

**Area name here**

# South Wales



# Annual Report

**2022-2023**

# Intro

Assistant Chief Constable Jason Davies in uniform



ACC Jason Davies, Chair of the Strategic Management Board

As Chair of the South Wales Multi Agency Public Protection Arrangements ‘Strategic Management Board’, I am delighted to share with you our annual report 2022-23.

The report outlines the work of MAPPA in the South Wales region in protecting local communities from the sexual and violent offenders who pose the highest risk of harm.

The responsible authorities for MAPPA, the Police, Probation, and Prison Service are supported by a range of agencies, including health and social care as well as housing providers who have a duty to co-operate. It is the collaboration of these agencies that provide the foundations for robust information sharing and individual tools that contribute to solving problems and developing robust safety plans.

Throughout this year we have faced many challenges in maintaining public safety, but also through the work of our MAPPA Operational Group delivered against our annual objectives and continued to improve our approach by learning from case reviews. The important work of our lay advisors provides independent scrutiny and helps us to continually improve.

We must continue to build on our existing arrangements to be able to meet the complexity and demand that we face. Pressures within society will inevitably contribute to further challenges for MAPPA and as an SMB we are committed to preparing for, and responding dynamically to the threat this poses in managing offenders. This can only be achieved if every agency plays its part in building a resilient and cohesive approach.

Sexual and violent crimes can have a devastating effect on victims, especially when those victims are children or vulnerable adults.  The wider impact on families and communities must not be underestimated. The public has every right to demand the very best provision we can offer, so we will continue to work on a range of initiatives across the partnership that builds on the foundations we have set since our last report.



**Nicola Davies,**

**Wales Divisional Director Probation Service**

We are pleased to introduce the 2022/23 MAPPA Annual Report for the South Wales 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, 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 Co-Ordinators 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 Co-Ordinators have continued with the provision of training to all agencies, ensuring the imbedding of the updates to MAPPA Guidance.

# 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 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** – individuals who do not qualify under Categories 1 or 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 | 1728 | 449 | - | 2177 |
| Level 2 | 47 | 57 | 30 | 134 |
| Level 3 | 3 | 1 | 4 | 8 |
| Total | 1778 | 507 | 34 | 2319 |

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 | 120 | 78 | 50 | 248 |
| Level 3 | 7 | 4 | 7 | 18 |
| Total | 127 | 82 | 57 | 266 |

|  |  |
| --- | --- |
| Category 1 cautioned or convicted for breach of notification requirements | 12 |

|  |  |
| --- | --- |
| Category 1 who have had their life time notification revoked on application | 3 |

Restrictive orders for Category 1 offenders

|  |  |
| --- | --- |
| Sexual Harm Prevention Order (SHPO) | 162 |
| 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: Violent offenders | Category 3: Other dangerous offenders | Total |
| Level 2 | 19 | 37 | 20 | 76 |
| Level 3 | 2 | 1 | 1 | 4 |
| Total | 21 | 38 | 21 | 80 |

|  |  |
| --- | --- |
| 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 | 152 |

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

Looking back as we concluded our second full year in the role of Lay Advisers to South Wales MAPPA, 2022-23 seemed to be awash with recommendations about how MAPP arrangements could continue to be improved and developed both at local and national levels.

The year started with the conclusion of our quarterly audits in terms of Equality, Diversity & Inclusivity (EDI); and Risk Management Plans (RMPs) where the full year findings were largely positive in both facets. It was notable that individual circumstances and protected characteristics were consistently and comprehensively considered at MAPPA L2 and 3 meetings; and RMPs were deemed to be reassuringly effective in terms of public protection.

As a result of this first dive into quality assurance work in the previous reporting year, during our performance reviews, we explored with the South Wales MAPPA SMB Chair and Deputy how we could continue to add value in our Lay Advisor roles. MAPPA Category 4 for terrorist offenders had been introduced in May 2022 and we were requested to started participating in L3 NSD meetings.

We were also directed to complete an audit of MAPPA Level 3 live meetings as a joint initiative between ourselves and the Coordinator. As a result of this exercise, performance in the context of RMPs and contingency planning was deemed positive overall; and sharing contributions effectively using the multi-agency approach was seen as the most valuable aspect. Key issues arising were on occasions there was a lack of attendance at an appropriate level or the wrong people being at the table and these findings were reported to MAPPA Chairs, the MAPPA operational group (MOG) and through the Strategic Management Board (SMB) to ensure a comprehensive response. A specific area debated at MOG arising from these findings also related to the effective dissemination of information from the MAPPA meetings to all agencies involved and improvements in this respect have continued to be a focus.

As a result of delays with sentencing, our first involvement in an MAPPA Serious Case Review (MSCR) did not commence until the start of this financial year; and due to some issues in receiving the required information its report was not presented to SMB until September 2022. By then, the Probation Level 1 framework had been rolled out; new chapters in the MAPPA guidance regarding Thresholding and Domestic Abuse had been introduced; the outcomes from the Joint Thematic inspection which included five recommendations to be implemented by SMBs within 12 months had been published; and this had also resulted in the Effective Practice Guide being produced; and we had received the results of the MOSOVO peer review. As there appeared to be overlapping outcomes in all these areas of review, a task and finish group was established by SMB to meld the combined recommendations into the annual business plan, to which we, as Lay Advisers, have continued to contribute.

We are now each involved in a second and third MSCR which will report in the next financial year. In Wales we have an All Wales SMB group which encourages both collaboration and consistency across all areas. As a result of this we hope to work more closely with our Lay Adviser peers across Wales in the spirit of this ambition, in the future.

The reduction of housing stock availability , due to the considerable competing demands on local authorities, continued to be a key resource issue impacting risk management (and therefore a concern for all involved in MAPPA). This includes much debate around reciprocal housing arrangements for MAPPA individuals across Wales , the discussion of which was being facilitated through MOG. We were grateful therefore to Claire Irwin, SW MAPPA coordinator for enabling a Continuous Personal Development focussed session for us with two Approved Premises’ (AP) Managers to help us gain a wider perspective on the pressures they faced daily. We would therefore like to express our specific thanks to the Approved Premises Managers for giving up their valuable time to enhance our understanding.

At the time, much effort had been put into contingency planning in advance of a proposed AP expansion programme. This had included identifying and recording the potential risks in the strategic risk register before the disappointing news in late November that the project was on pause.

We were also privileged to be amongst the attendees at a full day MOSOVO training event held in October at the South Wales Police Headquarters in Bridgend. This was an exceptionally informative day with a very full agenda and our first opportunity after our appointment in January 2021 to meet MAPPA officials face to face, including the previous SMB Chair.

We continue to be impressed with all the agencies in their commitment and professional endeavours to protect the public by reducing risk effectively through the MAPP arrangements. We applaud the levels of awareness and practical training being embedded to ensure that SW MAPPA is well understood and effectively implemented across the wide range of agencies; including specifically the progress made by probation colleagues in their readiness to deliver VISOR training to all vetted probation staff by the end of the reporting year. We remain particularly indebted to Claire Irwin, our Coordinator and the secretariat teams who have facilitated our participation with great efficiency and kindnesses.

**Kim Tester and Tony Richards**

**Lay Advisers South Wales MAPPA**

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





