Adviser. We have also been able to attend all the Strategic Management Board (SMB) meetings throughout this last year.

Supporting MAPPA in Surrey has been a privilege for us both. The opportunity to cover the three level 2s and the level 3 in Surrey has been of great interest providing an insight into both the similarities between Sussex and Surrey MAPPA and the different approaches.

The coronavirus pandemic has obviously continued to impact on the work of all the lead and duty-to-cooperate agencies. We have both been extremely impressed throughout this year at the professional way in which public protection arrangements have received the same level of priority as usual and at the way in which level 2 and level 3 meetings are being chaired and managed, sometimes via telephone dial in alongside video conferencing. We remain immensely impressed with the dedication of the lead agencies. We are grateful that our contributions as Lay Advisers are sought and valued, and that our attendance at meetings, albeit remotely, is appreciated. We have been pleased to see a greater emphasis on timely resolution of actions set and continue to urge that timelines should be set and adhered to.

We are aware that the Probation Service is about to undergo a major transformation and that the police, probation and other lead agencies have had to continue to manage the risk of serious offenders during a pandemic that has impacted on all our lives and placed restrictions on the levels of scrutiny possible. We continue to be very impressed by the commitment and dedication of the MAPPA Chairs and lead agencies in ensuring that risk management plans are robust and proportionate to the offences and risks posed by individual offenders when they are released into the community. We have not seen any diminution of care and diligence in the protection of the public and the commitment to the well-being of offenders during the pandemic.

Many of the issues we have observed this year are the same as we have reported in previous years. In particular, we continue to face a difficult and worrying problem with securing appropriate housing for MAPPA offenders who are released into the community. Housing remains a great concern in both counties as does the lack of

available beds in Approved Premises .The demand for places in Approved Premises remains very high and we are grateful to the managers for doing their very best to accommodate offenders whose level of risk is such that release to an Approved Premise is absolutely necessary. Move-on arrangements continue to prove challenging, however, especially in respect of those convicted of offences against children and involving serious violence, and there remains a considerable shortage of housing suitable for offenders with mental health issues, physical disabilities, or a history of drug or alcohol addiction. This lack of suitable housing poses serious challenges to the ability of the lead agencies to effectively manage the risk associated with these offenders living in the community. In our experience this problem has become more acute year on year. We have witnessed agencies working well together to attempt to resolve these issues during very challenging times, demonstrating the effectiveness of cases being escalated to level 3.

While most DtC agencies take their responsibilities seriously we have noted some gaps in attendance at MAPP meetings by some agencies. This can make it difficult to develop comprehensive risk

management plans and remains an issue that is closely monitored at SMB meetings. As with all other meetings, the Surrey/Sussex SMB has met via TEAMS and we look forward to being able to meet in person in the coming year if the pandemic allows.

We are grateful for the valuable support given to us by the highly efficient MAPPA administrators and, in particular, the MAPPA Manager who ensures that we are well-informed, kept up to date about changes which effect the work of MAPPA, and able to make a worthwhile contribution. Unfortunately, the repeated national lockdowns as a result of Covid-19 have made it impossible for us to meet in person as we would have liked and we look forward to a return to in person meetings as soon as possible. We also look forward to the appointment of a new Surrey Lay Adviser in the coming months and the improved health of our Sussex Lay Adviser colleague.

**Professor Janet Walker OBE and Marian Trendell**

All MAPPA reports from England and Wales are published online at:

[www.gov.uk](http://www.gov.uk)

National  
Probation  
Service

