

**Area name here**

# Cumbria



# Annual Report

# Intro

On 1st April 2023 the 6 districts within the County of Cumbria were abolished and replaced by two unitary authorities ‘Cumberland’ and ‘Westmorland & Furness’. During 2022-23 the MAPPA Strategic Management Board worked to ensure that these changes within Local authorities did not impact adversely on the MAPPA meetings or information sharing between MAPPA agencies. Although MAPPA agencies such as Children’s Services, Adult Social Care, Youth Offending Teams & Housing authorities saw some historic changes, we have worked together to prepare for this new structure.

MAPPA processes, within Cumbria, benefit from an extraordinary level of willing participation from all the statutory multi-agency partners and there is an understanding that public protection is the responsibility of all concerned. This level of commitment, within our County, has been the case since the initiation of MAPPA as enacted by the Criminal Justice Act of 2003.

Members of the Cumbria MAPPA Strategic Management Board (SMB) and all professionals involved in the MAPPA processes have been determined that we would continue to work together to reduce the re-offending of sexual offenders and violent offenders whilst these changes took place.

The continued use of technology, such as Microsoft TEAMS, within the MAPPA meetings has also enabled agencies from all around Cumbria & Nationally to engage with the MAPPA process and contribute fully to the management of Sexual & Violent offenders within Cumbria.

We have continued to offer MAPPA training to agencies who support the MAPPA process. Technology has been used to reach staff who would not ordinarily have been able to access this training. Face-to-face training has also been utilised now that COVID restrictions have been lifted. MAPPA meeting chairs from Probation and Police, plus staff from the NHS have been supported further in their roles within MAPPA by providing bespoke training.

Improvements have also been made to the MAPPA referral process enabling a multi-agency approach to decision making. This enables us to ensure that resources are focussed on public protection, as this remains the key priority for us all within MAPPA and that will continue.

2023 has seen the introduction of the Cumbria MAPPA Continuous Improvement Group, which has been put in place to ensure we have a focused mechanism for driving operational improvements through the partnership in our work around MAPPA. We look forward to embedding this approach through the next year.

I remain very proud of the work undertaken through MAPPA in Cumbria and I’ve been impressed at how the partnership has responded to dealing with increased referral volumes to ensure that public protection is delivered without exception. I look forward to overseeing continuing developments over the next 12 months.

Lisa Lloyd

Head of Probation Delivery Unit - Cumbria

Northwest Probation Service

# What is MAPPA?

MAPPA background

MAPPA (Multi-Agency Public Protection Arrangements) are a set of arrangements to manage the risk posed by individuals who have committed the most serious sexual, violent and terrorist offences (MAPPA-eligible individuals) 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-eligible individuals 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 individuals 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 4 categories of MAPPA-eligible individual:

* **Category 1** –subject to sex offender notification requirements;
* **Category 2** – mainly violent offenders sentenced to 12 months or more imprisonment or a hospital order;
* **Category 3** – individuals who do not qualify under Categories 1, 2 or 4 but whose offences pose a risk of serious harm.
* **Category 4** – terrorism convicted and terrorism risk individuals

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 individual 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 individual.
* **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 individuals 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 individuals move between areas, enhancing public protection measures. ViSOR allows staff from the Police, Probation and Prison Services to work on the same IT system, 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 Terrorism and Terrorism-risk individuals 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, the majority of which have been implemented, including 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 terrorism 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 individuals 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. Data on Category 4 individuals is not included in this report due to data protection issues related to low numbers. This data will be aggregated and published nationally.

All MAPPA reports from England and Wales are published online at: [www.gov.uk](http://www.gov.uk)

# MAPPA Statistics

MAPPA-eligible individuals on 31 March 2023

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Category 1: Subject to sex offender notification requirements | Category 2: Violent offenders | Category 3: Other dangerous offenders | Total |
| Level 1 | 624 | 132 | - | 756 |
| Level 2 | 4 | 2 | 8 | 14 |
| Level 3 | 1 | 0 | 0 | 1 |
| Total | 629 | 134 | 8 | 771 |

MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Category 1: Subject to sex offender notification requirements | Category 2: Violent offenders | Category 3: Other dangerous offenders | Total |
| Level 2 | 9 | 6 | 3 | 28 |
| Level 3 | 2 | 0 | 0 | 2 |
| Total | 11 | 6 | 13 | 30 |

|  |  |
| --- | --- |
| Category 1 cautioned or convicted for breach of notification requirements | 16 |

|  |  |
| --- | --- |
| Category 1 who have had their life time notification revoked on application | 4 |

Restrictive orders for Category 1 offenders

|  |  |
| --- | --- |
| Sexual Harm Prevention Order (SHPO) | 65 |
| SHPO with foreign travel restriction | 1 |
| Notification Order | 0 |

|  |  |
| --- | --- |
| Number of individuals who became subject to sex offender notification requirements following a breach(es) of a Sexual Risk Order (SRO) | 1 |

Level 2 and 3 individuals returned to custody

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Returned to custody for breach of licence | Category 1: Subject to notification requirements | Category 2: Violent offenders | Category 3: Other dangerous offenders | Total |
| Level 2 | 6 | 4 | 1 | 11 |
| Level 3 | 0 | 0 | 0 | 0 |
| Total | 6 | 4 | 1 | 11 |

|  |  |
| --- | --- |
| Breach of SHPO |  |
| Level 2 | 2 |
| Level 3 | 0 |
| Total | 2 |

|  |  |
| --- | --- |
| Total number of individuals subject to sex offender notification requirements per 100,000 population | 139 |

This figure has been calculated using the mid-2021 estimated resident population, published by the Office for National Statistics (ONS) on 21 December 2022, excluding those aged less than ten years of age.

Consistent with previous publications, this figure should be based on mid-2022 estimated resident population; however, the ONS has changed its publication schedule such that the mid-2022 estimates will be published later this year. As such, the current figure may differ from the corresponding figure based on the mid-2022 estimates.

# Explanation commentary on statistical tables

MAPPA background

The totals of MAPPA-eligible individuals, broken down by category, reflect the picture on 31 March 2023 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2022 to 31 March 2023.

(a) MAPPA-eligible individuals – there are individuals defined in law as eligible for MAPPA management because they have committed specified sexual, violent or terrorist offences or they currently pose a risk of serious harm. The majority are managed at Level 1 without formal MAPPA meetings. These figures only include those MAPPA eligible individuals 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 individuals 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 – individuals convicted of violent offences who were sentenced to imprisonment or detention for 12 months or more, or detained under a hospital order and a small number of individuals convicted of sexual offences who are not subject to notification requirements. These individuals are assessed and managed by the Probation Service, Youth Offending Team or Mental Health Services.

(d) Other Dangerous Offenders – individuals who do not qualify under the other MAPPA-eligible categories, but have committed an offence that indicates that they pose a risk of serious harm which requires management via MAPPA meetings. These individuals are assessed and managed by whichever agency has the primary responsibility for them.

(e) Terrorism and Terrorism Risk Offenders – individuals subject to terrorism offender notification requirements; individuals convicted of terrorism or terrorism related offences who were sentenced to imprisonment or detention for 12 months or more, or detained under a hospital order; and those who have committed an offence and may be at risk of involvement in terrorism-related activity. These individuals are assessed and managed by Counter-Terrorism Police and the National Security Division of the Probation Service.

(f) Breach of Licence – individuals released into the community following a period of imprisonment will be subject to a licence with conditions (under probation supervision). If the individual does not comply with these conditions, the Probation Service will take breach action and the individual may be recalled to prison.

(g) Sexual Harm Prevention Order (SHPO) (including any additional foreign travel restriction).Sexual Harm Prevention Orders (SHPOs) and interim SHPOs replaced Sexual Offence Prevention Orders are intended to protect the public from individuals 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 individual 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 individual. 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 individual has acted in a way since their conviction that makes 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.

(h) 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. Individuals have a right of appeal against notification.

(i) 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 recorded on VISOR as a Potentially Dangerous Person (PDP).

(j) Lifetime notification requirements revoked on application – A legal challenge in 2010 and a corresponding legislative response means there is a mechanism in place that allows qualifying individuals to apply for a review of their notification requirements. Qualifying individuals 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 subject to notification requirements 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.

# Local page

After serving the maximum tenure of seven years as a MAPPA Lay Advisor, both myself (David) and my fellow advisor, Mark, are now signing off from our role on the Cumbria MAPPA Strategic Management Board.

MAPPA manages sexual, violent, and dangerous offenders whilst in custody and once they are in the community, including registered sex offenders.

We are both honoured to have offered our expertise to undertake such an interesting role and work with a wide range of dedicated professionals who work with the prime aim to keep the residents of Cumbria safe.

Our role has involved participating in Board meetings and attending a range of meetings where decisions are made in relation to the monitoring of violent and sexual offenders in the community.

It means we are there to be the “voice of the Cumbrian resident” supporting the need to ensure consistency and making sure the right balance is struck between human rights and public protection. This can be challenging, but with a high level of professional curiosity, active listening, and constructive discussion, we have both felt highly valued by the Cumbria MAPPA Board.

Our tenure of course witnessed the impact of Covid and the response of MAPPA to retain the high standards of public protection and adopting new ways of working to ensure the operations of MAPPA continued to deliver the right outcomes.

I know both myself and Mark, are somewhat sad to be leaving our roles, but the need to recruit new Lay Advisors is what keeps MAPPA resilient and ensures different perspectives will maintain healthy discussions.

This voluntary role has brought new insights, a greater depth of understanding of the judicial system and most importantly a deep respect for all the partner agencies and professionals who work to keep Cumbria a safe place to live, work and enjoy.

**All MAPPA reports from England and Wales are published online at:**

[**www.gov.uk**](http://www.gov.uk)





Cumbria Constabulary Logo
