

**Area name here**

# West Midlands



# Annual Report

# Intro

Introduction: We are pleased to introduce the 2022-2023 Multi Agency Public Protection Arrangements (MAPPA) Annual Report. On behalf of the Strategic Management Board (SMB) for the West Midlands area, I hope that it gives some useful information about the volume of work undertaken to protect the community that we serve by working together to share information and discharge our statutory duties.

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 Advisors who provide 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 2022-2023: The last 12 months have been an exceptionally busy one. We have seen an increase in panels being listed and an increase in the need for emergency panels. The impact of staff shortages and limited resources has possibly contributed to this. By continuing with remote panels we have managed to keep attendance high for all partner agencies. Where there have been lower attendance than usual our senior leaders from duty to cooperate agencies have been fantastically helpful in providing dedicated points of contact and addressed any concerns from the SMB promptly and with focus. The minute takers have worked terrifically hard to improve quality of minutes which is evident to all. We are hugely grateful for the administrative support provided to MAPPA in the region. Without the hard work or our administrative colleagues our work would not be possible.

Our Key Priorities for 2023 onwards: We have just successfully recruited two more MAPPA Coordinators in the region. The team of three Coordinators will focus on improving quality of chairing and provide expert knowledge to ensuring best practice principles are maintained. By increasing our Coordinator resource the SMB will have greater capacity to undertake auditing and effective practice quality improvement work. Our focus will be on defensible decisions and ensuring panels function to the highest of standards. The additional resource has allowed for greater analysis on referrals to ensure the correct cases are escalated to the right level.

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 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 | 3638 | 1650 | - | 5288 |
| Level 2 | 18 | 28 | 17 | 63 |
| Level 3 | 1 | 0 | 1 | 2 |
| Total | 3657 | 1678 | 18 | 5353 |

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 | 49 | 80 | 39 | 168 |
| Level 3 | 3 | 6 | 4 | 13 |
| Total | 52 | 86 | 43 | 181 |

|  |  |
| --- | --- |
| Category 1 cautioned or convicted for breach of notification requirements | **62** |

|  |  |
| --- | --- |
| Category 1 who have had their life time notification revoked on application  | **64** |

Restrictive orders for Category 1 offenders

|  |  |
| --- | --- |
| Sexual Harm Prevention Order (SHPO) | **190** |
| SHPO with foreign travel restriction | **0** |
| Notification Order | **1** |

|  |  |
| --- | --- |
| Number of individuals who became subject to sex offender notification requirements following a breach(es) of a Sexual Risk Order (SRO)  | **2** |

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 | 14 | 30 | 13 | 57 |
| Level 3 | 2 | 2 | 0 | 4 |
| Total | 16 | 32 | 13 | 61 |

|  |  |
| --- | --- |
| 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 | **144** |

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

Lay Advisor

Following a career working in local government and the social housing sector, I was pleased to be given the opportunity to use my experience and skills in the role of Lay Advisor to the MAPPA process in the West Midlands, in May of this year.

Following a comprehensive induction, which included regular meetings with the MAPPA Co-ordinator, discussions with the SMB Chair, and visits to Responsible agencies’ premises, I have regularly attended SMB meetings, where I have been encouraged to participate in discussions around the business plan, performance, and new policies or changes to frameworks.

I have also attended two level 2/3 MAPPA meetings to date, observing and contributing as a ‘critical friend’ where I have believed it appropriate to do so.

I have been incredibly impressed by not only the knowledge, expertise and professionalism of the MAPPA Co-ordinator, SMB and MAPPA Chairs, and by all individuals representing participating agencies (both Responsible Authorities and Duty to Co-operate agencies), but also the desire and commitment of these individuals to ensure MAPPA remains an effective tool for minimising risk and ensuring public protection is central to all decision-making.

I look forward to continuing to contribute to MAPPA in the future.

Youth Justice

At a local level for children we continue to see well established partnership risk management arrangements. MAPPA management is used when required and tends to be used for and where risk management support is needed to help navigate cross-force arrangements. For children who commit the most serious offences and appliable for management under all Categories, community management tends to be led by Probation Services due to the length of sentences received. Staff across the Youth Justice Services, continue to access foundation and case management training and this is regularly disseminated through the regional MAPPA lead.

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