

# WARWICKSHIRE



# Annual Report 2021

# Working together for safer communities

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## Introduction

We are pleased to introduce this year's Multi Agency Public Protection Arrangements (MAPPA) Annual Report. We hope that it serves as a helpful overview of our local public protection measures.

## Looking back on 2020/21

Throughout the year, the impact of Covid-19 has continued to pose significant challenges to all agencies within the Criminal Justice System. The MAPPA Strategic Management Board are committed to meeting the associated challenges of increased domestic abuse, substance misuse, and the impact on mental health across the population. Significant economic, staffing and resourcing difficulties linked to the pandemic remain, however we are now collectively emerging from what we hope will prove to be the most challenging period of the pandemic, with efforts to return to a new business as usual well underway.

## Key agencies

The newly reunified Probation Service (formerly separated into the public National Probation Service and private Community Rehabilitation Companies) manage all MAPPA eligible adult offenders subject to supervision, while similarly, the Youth Justice Service are the lead agency for those under 18 years of age. The Probation Service (including Victim Liaison Units), Police, Youth Justice Service, Mental Health and Prison Service, as part of Her Majesty's Prison and Probation Service (HMPPS) all play crucial roles, depending on the nature of the order or sentence imposed at Court. Child and adult safeguarding are fundamental priorities: Children's Services and Adult Social Care representatives provide expert advice for all cases, to ensure the public are appropriately protected. Warwickshire Police, Probation and Community Safety partners jointly provide an Integrated Offender Management approach (IOM), allocating resources to priority offenders with identified concerns relating to key areas, including domestic abuse; serious acquisitive offending; organised crime groups; sexual offending (involving specialist sex offender management officers) and other prolific and priority offenders.

## MAPPA audit

The SMB prioritises the ongoing development of local practice, sharing learning and developments from regional and national inspections and case reviews. Each year, the SMB also oversees a detailed MAPPA audit, involving multi-agency assessment of the management of eligible offenders. Our audit process benefits from the presence of two Lay Advisers. As members of the public who volunteer to assist the SMB, Lay Advisers are tasked with acting as 'a critical friend' to all the agencies involved and offer invaluable feedback to the MAPPA Strategic Management Board and the local MAPPA Coordinator.



All local agencies are committed to working together to ensure all relevant information is shared and a detailed plan is pieced together for every MAPPA offender.

## 2022 and beyond

This year will see the continued development of the new Probation Service National Security Division (NSD), created in response to the Fishmongers' Hall Inquiries. We look forward to working alongside the NSD to ensure the highest standards of public protection, as they are established over the next 12 months.

**ACC David Gardner**  
**Assistant Chief Constable and SMB chair.**

**Andy Wade**  
**Head of Probation Service, Warwickshire and SMB vice-chair.**

# 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 in the community on 31 March 2021</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	556	193	-	749
Level 2	1	1	2	4
Level 3	0	0	1	1
Total	557	194	3	754

<b>MAPPA-eligible offenders in the community at 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	4	3	4	11
Level 3	0	0	1	1
Total	4	3	5	12

<b>RSOs cautioned or convicted for breach of notification requirements</b>	11
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<b>RSOs who have had their lifetime notification revoked on application</b>	0
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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	41
SHPO with foreign travel restriction	0
NOs	0

<b>Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)</b>	0
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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	0	3	0	3
Level 3	0	0	1	1
Total	0	3	1	4
<b>Breach of SOPO / SHPO (Sexual Offence Prevention Order / Sexual Harm Prevention Order)</b>				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

<b>Total number of Registered Sexual Offenders per 100,000 population</b>	108
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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.

<b>Warwickshire MAPPA meetings 2020-21: yearly total (including offenders in the community and in prison / secure hospital settings)</b>	
Level 2	41
Level 3	22
Total	63
Offenders discussed	19

# 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.



# Victim Liaison

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The Victim Liaison Unit (VLU) plays a vital role within MAPPAs. In relevant cases, Victim Liaison Officers will offer support and guidance to victims, and advocate upon their behalf when working alongside MAPPAs agencies. This helps to ensure that, regardless of MAPPAs level, the victim remains at the forefront of the MAPPAs process. If the victim, or next-of-kin, has taken up the offer of the Victim Contact Scheme, then the relevant Victim Liaison Officer (VLO) will attend all Level 2 and 3 MAPPAs panels as their representative.

MAPPAs is invaluable in protecting victims: inter-agency liaison ensures that the risk posed to victims (and potentially to offenders) is shared by a wide network and enhances victim safeguarding through multi-disciplinary agency action and awareness-raising. MAPPAs can offer victims a route with which to engage with the management process, where their concerns are listened to and where all agencies work together to reduce offenders' capacity and motivation to re-offend. The 'victim safety' section of the Four Pillars of risk management model ensures that a comprehensive plan is in place for every victim.

For further information about the Victim Contact Scheme and the recent changes in the Parole processes, please see the following link:

[Get support as a victim of crime.](#)

# Lay Adviser comments

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The pressures experienced in 2020 from COVID-19 have clearly continued to impact all relevant agencies during the period of this report and in many cases have increased due to staff absences, high levels of referrals and the necessity for remote working. Despite these extraordinary tests, the work of the Warwickshire SMB MAPPAs has demonstrated resilience and effectiveness.

The level of engagement of all agencies, and individuals with a duty to attend MAPPAs meetings (also referred to as Multi Agency Public Protection Panels) has been a subject I have raised from time to time during my tenure, by which I mean *active engagement* as opposed to passive attendance. This has improved considerably with recent changes introduced by the MAPPAs Coordinator, which require relevant representatives to provide more detailed offender / victim-specific updates at each case review. In so doing they also evidence where collaboration and partnership working is proving effective - or may be in need of further support.

This improvement is particularly impressive given MAPPAs meetings have been conducted by telephone and Microsoft Teams throughout the pandemic - and whilst remote meetings have and will continue to present difficulties for some - my hope is that the experience will drive IT improvements in all agencies so that they, like other industries, can offer the benefits of blended home/office working where possible, to aid staff retention and recruitment.

The SMB has also improved communication and there is now an increased ability to better understand the specific pressures and issues of participating partners within the organisational updates, which form a key part of the agenda. In my view the SMB fulfils its role and responsibilities to a very high standard.

As I leave my role as Lay Adviser, I take with me some apprehension about the added value the National Security Division will bring; but this may be because as is often the case in the public sector, new initiatives are invariably introduced ahead of the infrastructure required to support them.

In addition, whilst recognising the Parole Board's ongoing commitment to increasing its knowledge and understanding of the circumstances surrounding the offender under review - it is strongly recommended that it also develops a specific, associated commitment to safeguarding the victims of MAPPAs offenders, in particular in relation to Domestic Abusers – by publishing a relevant data protection policy and associated guidance regarding references to victims in their directions. It is hoped that the Parole Board will consult on this matter and in so doing work in collaboration and co-operation with the Probation Service and MAPPAs Strategic Management Boards throughout England and Wales.

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Probation  
Service



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