

MAPPA

Multi Agency Public Protection Arrangements

Dyfed Powys MAPPA



Annual Report 2021-22

Introduction

We are pleased to introduce the 2021/22 MAPPA Annual Report for the Dyfed Powys Multi-Agency Public Protection Arrangements (MAPPA) Strategic Management Board.

2022 has been a year of development and change in respect of MAPPA. As we continue to move out of the COVID-19 pandemic, the success and effectiveness of MAPPA is evident which is testament to the commitment and dedication of all agencies to ensure our communities are protected from harm.

This report outlines the work the Strategic Management Board has undertaken to improve the effectiveness of MAPPA during the year in managing individuals who are assessed as presenting a risk of serious harm. Furthermore, this report provides an opportunity for us to demonstrate our accountability to the local communities we serve.

Protecting the public and victims of crime is at the core of what the MAPPA Responsible Authority (Police, Prison and Probation Service) aims to achieve. Everything we do is focused on ensuring the continued safety of our communities. This is supported by the valued contribution of the Duty to Co-operate and other agencies. Sexual and violent offending forms a small percentage of the crimes dealt with by the four constabularies across Wales. However, the devastating impact these incidents have on both victims and communities is huge. Members of the public can be assured, through this report, that there is a dedicated ambition across agencies to communicate and work in collaboration to keep people safe.

It is never possible to eliminate entirely the risks posed by serious offenders. However, what can be expected is that all reasonable steps have been taken to reduce the risk of serious harm to the public from known offenders and promote rehabilitation. Therefore, this report not only contains statistical information about those who are managed under MAPPA during the last business year, but it also provides information about how these arrangements work in practice locally.

In the 2020/21 Annual report, there was mention of the significant developments following an independent review of the management of individuals involved in counter terrorism. Following which, the Probation Service created a specialist, dedicated and highly skilled National Security Division which provides an enhanced level of management and intervention for the most high-risk, complex, and high-profile sentenced individuals in the community.

Over the past business year, the Wales MAPPA Co-ordinators have been involved in the re-design of National Training for Probation Service staff. There

have also been a number of changes to the MAPPA guidance which has seen the introduction of the MAPPA Level 1 Policy Framework, a new Domestic Abuse and Stalking chapter and the introduction of Category 4 (Terrorist or Terrorist Risk Offenders). The introduction to these changes is welcomed and evidences the ongoing commitment to ensure public safety. Staff in Wales have undertaken and continue to contribute to National consultations on MAPPA Guidance, ensuring that there is representation from Wales that influences decisions and Policy changes in respect of MAPPA.

The Strategic Management Board's achievements reflect the significant contributions made by all agencies involved in MAPPA across Dyfed Powys and we would like to thank all our partners who have contributed to these arrangements over the last year. The breadth of experience and expertise in managing MAPPA cases is exceptional and there is no doubt of the commitment agencies demonstrate to achieve the highest of standards. We also trust that this report illustrates the commitment and professionalism of our staff whose demanding and complex work rarely receives public attention. Their dedication is key to ensuring our communities remain safe.

In recommending this report to you, we hope it provides a valuable insight into our work and offers reassurance that public protection and the needs of victims remain our highest priorities.

Nicola Davies,
Wales Divisional Director
Probation Service



Dyfed-Powys Police



“It has been twenty years since the introduction of Multi-Agency Public Protection Arrangements (MAPPA) and these arrangements remain essential to promote effective information sharing and collaboration between agencies to manage our most dangerous individuals.

As Chief Constable, I have set force priorities in relation to tackling drug supply, domestic abuse, rape, and serious sexual offences. Whilst it is necessary to focus on the needs of the victim, it is recognised that our investigations must also be suspect focused and consider the wider risks of offender behaviour.

MAPPA arrangements provide the framework for effective information sharing between agencies and identifying the root causes and risks of offending behaviour that enable effective risk management plans to be put in place to protect our communities. This annual report highlights the work that is undertaken within Dyfed Powys and how all agencies work together for this purpose.

We will continue to examine the effectiveness of our arrangements and learn from the joint thematic inspection of Multi-Agency Public Protection Arrangements that was published earlier this year. I look forward to the planned training events this year, which will bring people together once again and further strengthen our working relationships between agencies.”

Chief Constable Dr Richard Lewis

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.

All MAPPA reports from England and Wales are published online at: www.gov.uk

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	582	118	-	700
Level 2	4	3	9	16
Level 3	1	0	0	1
Total	587	121	9	717

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	21	11	29	61
Level 3	5	0	1	6
Total	26	11	30	67

RSOs cautioned or convicted for breach of notification requirements	13
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RSOs who have had their life time notification revoked on application	5
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Restrictive orders for Category 1 offenders

SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	69
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	6	5	6	17
Level 3	0	0	0	0
Total	6	5	6	17
Breach of SOPO				
Level 2	1	-	-	1
Level 3	1	-	-	1
Total	2	-	-	2

Total number of Registered Sexual Offenders per 100,000 population	126
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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 2022 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2021 to 31 March 2022.

(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) Subject to Sex Offender Notification Requirements – 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 are not subject to notification requirements. 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 the offender does not comply with these conditions, the Probation Service will take breach action 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 and/or positive obligations 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 on the balance of probability 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, the National Crime Agency (NCA), British Transport Police (BTP) or the Ministry of Defence Police (MODP). The chief officer/NCA/BTP/MODP 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 individuals convicted of qualifying sexual offences overseas to register with the police, in order to protect the public in the UK from the risks that they pose. The police in England and Wales may issue a notification order directly to an offender who is already in the UK or who is intending to come to the UK who has to notify within three days of receipt. Offenders have a right of appeal against notification.

(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, NCA, BTP or MODP 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.

An SRO may prohibit the person from doing anything described in it, including travel overseas, or place positive obligations upon them. Any prohibition and/or obligation 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.

An 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 an 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 an 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 individuals 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

Joint statement by Dyfed Powys MAPPA Strategic Management Board (SMB): HMPPS and Police Leads:

Assistant Chief Constable, Steve Cockwell, Dyfed Powys Police
Christine Harley, Head of Dyfed-Powys Probation Delivery Unit
Brian Ward, Governor, HMP Swansea

The past year has been challenging but positive in terms of MAPPA in Dyfed Powys, with development within key areas such as:

- embedding MAPPA Level 1 processes across Probation, Police, and Health within Dyfed Powys
- implementation of MAPPA Category 4 for managing terrorist offenders and the National Security Division arrangements
- provision of specialised risk assessment training for multi-agency practitioners managing sexual offenders with learning difficulties

Nationally, the introduction of the Thresholding document; Probation Level 1 Policy Framework; and updated MAPPA Guidance, are useful additions to support local practice and enable effective MAPPA L2/3 screening processes and align strategic priorities; including the Domestic Abuse and Stalking Chapter which emphasises the importance of consideration for the management of high/very high risk of serious harm domestic abuse and stalking perpetrators under MAPPA Category 3.

Both practitioners and Lay Advisers within Dyfed Powys MAPPA area have contributed to focus groups and consultations led by both the National MAPPA Team and the MAPPA Research Project [undertaken by the Policing Institute for the Eastern Region - Angela Ruskin University].

Over the past year Dyfed Powys Police and Probation colleagues have supported another area's SMB with the completion of a MAPPA Serious Case Review Report.

A Joint Thematic Inspection of MAPPA was published on 14th July 2022 [*20 years on, is MAPPA achieving its objectives?*] and future Dyfed Powys MAPPA Strategic Management Board (SMB) meetings will focus on the findings and recommendations, as well as the National Action Plan, to then consider and implement local changes to further strengthen MAPPA practice going forward.

There will be opportunities in the coming year to meet colleagues at face-to-face learning events to further promote MAPPA with agencies across Dyfed Powys; and embed these practice priorities. The partnership approach has always been a key part of MAPPA and these events will provide a multi-agency opportunity to improve MAPPA oversight in all four local authority areas.

Detective Superintendent Jayne Butler, Dyfed Powys Police:

As one of the statutory partners Dyfed Powys Police are committed to delivering their responsibilities under the Criminal Justice Act 2003 in conjunction with our partners.

Despite an anticipated rise in MAPPA nominals, Dyfed Powys Police have identified additional resources to meet this ever-increasing demand. In the 2021 HMICFRS Inspection our response was deemed adequate; but we are constantly seeking improvement in our service delivery which will impact on our objective to keep our communities safe. This demonstrated through the introduction of a MAPPA Level 1 process within the force, along with a regular auditing framework.

The management of offenders is supported by policing teams within each of the counties to enhance the work of the MOSOVOS and ensure compliance with restrictive orders, while the Neighbourhood policing teams play an important role in supporting the work of specialist staff from all agencies within MAPPA. This

has resulted in many successful outcomes, both in deterring further offending and in identifying and addressing breaches of restrictive orders and notification requirements.

We continue to seek more creative ways to manage our offender cohorts, specifically identifying ways to utilise our digital resources. Our dedicated offender manager teams work closely with partners to ensure there is a holistic approach to managing offenders, and during the year we have worked together to conduct serious case reviews.

We are also instrumental in facilitating and supporting multi-agency training across the region, providing excellent opportunities to improve professional relationships and enhance our collective knowledge of our partner's roles.

Lay Advisers to the MAPPA Strategic Management Board (SMB):

Lay Advisers are appointed to assist in reviewing the effectiveness of MAPPA arrangements; there are two Advisers for the Dyfed Powys region. We operate as full members of the Strategic Management Board (SMB) and can challenge the work of MAPPA by acting as a "Critical Friend", bringing a different perspective and understanding to the arrangements. Geographically we are also well placed in providing a presence across the MAPPA area.

As Lay Advisers, our input during the year was maintained using virtual platforms, and we were able to continue to add value to the MAPPA operational and strategic arrangements in the region by:

- Attending MAPPA SMB meetings, providing feedback on our experiences, participating in discussions, and providing challenge as appropriate
- Attending MAPPA Level 1, 2 and 3 Meetings across the region.
- Attending Operational Group meetings to assist in the monitoring of performance against Business Plan Objectives and contributing to problem solving on key issues, such as accommodation
- Participation in Quality Assurance events to assess the effectiveness of MAPPA decision making and recording of meetings
- Participation in training events
- Providing input into the development of a MAPPA Communication Strategy for the region
- Participation in the National MAPPA Research Project
- Providing general feedback to the MAPPA Coordinator

Key challenges noted from our involvement have been:

- The increased workload as more Domestic Abuse cases are included in MAPPA arrangements
- The need to increase and maintain awareness of the work undertaken by MAPPA within the community to provide the public with confidence in the way in which high risk offenders are managed.
- The continued lack of accommodation across all sectors to provide safe and sustainable housing for offenders
- The limited number of Approved Premises within Wales for male offenders and the complete lack of Approved Premises for female offenders. Approved Premises play a critical role in the resettlement of offenders in the community, and it is hoped that this will be considered and addressed in the National Accommodation Strategy
- The differences in funding arrangements between Health and Social Care can potentially impact upon risk management planning as can the differences between MAPPA requirements and the legal framework within the Social Care and Well Being Act.

We have also noted some good practice and positives:

- The close working relationship of the responsible authorities with the Approved Premises has in general been exceptional
- After the period of COVID, face to face interactions with offenders is moving back to pre-COVID arrangements
- Good sharing of information between agencies to develop robust risk management plans
- Good transition work between the Police and Probation when an offender is at the end of Post Sentence Supervision.

- Good examples of cross boundary working to strengthen risk management plans

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 polygraph examiners, to provide enhanced monitoring of compliance with licence conditions.

The NSD continues to work with the national MAPPA team, CT 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.

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