

MAPPA

Multi Agency Public Protection Arrangements

West Midlands



Annual Report 2021-22

Introduction

Introduction:

We are pleased to introduce the 2021-2022 Multi Agency Public Protection Arrangements (MAPPA) Annual Report. The report provides the statistics and details of how partners work together to discharge our statutory duties.

On behalf of the Strategic Management Board (SMB) for the West Midlands area, I hope that it gives a useful overview of the dedication shown by our partners in protecting the communities that we serve.

Our SMB:

The West Midlands SMB meets quarterly to oversee the delivery of MAPPA in the area, compliance with the National MAPPA Guidance and that best practice principles of partnership working in protecting the public are adhered to. The membership of the SMB consists of senior strategic leaders all dedicated to utilising available resources to provide effective risk management solutions. The work of the SMB is supported by our Lay Advisor who provides a vital role in assuring quality and providing critical feedback allowing us to continually improve. Our SMB benefits from a dedicated, experienced MAPPA Coordinator who consistently strives for excellence and brings together partner agencies in the most effective of working relationships. The SMB is indebted to the Coordinator for her knowledge and continued commitment to protecting the public.

Reflections from 2021-2022:

The impact of the COVID pandemic has continued. Partners and panels have utilised remote practices to ensure panels and communication have continued. I have been impressed by how partners have embraced these changes to ensure strategic and front-line practices continue.

There have been significant legislative changes in England and Wales introducing a new MAPPA category. We welcome the formalities the additional category allows us in managing this cohort and in West Midlands have very close working relationships with the National Security Division in the Probation Service and the Joint Extremism Unit, across Government, to make sure we have clear structures in place to discharge MAPPA responsibilities effectively.

With keen interest we have welcomed the HMIP Thematic report reflecting on 20 years of MAPPA practice. Our SMB is committed to the recommendations in this report and are already undertaking audit work to delve into the local detail of the management of level 1 and domestic abuse cases in particular.

Our Key Priorities for 2023 onwards:

We will always strive to progress and adapt and have a schedule of training for professionals involved in MAPPA to undertake in the next 12 months. We also have a dedicated agenda regarding effective practice and audit to review, feedback and improve.

We will develop working groups to feed into the SMB looking at items of specific interest. Our initial working group has been set up to review liaison regarding mental health and criminal justice agencies.

To maintain our highest standards of chairing we will be increasing our MAPPA coordinator roles. This will allow for more analysis on referrals to ensure the right cases are escalated to the right level and more frequent specialist audits.

On behalf of the SMB, I would like to thank the agencies and individuals who have committed valued resource to MAPPA. Both strategic leaders and front-line professionals have shown a determined commitment to supporting desistance and managing risk. The expertise, engagement and energy of everyone involved in managing MAPPA cases continues to demonstrate a robust approach to public protection. The resilience of our partners has been evident in the dedicated work of the agencies and professional involved in protecting the public, victims and managing risk in our communities.

Amy Thornton

**SMB Chair and Head of Public Protection,
Probation West Midland Region**



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	3669	1763	-	5432
Level 2	11	29	5	45
Level 3	2	5	2	9
Total	3682	1797	7	5486

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	41	73	36	150
Level 3	4	7	14	25
Total	45	80	50	175

RSOs cautioned or convicted for breach of notification requirements	53
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RSOs who have had their life time notification revoked on application	41
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Restrictive orders for Category 1 offenders

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

SHPO	253
SHPO with foreign travel restriction	0
NOs	4

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	14	26	7	47
Level 3	2	3	2	7
Total	16	29	9	54
Breach of SOPO				
Level 2	1	-	-	1
Level 3	0	-	-	0
Total	1	-	-	1

Total number of Registered Sexual Offenders per 100,000 population	145
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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

West Midlands Police

West Midlands Police MAPPA offender managers continue to work closely with probation and key partners to effectively manage the risk MAPPA offenders pose to the local communities. Probation continue to be co-located with the Local Offender Manager Units across the Force to secure positive relationships, information share effectively and work more efficiently. In order to deliver a high quality service, over the past 12 months we have introduced a clear internal information sharing guidance to monitor those who have committed sex offences or registered sex offenders to improve internal intelligence sharing and correct handling of sensitive information.

In addition to this, in order to proactively manage our Sex Offender Sexual Harm Prevention Orders and Sexual Risk Orders we have introduced a new Digital Forensic Strategy which includes promoting the use of a series of new digital technology when visiting our registered sex offenders so we can proactively monitor their activity, increase our intelligence profiling and secure prosecutions for any breaches of their orders.

All MAPPA sex offenders are monitored and assessed in accordance with National Authorised Approved Practice mechanisms, such as the Active Risk Management Tool (ARMS) and Risk Management Plans (RMPs). This ensures that the risk those offenders pose to the local communities are monitored efficiently and effectively. The Force regularly dip samples these mechanisms to identify and share any best practice.

As a Force we have also had the capability to robustly monitor high risk offender activity on a regular basis through the use of GPS tags.

Housing

Suitability and stability of housing for those being managed through Multi-Agency Public Protection Arrangements (MAPPA) are essential to effective supervision and for ensuring public safety. Access to housing and accommodation continues to be a main concern for those exiting prisons as well as those serving community sentences, despite additional support offered to MAPPA offenders by housing providers and local authorities.

One of the ongoing challenges faced by the sector is that of the continued rise of exempt non-commissioned supported housing. Birmingham City Council has seen the largest growth in the West Midlands and is using funding from DLUHC to address this issue by rolling out new housing quality standards and a Charter of Rights to improve the experience of those placed within this sector and assist in improving the quality of services provided.

The result of government's increased investment in addressing rough sleeping and homelessness in recent years has been noticeable in the last year: this has strengthened relationships between the housing sector, local authorities, and other statutory bodies which is crucial in safeguarding the health of the most vulnerable.

This past 12 months has also seen the embedding of commissioned services which commenced at the end of June 2021, in particular Resettlement Services awarded to NACRO for delivery across the West Midlands.

This past year has been difficult and although we are now 'living with Covid,' housing, as well as health and social care are still dealing with the aftermath of the pandemic. Due to the enduring challenges in the housing market and recent changes across Probation, the West Midlands MAPPA Strategic Management Board will need to use its established links to ensure that needs of MAPPA offenders are met locally and are reflected within the national agenda.

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.

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