

MAPPA

Multi Agency Public Protection Arrangements

NORTH WALES



Annual Report 2021 - 2022

Intro

We are pleased to introduce the 2021/22 MAPPA Annual Report for the North Wales 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 North Wales 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

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	1009	201	-	1210
Level 2	10	17	5	32
Level 3	0	0	2	2
Total	1019	218	7	1244

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	18	21	17	56
Level 3	0	0	2	2
Total	18	21	19	58

RSOs cautioned or convicted for breach of notification requirements	27
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RSOs who have had their life time notification revoked on application	4
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Restrictive orders for Category 1 offenders

SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	75
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)	2
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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	9	13	8	30
Level 3	0	0	1	1
Total	9	13	9	31
Breach of SOPO				
Level 2	4	-	-	4
Level 3	0	-	-	0
Total	4	-	-	4

Total number of Registered Sexual Offenders per 100,000 population	165
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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

Wales Offender Personality Disorder Pathway

The Wales Offender Personality Disorder Pathway (OPDP) is part of a jointly commissioned service between the NHS & Criminal Justice System and is underpinned by four main objectives:

- To improve the Person on Probation's psychological health & well-being.
- To help reduce the risk of re-offending.
- To increase workforce confidence & competence.
- To communicate the work of the OPDP.

The OPDP team in North Wales involves psychologists (NHS) and personality disorder Probation Officers (HMPPS) working collaboratively with the Probation Practitioner and/or Person on Probation using a trauma-informed approach to provide psychologically led formulations that help shape the supervision process. Using a specific screening tool which identifies personality difficulties but does not offer a diagnosis, People on Probation who present as High or Very High Risk of Harm are 'screened' into the OPDP in order to access additional support/ OPDP interventions alongside supporting Probation Practitioners.

Within the MAPPA process, Wales OPDP attends Level 3 meetings as part of the multi-agency arrangements and has close working relationships with its colleagues. Each MAPPA case undertakes the screening process and, if eligible, is discussed within a consultation resulting in psychologically framed formulation which suggests most effective ways of engaging with individuals presenting with complex needs. Signposting is often suggested and OPDP staff help make links with other services where required.

Specialised personality disorder training, in the form of the national Knowledge and Understanding Framework, is offered to Probation Practitioners to help with the supervision process and OPDP staff also offer regular case reviews to ensure the formulations remain dynamic. Whilst the formulations are not a risk assessment, they influence the risk management process and can guide a 'best approach' for staff working within the MAPPA arena. Wales OPDP is also responsive to the needs of MAPPA managed cases by, when appropriate, undertaking psychologically informed specific work and, going forward, will continue to build on existing relationships.

Gayle Gilder
Probation Service

Victim Liaison

The liaison between Victim Liaison Officers (VLO) and MAPPA Co-ordinators and Administrators is essential. There are statutory set of arrangements requiring local criminal justice agencies and other bodies to work together to comprehensively risk assess and manage individuals subject to MAPPA. Effective engagement with victims is fundamental to informing MAPPA decisions. Victim safety, preventing re-victimisation and avoiding the creation of new victims are central to the MAPPA agencies' public protection role.

Where an individual is subject to MAPPA Level 1,2 or 3 oversight, and the victim has engaged with the Victim Contact Scheme it is vital as a VLO to represent the victims' views through active participation in the MAPPA forum. As a core panel member in the MAPPA meetings we are able to provide up to date information regarding any potential risks that are on-going towards the victims or any potential new victims which could be highlighted in the meetings. Dormant cases within the Victim Contact Scheme can also be reviewed and re-visited if it is highlighted that there could be a potential risk to a victim.

As a Victim Liaison Officer, I work alongside other core panel members from Probation, Youth Justice, local education authorities, social services, mental health and the police to name a few to provide the relevant risk management plans we have put in place on behalf of the victims we are representing - these include licence conditions and exclusions zones. I feel very passionate about the work we undertake and being able to provide the voice for the victims in these meetings is vital. It is a privilege that the victims we work with places their trust in our service to help manage their fears and anxieties. Furthermore we are able to signpost and provide information on agencies in the community that can offer any additional support they or their families may need.

Suzanne Wake
Victim Liaison Officer

Health Safeguarding

Betsi Cadwaladr University Health Board (BCUHB) Safeguarding and Public Protection Team, supported by our Mental Health Forensic Psychology and clinical colleagues are an integral partner in the MAPPA process. Continuous engagement from the BCUHB Safeguarding and Public Protection Team and Mental Health colleagues provides the MAPPA process with NHS expertise and knowledge that are vital for identifying, assessing, managing, and monitoring risk across a wide variety of settings and situations.

BCUHB and the Justice Department share a duty towards public protection arrangements to safeguard the public and staff. The Safeguarding and Public Protection Team, as part of the MAPPA process promote this ethos through a variety of interventions including, but not limited to;

- Offer signposting to services to both MAPPA nominals and victims through a workplace safety group.
- Actively engages and provides clinical expertise, professional understanding and strategic engagement from Mental Health professionals and colleagues.
- Encourage the inclusion of health options within the MAPPA risk management plan, by sharing the understanding of how these may contribute to offending behaviour.
- Raise the profile of MAPPA within the Health Board through Safeguarding Forums, Training to ensure wider health service involvement and learning is shared.
- Being involved with the audit and review process, internal to the organisation but also in correlation with the Strategic MAPPA Board.

The Safeguarding and Public Protection Team acknowledges that through the investment and development of multi-agency working, the MAPPA framework provides improved support and outcomes for individuals whether they are currently accessing health services or not. BCUHB is committed to continuing the positive engagement in the wide range of MAPPA activities and meetings across North Wales.

Michelle Denwood
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Betsi Cadwaladr University Health Board

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