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# Dyfed Powys MAPPA



# Annual Report 2022-23

# Introduction

We are pleased to introduce the 2022/23 MAPPA Annual Report for the Dyfed Powys Multi-Agency Public Protection Arrangements (MAPPA) Strategic Management Board.

Our commitment to MAPPA continues to be at the forefront of our service this year, with the shared aim of organisations working collaboratively to prioritise keeping people safe and protecting communities from harm.

The report provides members of the public the ability to understand some of the work being undertaken by the MAPPA Strategic Management Board to drive improvements in the management of individuals presenting the most serious risk of harm. Outlining statistical information on individuals who are managed under MAPPA over the last business year. The most serious risk offenders form a small percentage of the crimes dealt with by the four constabularies across Wales but can result in an unquantifiable bearing on victims.

This year we have welcomed the passing of the 20-year anniversary of the Multi-Agency Public Protection Arrangements and are grateful to all organisations for their dedication and commitment. We have received the outcome of the Joint Thematic Inspection on MAPPA in July 2022. This has supported the identification of National, Agency and Strategic Management Board recommendations to enhance the effectiveness of MAPPA overall. Also, published this year has been the National MAPPA Research findings in April 2023, which was a national study into the effectiveness of MAPPA. This evidenced that re-offending rates for individuals supervised under MAPPA arrangements are lower than those reported in proven re-offending statistics. This is extremely positive and illustrates the importance of MAPPA in protecting victims and working towards reducing re-offending.

Learning is at the heart of our organisation, Responsible Authorities (Police and Prison), Duty to Co-operate and other agencies. Our business priorities this year, through the Strategic Management Board and MAPPA Coordinators has been to respond to the recommendations within the HMIP report. Developing a joint learning culture across agencies, to maximise innovation and improvements to MAPPA locally. Providing the local communities we serve, with assurance and accountability of our service. MAPPA Coordinators have continued with the provision of training to all agencies, ensuring the imbedding of the updates to MAPPA Guidance.

**Nicola Davies,**

**Wales Divisional Director**

**Probation Service**





**Dyfed-Powys Police**

**Chief Constable Dr Richard Lewis**

It has been over twenty years since the introduction of Multi-Agency Public Protection Arrangements (MAPPA) and these arrangements remain essential to promote effective information sharing and collaboration between agencies to manage our most dangerous individuals.

As Chief Constable, I have set force priorities in relation to tackling drug supply, domestic abuse, rape, and serious sexual offences to sit alongside the priorities set by the PCC in his Police and Crime Plan. Whilst it is necessary to focus on the needs of the victim, it is recognised that our investigations must also be focused on the offenders - to consider the wider risks of their behaviour.

MAPPA arrangements provide a framework for effective information sharing between agencies and identifying the root causes and risks of offending behaviour, which enables effective risk management plans to be put in place to protect our communities. This annual report highlights the work that is undertaken within Dyfed Powys and how all agencies work together for this purpose.

Multi-agency MAPPA Conferences have been held over the past 12 months, giving professionals an opportunity to come together in person to strengthen working relationship between agencies. We will continue to examine the effectiveness of our arrangements in protecting our communities from offenders.

# 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:Violentoffenders | Category 3:Other dangerousoffenders | Total |
| Level 1 | 600 | 109 | - | 709 |
| Level 2 | 3 | 0 | 5 | 8 |
| Level 3 | 1 | 1 | 0 | 2 |
| Total | 604 | 110 | 5 | 719 |

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Category 1:Subject to sex offender notification requirements | Category 2:Violentoffenders | Category 3:Other dangerousoffenders | Total |
| Level 2 | 16 | 17 | 31 | 64 |
| Level 3 | 7 | 1 | 2 | 10 |
| Total | 23 | 18 | 33 | 74 |

|  |  |
| --- | --- |
| Category 1 cautioned or convicted for breach of notification requirements | 25 |

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

Restrictive orders for Category 1 offenders

|  |  |
| --- | --- |
| Sexual Harm Prevention Order (SHPO) | 44 |
| SHPO with foreign travel restriction | 0 |
| Notification Order | 0 |

|  |  |
| --- | --- |
| Number of individuals who became subject to sex offender notification requirements following a breach(es) of a Sexual Risk Order (SRO)  | 0 |

Level 2 and 3 individuals returned to custody

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Returned to custody for breach of licence | Category 1:Subject to notification requirements | Category 2:Violentoffenders | Category 3:Other dangerousoffenders | Total |
| Level 2 | 2 | 0 | 13 | 15 |
| Level 3 | 3 | 0 | 1 | 4 |
| Total | 5 | 0 | 14 | 19 |

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

|  |  |
| --- | --- |
| Total number of individuals subject to sex offender notification requirements per 100,000 population | 129 |

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

**Joint statement by Dyfed Powys MAPPA Strategic Management Board (SMB):**

**HMPPS and Police Leads:**

**Assistant Chief Constable, Ifan Charles, Dyfed Powys Police**

**Christine Harley, Head of Dyfed-Powys Probation Delivery Unit**

**Chris Simpson, Governor, HMP Swansea**

Throughout the past year, we have seen increasing referrals for management under MAPPA and increasing demand for Level 2 management. Although this has been challenging, it is positive that those individuals requiring management under MAPPA are being identified by criminal justice agencies, as well as youth offending teams and mental health services.

We were able to provide two multi-agency conferences, which have enabled agencies and practitioners to come together face to face and receive valued input from the National Security Division/Counter-Terrorism Police, National MAPPA Team, local MAPPA Coordinator, and also hearing from a survivor about their own experience which was so impactful. These events were valuable in strengthening relationships across areas within Dyfed Powys and agencies, and imparting awareness of national and local changes.

Nationally the introduction of MAPPA Chairs and MAPPA Administrators learning resources, has supported local training delivery and self-directed learning for these colleagues.

The results of the National MAPPA Research Project [undertaken by the Policing Institute for the Eastern Region - Angela Ruskin University] have been published, and consideration of the findings and impact upon local MAPPA practice, are ongoing within the Dyfed Powys MAPPA SMB. This is combined with continuing focus by the SMB to implement the recommendations developed from the ‘A Joint Thematic Inspection of MAPPA’ *[20 years on, is MAPPA achieving its objectives?]* (Published on 14th July 2022) and the subsequent National Action Plan.

Some of the key developments which have taken place locally over the past year:

* Introduction locally of the new National MAPPA Document Set, which has a greater emphasis upon equality and diversity, which Chairs and Administrators continue to adapt and embed this documentation.
* Developments of awareness and processes within the prison to ensure both prison attendance and provision of reports for all MAPPA L2/3s in line with updated National MAPPA Guidance.
* A focus on strengthening the communication between Prison and Probation for MAPPA Level 1 prisoners.

Plans for the coming year will include the further embedding of the revised National MAPPA Quality Assurance Tool locally; further consideration of the findings of the SMB Self-Assessment Tool recently undertaken, to identify areas for priority for the Board locally. Appointment of two new MAPPA Lay Advisers will also be a priority, due to a recent Lay Adviser appointment ending early; and the current long-standing Lay Adviser appointed will end a 6-year term in February 2024. This is also an opportunity to formally thank this individual for their dedication and time provided to Dyfed Powys MAPPA over this 6-year period, which is gratefully appreciated and will be missed.

**Detective Superintendent Jayne Butler, Dyfed Powys Police:**

As one of the statutory partners Dyfed Powys Police is committed to upholding its responsibility under the MAPPA arrangements. In the last year we have increased practitioner resources to ensure we are in a position to keep pace with increasing demands. The future demands will pose new challenges for the force however we will continue to work with our partners to ensure we provide the best service we can and thereby safeguard our community. We continue to seek opportunities to improve our working practices and do this with an ongoing focus on continuous improvement and development. We have representation at all SMB board meetings and sub-groups, and we eagerly engage with all multiagency training in order to enhance partnership working.

**Lay Advisers to the MAPPA Strategic Management Board (SMB):**

Lay Advisers are appointed to assist in reviewing the effectiveness of MAPPA arrangements; there are two Advisers for the Dyfed Powys region. Lay Advisers operate as full members of the Strategic Management Board (SMB) and are able to challenge the work of MAPPA by acting as a “Critical Friend”, bringing a different perspective and understanding to the arrangements.

As Lay Advisers, our input during the year continued using virtual platforms, and we were able to add value to the MAPPA operational and strategic arrangements in the region by:

* Attending MAPPA SMB meetings, providing feedback on our experiences, participating in discussions, and providing challenge as appropriate
* Attending MAPPA Level 2 and 3 Meetings across the region to understand the practical challenges of managing individual cases.
* Attending Operational Group meetings to assist in the monitoring of progress to achieve MAPPA Business Plan Objectives
* Participating in Quality Assurance events to assess the effectiveness of MAPPA decision making, effective risk management planning and recording of meetings.
* Attending the Dyfed Powys MAPPA Conferences to understand the national and regional perspectives.
* Providing feedback regarding the Joint Police and Probation Inspection report on MAPPA including areas for improvement and suggestions as to how the improvements could be achieved.
* Participation in the National MAPPA Team Task and Finish Group to develop an Assessment Tool for SMB’s to use to measure their effectiveness.
* Providing general feedback to the MAPPA Coordinator through regular Lay Adviser meetings

Key challenges noted from our involvement have been:

* The enormous pressure on accommodation in all sectors and of all types and the impact that this has on the ability to provide safe, sustainable, and timely housing solutions for MAPPA subjects. It is disappointing that there has been little progress at a national level to formulate and deliver a cohesive Accommodation Strategy
* The continued increase in MAPPA workload across all levels and the pressures that this exerts on all agencies and the MAPPA Unit
* The impact upon delivering services in a timely manner due to different funding regimes and priorities between agencies and regions. Consideration of developing a pooled funding approach to negate potential difficulties has been raised.
* The need to increase and maintain awareness of the work undertaken by MAPPA within the community to provide the public with confidence in the way in which high risk offenders are managed.

We have also noted some good practice and positives:

* The openness of agencies within MAPPA meetings regarding sharing of information and challenging colleagues to develop Risk Management Plans
* Effective management of cases into MAPPA Levels 2 and 3 and exiting cases from MAPPA when appropriate and safe to do so.
* Continued improvement in the consistency of chairing across county boundaries within Dyfed Powys
* Good links being made with other initiatives such as the Joint Intelligence Programme to manage individuals and their risks.

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