

Wiltshire / Swindon



Annual Report

Intro

We are pleased to present this April 21 – March 22 Wiltshire MAPPA Annual report.

MAPPA is the process through which the Police, National Probation Service and Prison Service, known collectively as the Responsible Authority, work together with other agencies to manage the risks posed by violent and sexual offenders. MAPPA is not a statutory body, but a mechanism through which agencies can better discharge their statutory responsibilities and protect the public in a co-ordinated manner. The aim of this report is to provide an overview of MAPPA arrangements over the last year in order to provide assurances to the public that there are effective processes in place to manage the risk of serious harm that offenders poses within the local area. We will not comment on specific cases or work by individual agencies. The Responsible Authorities in Wiltshire are made up of Wiltshire Police, the National Probation Service and Her Majesty's Prison Service. These agencies are supported by the following Duty to Cooperate Agencies:

- Swindon Borough Council
 - Housing Department
 - Children's Services
 - Adult Social Care
- Wiltshire Council – Inclusive of:
 - Housing Department
 - Children's Services
 - Adult Social Care
- Swindon and Wiltshire Youth Offending Teams
- Avon & Wiltshire Mental Health Partnership Trust

➤ The Department of Works & Pensions

➤ NHS Bath and North East Somerset, Swindon and Wiltshire Clinical Commissioning Group (BSW CCG)

The Strategic Management Board (SMB) is responsible for monitoring the effectiveness of MAPPA processes by reviewing its quality and effectiveness and implementing any necessary changes in response to local initiatives and priorities. MAPPA procedures are arranged by the MAPPA Coordinator who is supported by the MAPPA Administrator. These procedures are then reviewed in-line with auditing processes which are attended by representations from the Responsible Authorities and Duty to Refer agencies. Our Lay Advisors play a vital role in ensuring that the board is held to account and provides a “critical friend” to ensure the practice is evaluated and in line with guidance.

This period has continued to test our effective working practices in the delivery of MAPPA due to the continuation of the Covid-19 pandemic. Whilst we can now see the road for ‘recovery’ from these unprecedented times, we continue to face new challenges and approaches to evaluation, with a view to continuing virtual collaboration to MAPPA arrangements. However, business as usual has prevailed. As a MAPPA team, we continue to be adaptable and flexible to our new world and its subsequent way of working. Thanks to all those involved in this, and for the continued dedication of our staff and partner agencies. As a result of this commitment, MAPPA integrity and delivery has been maintained and our local communities are being kept safe. We look forward to the next period across 2022, in which will see a new business and delivery plan, allowing for the continuation and improvement of MAPPA objectives and delivery.

Richard Temple, PDU Head Wiltshire & Swindon.
On behalf of ACC Deb Smith.

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	740	241	-	981
Level 2	1	1	4	6
Level 3	0	0	1	1
Total	741	242	5	988

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	8	12	12	32
Level 3	1	3	2	6
Total	9	15	14	38

RSOs cautioned or convicted for breach of notification requirements	7
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RSOs who have had their life time notification revoked on application	10
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Restrictive orders for Category 1 offenders

SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	95
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	1	2	1	4
Level 3	0	-	-	0
Total	1	2	1	4
Breach of SOPO				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

Total number of Registered Sexual Offenders per 100,000 population	116
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This figure has been calculated using the Mid-2021 Population Estimates: Single year of age and sex for Police Areas in England and Wales; estimated resident population, published by the Office for National Statistics, excluding those aged less than ten years of age.

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

Arrivals and Departures

This report is brought to you at a time where there are some significant changes within MAPPA arrangements in Wiltshire and Swindon. The forthcoming summer sees the retirement of our SMB Chair, ACC Cooper, who showed invaluable commitment to MAPPA and the wider team. His successor, ACC Deb Smith has been eagerly waiting in the wings and we look forward to working with ACC Smith moving forwards. A brief note of thanks is included in this report to ACC Cooper, and we wish him all the best in the future.

This summer is also going to see the departure of Ruth Lumber, MAPPA Co-ordinator for Swindon and Wiltshire. Ruth has been in post for several years and her knowledge and expertise proves invaluable in the co-ordination and progression of MAPPA in this area. We would like to thank Ruth for her time with us and wish her all the very best for the future.

We saw the departure of our long-standing SMB rep Andrea Brazier, Service Manager for Young People, Wiltshire – we would like to thank Andrea for the support and time she has given to ensure MAPPA arrangements in relation to young people has been effective. Andrea has been replaced by Andrew Griffiths and we look forward to working with Andrew in the coming months.

As reported in the last Annual Report, we have successfully recruited a new Lay Advisor, Lia Barclay, who commenced her post in September 2021. The interview panel were impressed by Lia's enthusiasm for the role, and we look forward to working closely with her.

Business Delivery

The business year saw the completion of the business plan that had been in place for the previous 2 years with successful completion of strategic goals. We have continued to maintain effective MAPPA arrangements within Wiltshire despite the ongoing challenges which the Covid-19 pandemic has brought about. Meetings have continued to be held remotely which has enhanced attendance and allowed for more effective and timely information sharing. MAPPA briefings to all agencies have continued via Microsoft Teams which in turn has enabled a wider audience to be reached and the ability to ensure that MAPPA awareness is increased across a wide range of stake holders. A new Business Plan has been developed which will run for a 3 year period and will focus on key priorities including:

- Working in Partnership
- Continuous Improvement
- Robust Risk Management
- IT systems.

Performance

Performance has continued to be monitored throughout the last year through Key Performance Indicators (KPIs). Within Wiltshire 100% of all level 2 cases were reviewed within the 16-week KPI and 100% of level 3 cases were reviewed within the 8-week KPI. All level 2 meetings are chaired by myself, as MAPPA Co-ordinator, which ensures consistency within the meetings and is attended by all agencies relevant to the case. Level 3 meetings are either chaired by the Head of the Probation Delivery Unit for Swindon and Wiltshire, or the Detective Superintendent for Wiltshire Police. Attendance at level 3 involves heads of service or senior managers which has been maintained this year.

Attendance by agencies at level 2 and 3 meetings is monitored and has been consistently good for this year. These meetings ensure that effective information sharing is facilitated, risk is accurately assessed, and robust Risk management plans are developed. Meetings are audited twice a year to ensure that effective standards are maintained. Within Wiltshire we have a well-established auditing process which involves partners agencies attendance to enable for a collective responsibility to ensure MAPPA processes are effective within the area.

This year has continued to see challenges as a result of the ongoing Covid-19 pandemic. Wiltshire stakeholders have continued to demonstrate adaptability and committed for MAPPA arrangements which has allowed for continuing good practice to be delivered. We look forward to the next year ahead, implementing the new business plan and developing local MAPPA arrangements to continue to safeguard our communities.

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