

MAPPA

Multi Agency Public Protection Arrangements

SOUTH WALES



Annual Report

2021-2022

Intro



David Thorne
Assistant Chief Constable
South Wales Police
Strategic Management Board Chair

I am delighted to continue in my role as chair of the MAPPA Strategic Management Board for the South Wales region.

This report will outline some of the challenges we have faced as a region, as well as highlighting the positive progress and good practice in the management of offenders through the MAPPA process.

2022 has seen a return to a sense of normality following the end of Covid-19 restrictions. However, a 'new normal' within society has been the resultant effect. We know that many vulnerable people, including offenders, have suffered from mental ill-health which has had an impact on their involvement in substance misuse and criminality. This creates additional pressures for offender management. In addition, catching up with face-to-face visits and staying on top of risk management plans remains a challenge. However, staff in all our agencies remain determined and flexible manage offenders and protect the public in an effective way.

The SMB is responsible for scrutinising arrangements across the region, working with the 'Responsible Authorities' in MAPPA; Police, National Probation Service and Prisons, continuing to focus on the key priority of protecting the public from harm, assisted by organisations which have a 'Duty to Cooperate' with MAPPA. Our two lay advisors continue to be effective in acting as 'critical friends' and keeping us true to our commitments. We are extremely grateful for their involvement, contribution and commitment.

The South Wales Offender Management Programme Board will also seek to make significant long-term improvements to our approach, challenging the effectiveness of established practice whilst seeking new and innovative ways to both manage and divert offenders away from

criminality. This year we have worked closely with Responsible Authorities from across Wales by establishing a quarterly forum where we can share good practice and clarify procedures around for example, MAPPA serious case reviews, so that we can improve practices and provide consistency. This has been a really worthwhile approach.

MAPPA, has proven to be a highly effective, familiar and respected model across the United Kingdom in the management of offenders. I have witnessed the passion and commitment by those charged with carrying out their duties within this arena. I therefore remain confident that the communities in our region can be reassured that every effort will continue to be made to keep them safe.



Nicola Davies,
Wales Divisional Director Probation Service

We are pleased to introduce the 2021/22 MAPPA Annual Report for the South 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 South 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.

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, 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.

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	1662	458	-	2120
Level 2	44	54	20	118
Level 3	5	6	3	14
Total	1711	518	23	2252

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	126	96	49	271
Level 3	5	6	3	14
Total	131	102	52	285

RSOs cautioned or convicted for breach of notification requirements	22
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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	118
SHPO with foreign travel restriction	0
NOs	1

Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)	1
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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	22	26	21	69
Level 3	1	1	0	2
Total	23	27	21	71
Breach of SOPO				
Level 2	1	-	-	1
Level 3	0	-	-	0
Total	1	-	-	1

Total number of Registered Sexual Offenders per 100,000 population	146
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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.

Swansea Bay University Health Board- Mental Health & Learning Disabilities Service Group

Representatives from the Mental Health Division of Swansea Bay University Health Board Mental Health & Learning Disabilities Service Group attend MAPPA panel meetings as Mental Health core panel members on behalf of Swansea Bay University Health Board. The Team Manager from the Criminal Justice Team attends the MAPPA Level 2 meetings. The Head of Nursing and Lead Nurse for the Mental Health Division attend the MAPPA Level 3 meetings and the MAPPA Operational Group as strategic Leads for the Health Board.

The Mental Health core panel members play a vital role within the MAPPA process in terms of the overall risk management process of each presented case. The Mental Health panel members provide advice and guidance to the wider MAPPA panel members from a mental health and learning disability perspective inclusive of cases not open to Mental Health services. They also provide their professional opinion in each case and discuss and highlight any issues in relation to risk management. Their opinions are considered as part of the chairs summary of risk in each identified case.

Preparations for the meetings are by way of the Mental Health core panel members familiarising themselves with the scheduled case, obtaining any known and relevant information regarding the case. This is inclusive of prior or current involvement with Mental Health, Learning Disability services or other services within the Health Board regarding care, treatment and known risk and public protection factors.

For cases where there is involvement with Mental Health, Learning Disabilities or other services within the Health Board the Mental Health core panel members will ensure attendance from the relevant Multidisciplinary Team members involved in the care and treatment of the individual in order to provide information to the other panel members at the meetings in relation to assessment updates and care and treatment progress. Where a specific action has been identified at previous meetings from a Mental Health perspective the relevant professional will attend future meetings to provide updates from those previously identified actions.

The Mental Health core panel members will execute any actions following the MAPPA meetings and provide relevant Services within the Health Board any updates, actions and outcomes from the meetings.

The Criminal Justice Team Manager provides MAPPA Awareness training jointly with the MAPPA Co-ordinator for South Wales. This training is delivered to the Mental Health & Learning Disability unscheduled care services within Swansea Bay Health Board for staff to have an awareness of the MAPPA process and the responsibilities of health care staff in the management of patients requiring a MAPPA referral or whom are currently involved the MAPPA process. The Criminal Justice Team Manager also has overall responsibility for the MAPPA I referrals and MAPPA enquires submitted to the Health Board and is the key professional identified to work in partnership with multiagency colleagues involved in matters relating to MAPPA from an in-patient and community setting.

South Wales Lay Advisors to MAPPA Strategic Management Board

Having completed one full reporting year since our appointment as Lay Advisors in January 2021, we have been able to consolidate our roles and contribute more fully to the oversight of the arrangements for the South Wales region.

Whilst restrictions placed by the recent pandemic inevitably limited some activities, the now standard use of remote access technology has continued to enable expected levels of attendance at the Level 2 and Level 3 MAPPA meetings we observed and they have proven to be effective and time-efficient processes which have allowed comprehensive risk assessment, risk management and contingency-planning practice to continue. As suggested in last year's report, they have now become the 'business as usual' model.

During the reporting year, although our face-to-face induction was still being hampered by the pandemic restrictions, we were able to meet representatives from the Victim Liaison Teams. These were enormously helpful contacts which helped us to develop a better understanding of their roles within MAPPA and we are extremely grateful for the time which Managers and Practitioners gave. Future meetings with the Approved Premises and MOSOVO Teams have been planned for the 2022-23 period, particularly considering the proposed re-development of the AP facilities in both Swansea and Cardiff and the vital need for accommodation to support the arrangements and help to reduce the risk and assure public protection.

A key objective for each of us has been to continue to regularly observe Level 2 and Level 3 MAPPA meetings across South Wales including those offenders now managed by the National Security Division. This observation enables us to evidence that extremely complex cases involving MAPPA nominals [who often have multiple unmet needs as well as presenting a very high risk of harm] are managed professionally with victims' safety always being given the highest priority. Risk assessment and risk management planning is impressive and whilst it should be, the fact that it is, is highly reassuring. The standard of the key role of Chair is also notable, being both competent and inclusive. We have both been actively involved in quarterly quality assurance audits during the year where we looked at a sample of meeting minutes to consider the application of the equality and diversity (E&D) and human rights aspects and risk management and contingency planning to the MAPP arrangements:

In terms of E&D, we found evidence of consistent inclusive practices for both offenders and victims. The key area of focus tended to be around mental health issues and drug and alcohol dependence, alongside safeguarding for children and women but we were able to share best practice examples with the operational and strategic groups around wider issues such as transgender. We also consulted SW Police early in the audit for ideas of how we could enhance our approach to achieve better value-added outcomes from the process which we adopted.

In the second quality assurance audit, we assessed whether effective risk management and contingency planning practices and adherence to the required format could be evidenced. The findings, overall, were positive and demonstrated effective risk assessment and management practice, with contingencies agreed and in place to deal with negative or unexpected occurrences. A number of areas for development and more general observations were noted however and these included: a need to ensure that where minutes contained updates, earlier information was removed where it was redundant; the fact that risk management plans can be difficult to update where nominals are serving prison sentences because there had been little change in their circumstances; and in a small number of cases, that contingency plans did not fully utilise the 'Four Pillars' approach to risk assessment.

The results of both audits were fed back to both the MAPPA Operational Group (MOG) and the Strategic Management Board (SMB) and also communicated to MAPPA Chairs for action and review where appropriate.

As only one MAPPA Serious Case Review has arisen during the reporting period, we agreed to alternate these responsibilities and therefore only one Lay Advisor has started contributing to date. The outcomes and recommendations will be included in the next annual report.

Our attendance rate at both SMB and the MOG has exceeded the benchmark and we give each of these events a high priority, contributing to the agenda and being as fully involved and engaged as appropriate both to the business planning process and the overarching strategic themes arising.

We both continue to be highly impressed by the way the arrangements are applied in South Wales and the levels of professional engagement from the multiple agencies involved, the lengths to which agency representatives go to, to protect the public is exceptionally reassuring. We are particularly indebted to the Coordinator and her secretariat team who have supported us to achieve our personal objectives as Lay Advisors, as set and monitored by the Chair and Deputy Chair of SMB.

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

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