



Multi Agency Public Protection Arrangements

DURHAM & DARLINGTON



Annual Report 2021-22

Introduction

This report brings together the agencies across County Durham and Darlington who work in partnership to manage offenders posing the highest risk of harm to our communities. Tackling and reducing the risk that violent and dangerous offender pose is a key priority for all agencies engaged in the world of public protection and is the collective responsibility of all.

This report outlines statistics of the cases held in our area progress and developments within the last year and highlights the successes across the partner agencies in managing public protection issues.

The strength of the partnership between the prison, police and probation has continued to grow in County Durham and Darlington, and additional resources have been secured to assist in managing the risk that offenders pose to our communities.

The findings of this report reflect consistently effective and robust partnership working arrangements which have continued to thrive in spite of the current economic climate and the financial pressures that the public sector currently faces. Public protection is firmly on the agenda for all partner agencies and will continue to be so in the future.



Foreword

Amanda Love

Head of Public Protection North East Probation Service

Chair Durham MAPPA Strategic Management Board

I was delighted as Head of Public Protection for the North East, to take over the chairing this year of the Durham and Darlington Multi Agency Public Protection Arrangements (MAPPA) Strategic Management Board (SMB) from Detective Chief Superintendent Adrian Green, Durham Police. I would like to formally express my thanks to Adrian for his commitment to MAPPA over many years. The Durham and Darlington SMB are responsible for overseeing the MAPPA arrangements locally. The National MAPPA Guidance sets out the responsibilities of the SMB as below -

The SMB is responsible for keeping the arrangements (i.e., MAPPA) under review with a view to monitoring their effectiveness and making any changes to them that appear necessary or expedient. The SMB is responsible for managing MAPPA activity in its area. This includes reviewing its operations for quality and effectiveness and planning how to accommodate any changes as a result of legislative changes, national guidance or wider criminal justice changes.

As you will see explained in this report the Police, Prison, and Probation Service work together to ensure that the risks posed by specified sexual and violent offenders are assessed and managed appropriately and are known collectively under the MAPPA as the Responsible Authority (RA) . The RA could not possibly undertake this work in isolation and work alongside many other agencies, collectively known as the Duty to Cooperate, who are integral to this work. All agencies are represented on the SMB and work tirelessly, alongside all those working in MAPPA on a day-to-day basis, to protect the public in Durham and Darlington.

In this report you will also be able to read about the work of the Lay Advisors – this is an unpaid role in MAPPA . The value of Lay Advisers is as informed observers and as posers of questions that the professionals closely involved in the work might not necessarily think of asking. We will shortly be advertising for a LA as you will see in her reflections that Rachel has reached the maximum period she can serve. Rachel has been a very valued member of the SMB and I would like to take this opportunity to publicly thank her for all her hard work in this voluntary post.

It is vital that all involved in MAPPA keep up to date with current thinking and practice. The MAPPA SMB were therefore delighted to commission Professor Hazel Kemshall, an expert in risk, to run a series of virtual workshops examining best practice for the MAPPA panels. Learning from these events is currently being embedded into practice.

On the theme of learning the recently published joint thematic inspection of MAPPA entitled *Twenty years on, is MAPPA achieving its objectives?* published in July 2022 was welcomed by the SMB. It has been a number of years since any formal evaluation or Inspection had been undertaken into the effectiveness of MAPPA . This is a timely reminder of the areas of business that we need to concentrate on and improvements that need to be made to drive forward practice in MAPPA to ensure we offer the best possible service to protect the public. The SMB will ensure these recommendations are taken forward as a priority in Durham and Darlington.

What is MAPPA?

MAPPA background

MAPPA (Multi-Agency Public Protection Arrangements) are a set of arrangements to manage the risk posed by the most serious sexual, violent and terrorist offenders (MAPPA-eligible offenders) under the provisions of sections 325 to 327B of the Criminal Justice Act 2003.

They bring together the Police, Probation and Prison Services in each of the 42 Areas in England and Wales into what is known as the MAPPA Responsible Authority.

A number of other agencies are under a Duty to Co-operate (DTC) with the Responsible Authority. These include Social Services, Health Services, Youth Offending Teams, Department for Work and Pensions and Local Housing and Education Authorities.

Local Strategic Management Boards (SMB) comprising senior representatives from each of the Responsible Authority and DTC agencies are responsible for delivering MAPPA within their respective areas. The Responsible Authority is also required to appoint two Lay Advisers to sit on each MAPPA 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** –subject to sex offender notification requirements;
- **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.

A fourth category for terrorist and terrorist risk offenders was introduced by the Police Crime Sentencing and Courts Act 2022 after the period covered by this report.

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

The government published an Independent Review of the MAPPA used to Supervise Terrorist and Terrorism-risk Offenders on 2 September 2020 and published its response 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 implemented via the Counter-Terrorism and Sentencing Act 2021 and the Police, Crime, Sentencing and Courts Act 2022. The Secretary of State has also revised the statutory MAPPA Guidance on terrorist offenders.

The Probation Service, via its National Security Division, 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 includes the management of terrorist connected and terrorist risk offenders. The NSD and Counter-Terrorism Policing work closely with local SMBs to ensure the robust management of terrorism cases.

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National Security Division

The National Security Division (NSD) has now been established for approaching 2 years and

is a division within the Probation Service to provide enhanced case management and intervention for the highest risk, complex and high-profile adult offenders in the community. The division provides a centralised, dedicated capability within the Probation Service for the following cohorts of adult offenders:

- Convicted Terrorist Act/Terrorist Act connected;
- Terrorist risk offenders who present a national security threat;
- The Highest risk/high harm Serious Organised Criminals requiring enhanced management; and
- A number of registered CPPC cases who are the highest risk/highest profile sexual or violent offenders who present national interest.

NSD cases are managed in the areas where they are residing as that is in most cases where the risk lies. We will of course also involve other areas linked to the case in MAPPA discussions. Co-ordination between NSD and Probation Delivery Units ensures strong links to local stakeholders, including health, housing and local rehabilitative services. NSD units include dedicated forensic psychologists to support a psychologically informed approach to risk management and also polygraph examiners, to provide enhanced monitoring of compliance with licence conditions.

The NSD continues to work with the national MAPPA team, Counter Terrorism police and with SMBs. We have embedded the recommendations made by the 2020 Jonathan Hall review of MAPPA for terrorist offenders. These include MAPPA panels to review extremist cases which include both police, probation and prison staff who specialise in CT work, but also, crucially, representation from key local agencies. The MAPPA panels will direct increased use of MAPPA core groups, ensuring that work with individual cases is co-ordinated and responsive.

The NSD is committed to working in partnership with Strategic Management Boards to ensure high quality MAPP arrangements. The specialist MAPPA Panels will provide information about key performance indicators to SMBs and will also take part in training, audit and observation

activity. NSD units will report formally to SMBs regularly, a minimum of annually.

The NSD will work closely with key partners and stakeholders and ensure that our development is aligned with wider changes in the national security landscape.

MAPPA Statistics

MAPPA-eligible offenders on 31 March 2022

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	936	208	-	1144
Level 2	4	9	18	31
Level 3	1	0	0	1
Total	914	217	18	1176

MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total)

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	26	27	37	90
Level 3	2	2	1	1
Total	28	29	38	95

RSOs cautioned or convicted for breach of notification requirements	32
RSOs who have had their lifetime notification revoked on application	3

Restrictive orders for Category 1 offenders

SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	67
SHPO with foreign travel restriction	0
NOs	0

Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)	0
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Level 2 and 3 offenders returned to custody

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Breach of licence				
Level 2	4	8	7	19
Level 3	2	0	0	2
Total	6	8	7	21
Breach of SOPO				
Level 2	2	-	-	2
Level 3	0	-	-	0
Total	2	-	-	2
Total number of Registered Sexual Offenders per 100,000 population				167

This figure has been calculated using the 21 March 2021 census population estimate, published by the Office for National Statistics on 28 June 2022, excluding those aged less than ten years of age.

Previously, we have based this figure on the mid-year (30 June) population estimate. As such, the current figure may differ from the corresponding figure based on the mid-2021 estimated resident population, which will be published by the Office for National Statistics later this year.

Explanation commentary on statistical tables

MAPPA background

The totals of MAPPA-eligible offenders, broken down by category, reflect the picture on 31 March 2021 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2020 to 31 March 2021.

(a) MAPPA-eligible offenders – there are a number of offenders defined in law as eligible for MAPPA management, because they have committed specified sexual and violent offences or they currently pose a risk of serious harm, although the majority are actually managed at Level 1 without formal MAPPA meetings. These figures only include those MAPPA eligible offenders living in the community. They do not include those in prison or detained under the Mental Health Act.

(b) Registered Sexual Offenders (RSOs) – those who are required to notify the police of their name, address and other personal details and to notify of any subsequent changes (this is known as the “notification requirement.”) These offenders are assessed and managed by the police. They may also be managed by probation or health services if they are subject to licence or a hospital order. Failure to comply with the notification requirement is a criminal offence that carries a maximum penalty of 5 years’ imprisonment.

(c) Violent Offenders – this category includes violent 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 National 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 update

Rachel Avery – Lay Advisor

I was appointed as a Lay Adviser to the Durham and Darlington SMB in 2016. I reach the statutory maximum term of my appointment in November 2022 and in preparing to leave this role I have been reflecting both on the importance of the work done by MAPPA and also the changes and further improvements that have taken place over the last year to the supervision of those who are subject to MAPPA management in this area.

During my time as a member of the SMB I have been unfailingly impressed by not only the knowledge, expertise and professionalism of the MAPPA Coordinators, SMB Chairs and individuals representing participating agencies (both Responsible and Duty to Cooperate agencies) but also the desire and commitment of these individuals and agencies to the constant evolution of processes and procedures to make the oversight and effectiveness of the SMB as good as it possibly can be. The unrelenting desire to reduce risk and improve public safety is central to all decisions taken by the SMB and with these goals in mind there have been further improvements in a number of key areas since the last annual report was published.

The KPIs and MAPPA Business Plan format have been updated and new objectives concerning the Probation Service MAPPA Level 1 policy framework, information-sharing and management of domestic abuse and stalking cases have been set. These take into account revised guidance that was published earlier this year and ensure that Durham and Darlington SMB is operating within the structure of the most up to date research and guidance available. In addition, the effective management of Category 2, Level 1 cases has been a priority this year and it is sincerely hoped that the changes that have been made to the management of these cases will see even more improvements in public safety. Finally, it is important to note the further strengthening of already excellent relationships between partner agencies in Durham and Darlington and the support given by the Duty to Cooperate agencies. The importance of these relationships cannot be overstated.

The Durham and Darlington MAPPA Annual Report sets out an overview of the work being done by MAPPA. I hope that this report will assist in making people aware of some of this vital work and the ways in which MAPPA seeks to protect the public. It has been a privilege to be part of that for the last six years.

Karen Blackburn – Head of Durham and Darlington Probation Delivery Unit

This month for me marks 30 years as a Probation professional working across all areas in the North East region, including deployment across Yorkshire & The Humber as part of the legacy National Probation Service. However having spent most of my Probation career at different grades in County Durham & Darlington since moving from Northumbria to be seconded to HMP Frankland as a Probation Officer by County Durham Probation Area, I am grateful for the opportunity to have returned as Head in March 2022.

Whilst Probation Service structures, systems and processes have continued to change and develop, particularly over the past year and a half as Probation has reunified nationally, regionally and locally, the stand-out positive from which I draw strength is County Durham & Darlington's people. Returning within the past year, I see that local partnerships continue to be as strong as they ever were and that Probation's committed workforce is as resilient and committed as it ever was. This for me is the

foundation for delivering excellent services. Working together to secure public protection outcomes we are managing risk of serious harm and complexity in those who make significant demands on all of our services. And by delivering rehabilitation outcomes such as access to health and treatment services, housing, benefits, employment and skills training, we are socially including people at the margins in an approach which helps us to keep individuals and our communities safer.

Over recent months we have seen some examples of this excellence in practice. For example, the way our Mappa Level 2/3 meetings continue to work remotely, with the right people around the virtual table and to best effect; and also, the local innovation demonstrated by Probation and Police colleagues to deliver mandatory actions regarding management of our Category 2 Level 1 cases. Effective police/probation information exchange has progressed with Duty To Cooperate partners with demonstration of real commitment to working together for the effective management of violence. This enhanced collaboration is helping to mitigate risks posed to all agencies as well as to demonstrate that in County Durham & Darlington we continue to strive to remain ahead of the game in challenging circumstances for all.

Locally within Probation we are adopting HMPPS principles for agile working; balancing opportunities to maximise available technology with presence within our offices for face to face delivery and contributions from all to Team working. As of June this year we finalised the transition of Probation staff from legacy Probation organisations (National Probation Service & Durham Tees Valley Community Rehabilitation Company) to fully integrated Probation Service Teams across County Durham & Darlington. We achieved this whilst minimising operational impact and have built upon our local footprint with offices secured in North Durham (Framwell House), South Durham (Newton Aycliffe), Peterlee (Yoden Way) and Darlington (Corporation Road) with 2 Teams based in each locality. In addition, we have expanded HUB service delivery for low and medium risk people under supervision by opening an additional HUB in West Auckland (Community Centre) to address a gap for a large population in South Durham; and with well-established HUBs in North Durham (North Road Methodist Church) and in Peterlee (St Cuthbert's Church) we continue to promote the reintegration of people within their communities.

I recognise the commitment to collaboration, beyond existing statutory arrangements such as MAPPA and MARAC in County Durham & Darlington for example, in relation to managing those identified as vulnerable within our communities. A Police & Probation initiative, starting in August and currently being piloted in Darlington, aims to enhance what Probation Practitioners and Police Community Support Officers do every day to manage vulnerability and associated risk via information sharing and signposting individuals into services to enhance community safety outcomes. This approach to capacity building using existing resource is just one example of what I believe is a tangible commitment to working together across County Durham & Darlington.

As Head of County Durham & Darlington I will continue to work collaboratively, innovatively and with commitment in support of the shared partnership agenda within which our local MAPPA partnership will continue to deliver shared public protection outcomes.

Police Public Protection Unit

Durham Police Public Protection Unit (PPU) have evolved their neighbourhood model in terms of the management of Registered Sex Offenders (RSO's). Previously there were 54 MOSOVO trained neighbourhood officers who worked in localities who carried out sex offender management of low and medium risk RMOs alongside their normal day to day duties. However, ten of these trained MOSOVO officers are now directly coordinated by PPU management and focused on RSO management.

The officers are still based in localities to maintain good links with the local neighbourhood teams but no longer carry out day to day duties allowing them to focus solely on RSO duties. The high and very high risk offenders continue to be managed by nine Detective Constable's spread across the

county. The new model anticipates better working between neighbourhood's and PPU who have the responsibility for managing RSO's.

Durham Police continue to support Probation Service colleagues with the management of Category two level 1 offenders. An information sharing tool which provides daily updates of intelligence and changes of circumstances to Probation staff supports the daily management of the violent offender group. Information sharing is paramount to assessment and intervention and this recently designed tool has now been rolled out across the county with great success.

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