



Multi Agency Public Protection Arrangements

# WEST MERCIA



# Annual Report 2020/21



# Introduction

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On behalf of the Strategic Management Board (SMB) for West Mercia Multi Agency Public Protection Arrangements (MAPPA) it is my pleasure to present the Annual Report for 2020/21.

The key aim of MAPPA is to ensure the protection of the public by ensuring robust assessment and management is in place for those individuals in our communities who have committed serious acts of violent or sexual offending. This cannot be delivered by one agency alone, hence the need for the co-operation of agencies across a full range of disciplines. MAPPA thus consists of those agencies known as Responsible Authorities (Police, Probation Services and Prison Service), and Duty to Co-Operate agencies such as National Health Service, Local Authorities, Youth Justice and Housing Providers. All agencies have a crucial role to play in the formulation of defensible decision making, using all resources and options available to secure the best outcomes for the management, resettlement and rehabilitation of those individuals identified within the MAPPA cohort. It is only by working together that we can seek to reduce the risk of harm to the public and reduce the number of future victims.

The West Mercia SMB meets quarterly to oversee the delivery of MAPPA across the area and ensure full implementation of the National MAPPA Guidance. Membership of the SMB consist of senior representatives of the RA and DTC agencies. The work of the SMB is supported by Lay Advisers who have a key role in representing the local public.

The period of 2020/21 delivery has been set within the context of the global pandemic / COVID 19 which has determined implementation of an Exceptional Delivery Model for MAPPA. The West Mercia MAPPA team and partners have proved resilient throughout this period, and together have ensured the continuation of an excellent service to the community via virtual meetings and liaison to manage this cohort of individuals.

Reflecting upon 2020/21 it is important to note the ongoing upward trend in terms of the prosecution of perpetrators of sexual offences, resulting in a growing workload for MAPPA teams and partners. Locally this has been managed within existing resources with little change to reflect this as a trend over the past few years. We continue to await a full review of MAPPA resource, delayed due to the pandemic. We have continued to meet demand and receive assurance that the West Mercia area adheres to the requirements of the national guidance.

We have undertaken 2 Serious Case Reviews on Level 3 managed individuals in this period. The reviews have highlighted learning points which we are taking forward and addressing. It has been positive to note that overall there was acknowledgement of excellent MAPPA management in the cases reviewed. Throughout this period we have continued to apply a learning and improvement culture in our approach to MAPPA. We have built upon the existing partnership work to improve access to accommodation.

We are now concentrating upon bringing together our mental health partners to harmonise and improve mental health pathways for the MAPPA cohort. I am very grateful for colleagues who have worked hard to progress this work.

Our Lay Advisers have continued to support the MAPPA process throughout the year, ensuring that the public voice is kept on the agenda at all times, challenging all agencies to work together to meet the objective of public protection and accountability. The SMB is indebted to them for their knowledge, observation and perspective and the energy and commitment they bring to this task. Very sadly one of our lay advisers passed away earlier this year. With another lay adviser recently retired and one due to retire in 2022 we are in the process of recruiting a new set of advisers.

It has been a pleasure working with our Lay Advisers and the MAPPA community is very grateful for their commitment and valuable contribution that each have brought to the MAPPA table.

To conclude this introduction I wish to say a very heartfelt thankyou to all partners and staff involved in the MAPPA processes across West Mercia.

2020/21 has been a very unusual year for all and I am immensely grateful for the commitment of partners to engage and work together to manage risk and safeguard victims through collaborative partnership work.



Jackie Stevenson  
Chair of West Mercia MAPPA SMB

# 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	1454	342	-	1796
Level 2	12	4	9	25
Level 3	3	0	1	4
Total	1469	346	10	1825

<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	31	19	33	83
Level 3	4	0	2	6
Total	35	19	35	89

<b>RSOs cautioned or convicted for breach of notification requirements</b>	19
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<b>RSOs who have had their life time 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	104
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>	2
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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	18	11	9	38
Level 3	1	1	0	2
Total	19	12	9	40
<b>Breach of SOPO</b>				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

<b>Total number of Registered Sexual Offenders per 100,000 population</b>	127
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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.

# Victim Liaison Unit

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As with 2020 this year has also proved challenging and unprecedented. The Victim Liaison Unit has strived to maintain an excellent level of service whilst adapting to new ways of working and keeping within new and ever-changing guidelines. Whilst guidance is still being sought on the difficulties posed by going into private addresses due to COVID 19 (we cannot tell people what to do in their own homes), those victims who have needed face to face contact and when the severity of the case has warranted it, face to face contact has been accomplished when government restrictions allowed in Covid safe locations.

With MAPPP maintaining an online platform the VLU have maintained their presence at panel to ensure that victim's representations were included in the planning for release, and the ongoing management of offenders. It is vital to the service that we offer to victims, under the terms of the newly revised Victim Code of Conduct, that we remain a core part of the MAPPA processes for those cases where there is VLO involvement.

The advent and implementation of the new Victims Code of Conduct has once again expanded the role of the VLO and will increase the number of Hospital Orders which are going to fall into our remit. MAPPA and the VLU work closely together to ensure that MAPPP eligible hospital orders are linked in with the relevant VLO to establish early links. This is particularly vital as communication between hospitals and VLO's can be difficult to maintain; MAPPA plays a key part in ensuring this communication is ongoing when patients are moving towards discharge.

Victims being brought into the MAPPA process through VLO involvement and their presence at Panels is an integral part of the safeguarding of victims as offenders progress towards release.

Victims take a level of comfort at an intense and anxious part of their lives knowing that there is a multi-agency approach to their case and that their fears and concerns are being considered and they may receive agency intervention as a result of Panels.

Victims often feel overwhelmed following sentence and when contacted by their VLO so soon after sentence it can be too much for them to cope with and therefore they do not feel able to respond meaning, their case is closed. When an offender reaches a key stage, for example, moves to an open prison or is due a Parole Review, VLO's may decide that we need to offer contact to victims again to ensure they are kept up to date and their safeguarding needs are being met.

MAPPA is often a vital part of being able to find victims and if there is another agency already involved it can facilitate them taking up the offer of contact with us.

The effects of lockdown on victims of Domestic Abuse and children in abusive households is still an unknown, but we are expecting our caseloads to begin to include lockdown cases in the coming few weeks. The VLU will continue to work closely with MAPPA as we navigate these cases together.

# MAPPA Lay Advisers

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The year started out as normal for the three Lay Advisers. Panels were attended, comments and suggestions were being made by all three advisers, and it was clear that the MAPPA process was working well.

Professionals have become used to the panels being held virtually via Microsoft Teams and know what to expect and how to contribute. A routine has developed and there is now less pressure on the two MAPPA Co-ordinators who have continued to ensure MAPPA arrangements have run as smoothly as possible, and as a consequence the meetings are more concise and fruitful.

One suggestion made by a Lay Adviser during this initial period of transition was that the presenting Professionals would benefit from training to improve their oral and written reports and updates to panel so that all participants were made fully aware of the current situation with their offender. As a result training was devised and delivered by the MAPPA Coordinators, and it is expected that the results of the training will soon become apparent.

During the year two MAPPA Serious Case Reviews have been undertaken. Inevitably these have been lengthy and detailed and have involved two of the Lay Advisers being panel members, ensuring the voice of the public was held throughout the reviews, who have attended all the meetings and read all the accompanying material.

Both reviews have highlighted areas of deficiency and concern, not involving the MAPPA process itself but rather the adoption and enforcement of the necessary protective provisions. As the SCRs involved several police forces, it is apparent to the Lay Advisers that there is a considerable disparity between police forces in their approach to

MAPPA. Some attach great weight and importance to it which is clearly evident in West Mercia, whereas others are not so committed.

It is essential that officers of sufficient rank and capability are involved in what is a high risk area for the public, and where mistakes made can lead to significant consequences. The resulting Serious Case Review Reports, to which the Lay Advisers have contributed significantly, highlight the deficiencies, but also the numerous positives and areas of excellent practice, and so far as West Mercia is concerned Action Plans have been devised and implemented to address areas where learning can be gleaned for all agencies involved. It is hoped that the other Probation Areas and Police forces identified have also taken similar action.

Unfortunately though, over the course of July and August, the position of the three Lay Advisers has sadly changed fundamentally. One of the Advisers passed away suddenly and unexpectedly, whilst a second has come to the end of his second three year Lay Adviser tenure and has therefore retired. West Mercia therefore has, within two months, suddenly lost a wealth of knowledge, capability and experience which was invaluable and will be difficult to replace.

It is now necessary therefore for the recruitment process to start in the near future to provide support to the remaining Lay Adviser and to ensure that the future provision of the role in this area is protected.

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

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

National  
Probation  
Service

