

# WILTSHIRE



# Annual Report



# Intro

Annual Report 2020/2021

I am delighted to present the Wiltshire MAPPA Annual report 2020-2021. MAPPA is the process through which the Police, National Probation Service and Prison Service, known collectively as the Responsible Authority, work together with other agencies to manage the risks posed by violent and sexual offenders. MAPPA is not a statutory body, but a mechanism through which agencies can better discharge their statutory responsibilities and protect the public in a co-ordinated manner.

The aim of this report is to provide an overview of MAPPA arrangements over the last year in order to provide assurances to the public that there are effective processes in place to manage the risk of serious harm that offenders poses within the local area. We will not comment on specific cases or work by individual agencies.

The Responsible Authorities in Wiltshire are made up of Wiltshire Police, the National Probation Service and Her Majesty's Prison Service. These agencies are supported by the following Duty to Cooperate Agencies:

- Swindon Borough Council
  - Housing Department
  - Children's Services
  - Adult Social Care
  
- Wiltshire Council – Inclusive of:
  - Housing Department
  - Children's Services
  - Adult Social Care
  
- Swindon and Wiltshire Youth Offending Teams
  
- Avon & Wiltshire Mental Health Partnership Trust
  
- The Department of Works & Pensions
  
- NHS Bath and North East Somerset, Swindon and Wiltshire Clinical Commissioning Group (BSW CCG)

The Strategic Management Board (SMB) is responsible for monitoring the effectiveness of MAPPA processes by reviewing its quality and effectiveness and implementing any necessary changes in response to local initiatives and priorities. MAPPA procedures are arranged by the MAPPA Coordinator who is supported by the MAPPA Administrator. These procedures are then reviewed in-line with auditing processes which are attended by representations from the Responsible Authorities and Duty to Refer agencies. Our Lay Advisors play a vital role in ensuring that the board is held to account and provides a "critical friend" to ensure the practice is evaluated and in line with guidance.

This is the end of the first year of our two-year business plan which has seen some disruption due to the COVID 19 pandemic. Whilst this has significantly impacted upon "business as usual" procedures, Wiltshire MAPPA has maintained effective working practices in ensuring the delivery of MAPPA arrangements are continued. The MAPPA unit responded to restrictions by being adaptable and flexible with regards to meetings and audit processes, whilst maintaining integrity and delivering effective risk management for MAPPA nominals within Wiltshire. I would like to thank all of those involved in MAPPA over the past year for the way in which they have continued to support arrangements to protect the public during a particularly difficult time. We have evidenced our commitment and dedication to maintaining effective risk management practices to ensure that local communities in Wiltshire are kept safe.

ACC Mark Cooper

# 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	715	184	-	899
Level 2	0	0	2	2
Level 3	0	0	0	0
Total	715	184	2	901

<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	5	8	25	38
Level 3	0	0	1	1
Total	5	8	26	39

<b>RSOs cautioned or convicted for breach of notification requirements</b>	7
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<b>RSOs who have had their life time notification revoked on application</b>	4
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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	40
SHPO with foreign travel restriction	0
NOs	1

<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	1	1	0	2
Level 3	0	0	0	0
Total	1	1	0	2
<b>Breach of SOPO/SHPO</b>				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

<b>Total number of Registered Sexual Offenders per 100,000 population</b>	112
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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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## Departures and Introductions

This business year has seen some changes to Wiltshire's MAPPA SMB with the departure of Andrea Brazier, Service Manager for Young People in Wiltshire. I'd like to thank Andrea for all of her support to Wiltshire MAPPA over the years.

In February 2021 our Lay Advisor, Clive Ruddle, confirmed that he would be stepping down from his role as MAPPA Lay Advisor when his tenure comes to an end in July 2021. We will be commencing a recruitment campaign shortly and I look forward to updating on this in next year's report.

At the start of the business year, Gary Hartin, our Lay Advisor confirmed that he would like to extend his tenure as Lay Advisor and I am pleased to report that this has been agreed. The role of the Lay Advisor is crucial in ensuring there is a representation of the general public at the SMB in order to provide a lay perspective in relation to our policies and practices.  
COVID-19

This business year has comprised of significant challenges due to the covid-19 pandemic and the impact on "normal" working practices. Remote working for all agencies was introduced and this saw a shift in the delivery of level 2 and level 3 meetings. Initially meetings were held via telephone conferencing; however, as technology developed, we introduced meetings on the Microsoft teams platform which has been successful. In general, we have seen a good level of attendance maintained at meetings and the ability to share information has been enhanced through using features of Microsoft teams such as the chat facility. Remote meetings have enabled partners to attend meetings in various secure locations which in turn supports the attendance at MAPPA meetings. I would like to take this opportunity to thank partners with their patience during the pandemic and for their continued dedication and commitment to MAPPA arrangements.

Whilst COVID 19 has impacted on the way business has been delivered, we have continued to provide MAPPA awareness training to a number of agencies in order to ensure that MAPPA widely understood. This involved a briefing with safeguarding leads from Wiltshire GP surgeries which in turn ensures that relevant risk information is shared effectively. Unfortunately, a MAPPA conference which was scheduled for July 2020 was unable to take place due to covid restrictions; however, this will be rearranged in due course. A training needs analysis exercise has been commenced in order to review and implement a training package tailored to agency needs.

Auditing processes have remained in place. These have continued to involve a multi-agency approach and have had positive outcomes and feedback from partners which evidences that Wiltshire MAPPA processes continue to maintain good practices and effective risk management working. Any learning identified from national serious case reviews has been fed back to the SMB and these "lessons learnt" are monitored by SMB to further ensure we are demonstrating good practice and continued professional development. A VISOR audit has been implemented whereby the Police will audit the database three times per year and the results of this audit will be fed back to the SMB.

Despite the above challenges, MAPPA Wiltshire continues to demonstrate the commitment, professionalism and allegiance from both the Responsible Authorities (RA's) and the Duty to Co-operate (DTC's) Agencies in ensuring that robust risk management plans and maintaining public safety is a priority in keeping our County safe.

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National  
Probation  
Service



