

County Durham and Darlington



1

Annual Report

Intro

This report brings together the agencies across County Durham and Darlington who work in partnership to manage offenders posing the highest risk of harm to our communities. Tackling and reducing the risk that violent and dangerous offender pose is a key priority for all agencies engaged in the world of public protection and is the collective responsibility of all.

This report outlines statistics of the cases held in our area progress and developments within the last year and highlights the successes across the partner agencies in managing public protection issues.

The strength of the partnership between the prison, police and probation has continued to grow in County Durham and Darlington, and additional resources have been secured to assist in managing the risk that offenders pose to our communities.

The findings of this report reflect consistently effective and robust partnership working arrangements which have continued to thrive in spite of the current economic climate and the financial pressures that the public sector currently faces. Public protection is firmly on the agenda for all partner agencies and will continue to be so in the future.



Forward

As the new MAPPA Strategic Management Board Chair for Durham and Darlington, I am proud to present the 2023 - 2024 Multi Agency Public Protection Arrangements (MAPPA) Annual Report, which aims to provide the assurance to our local communities that strong, dynamic and resilient arrangements are in place to achieve effective offender management and deliver public protection. The SMB would like to thank Amanda Love the former Chair of the SMB, for all her hard work together with SMB colleagues, steering risk management processes, to robustly manage those offenders who pose the most significant risk of serious harm to our communities. The SMB will continue this commitment and drive to delivering this essential work.

The SMB's key objective of 2023-2024 is improving the quality of MAPPA provision in Durham and Darlington and working closely with partners. We will continue to review our membership of SMB to ensure we are including all relevant partnerships.

The Report evidences the strong framework in place across Durham and Darlington to manage those offenders assessed as presenting the highest risks to us all. Public Protection and protecting the most vulnerable in our communities remain our highest priority.

The continued use of technology, such as Microsoft TEAMS, within the MAPPA meetings enables agencies from all around Durham and Darlington to engage with the MAPPA process and contribute fully to the management of Sexual & Violent offenders within Durham and Darlington.

On behalf of the SMB, I would like to thank everyone involved in the MAPPA process for maintaining an excellent level of service to the public. I look forward to working with partner agencies to fulfil our collective responsibility in keeping our communities safer.

Melanie Carlton

Head of Public Protection North East Probation Service

Chair Durham MAPPA Strategic Management Board



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 multiagency 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-arrangementsreview. 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: <u>www.gov.uk</u>



MAPPA Statistics

MAPPA-eligible individuals on 31 March 2024

	Category 1: Subject to sex offender notification requirements	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	1121	288	-	1409
Level 2	2	0	13	15
Level 3	0	0	0	0
Total	1123	288	13	1424

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	16	17	50	83
Level 3	0	0	3	3
Total	16	17	53	86

Category 1 wh	o have had their life time notification revoked on application	5

Restrictive orders for Category 1 offenders

Sexual Harm Prevention Order (SHPO)	110
SHPO with foreign travel restriction	0
Notification Order	0

Number of individuals who became subject to sex offender notification	3
requirements following a breach(es) of a Sexual Risk Order (SRO)	

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	4	7	2	13

Level 3	0	0	1	1
Total	4	7	3	14

Breach of SHPO	
Level 2	2
Level 3	0
Total	2

Total number of individuals subject to sex offender notification requirements196per 100,000 population196

This figure has been calculated using the mid-2022 estimated resident population, published by the Office or 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-2023 estimated resident population; however the ONS has changed it publication scheduled such that the mid-2023 estimates will be published later this year. As such, the current figure may differ from the corresponding figure based on the mid-2023 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 MAPPAeligible 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).

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

Karen Blackburn – Head of Durham and Darlington Probation Delivery Unit

This past 12 months has seen further development and strengthening of our approach to working together in partnership across County Durham and Darlington. To me, this is the foundation for delivering excellent services to people we supervise, the public we serve and to secure positive stakeholder outcomes, all of which remain our priority.

With our eye clearly on the potential impact on our staff and key partners across County Durham & Darlington, we have embraced the leaislative challenges supporting early releases from custody priorities to increase prison capacity. Delivery of effective risk assessment and management practice has ensured robust plans are in place to manage demand in a collaborative approach with partners and via referral to MAPPA as required to safely manage those in transition from custody to the community and to safeguard.

Continuing to work together and sharing priorities is essential if we are to continue to meet the challenges and address the complexity of those people presenting to our services and who make significant demands on us all. By securing rehabilitative outcomes, whether this is facilitating access to treatment services, securing benefits entitlements or where possible, securing a job for those closest to the labour market, we are together, bringing people into the mainstream from the margins through social inclusion. This is no easy task but with an aspiration and commitment to doing so, together we are life chances for people improving on probation, their families and neighbours and in turn, best support victims and potential victims to achieve safer community outcomes.

My Local Leadership Team across County Durham & Darlington prioritise and value engagement and collaboration with partnership colleagues at operational and strategic levels via Community Safety Partnership, MAPPA and Child and Adult Safeguarding arrangements. Locally, we have contributed to the Serious Violence Duty partnership developments and continue to prioritise delivery of safeguarding and domestic abuse checks as part of our assessments and delivery of the sentence of the court. We have progressed learning opportunities to better understand the new Victim Notification Scheme and how we can work to best protect victims of harassment and stalking offences across the area. We continue to seek to improve and learn from findings and will be working collaboratively with police colleagues and others to implement recommendations from the national thematic HMIP inspection on Domestic Abuse and our priorities within Probation.

In January 2024 - we successfully brought Probation and Police staff and managers together to deliver the national police & Probation Joint Working Workshop Guidance to enhance collaborative working to manage risk. This coincided with an event with Probation and Police Senior Leaders and operational leaders from Probation. Neighbourhood Policing, Safequarding & Serious Crime and included Intelligence and Integrated Offender Management, we considered our local structures across a vast geographical area, the operational tensions we deal with and resolve every day and to look forward together, our shared priorities to manage those who present the greatest risk to others and their communities.

We continue to have some excellent examples in practice; and have taken significant steps to embed the national Policy Framework concerning management of our Category 2 Level 1 MAPPA cases and the processes underpinning this work, for example, the innovative approach to this with our Responsible Authority and Duty to Cooperate MAPPA colleagues. We have delivered training inputs to local MOSOVO teams in relation to probation practice and MAPPA Level 1 management and review, encouraging working professional robust joint and challenge between agencies. There is a commitment to developing а better understanding of each other's work to promote stronger joint working; for example, ongoing focus on RMOs attendance in Probation Offices and regular surgery-style drop ins to enhance already good working arrangements.

We continued to develop our knowledge of stalking behaviour and new sentencing available by engaging in the National Stalking Awareness Week April 2024 – where we "joined Forces Against Stalking" with 14 bitesize events that out staff and partnership agencies engaged in and learnt from.

I look forward to such developments and as Head of County Durham & Darlington, I will continue to work collaboratively, innovatively and with commitment to a shared partnership agenda and within our local MAPPA partnership, to deliver public protection outcomes, support victims and to work towards rehabilitating people on probation to make our communities safer.

Durham Police, Public Protection Unit

Durham Police have worked closely with other Responsible Authorities and Dutv to Cooperate partners over the last twelve months to support Durham MAPPA and meet objectives within its Business Plan. Work continues to establish an effective and timely intelligence sharing mechanism for those nominals subject to MAPPA Level 1 management relevant to ensure that intelligence can be accessed by partners and enable effective multi-agency management of offenders. The beginning of 2024 saw police and probation service colleagues come together for shared workshops, allowing both agencies to understand the challenges each faces and establish both good practice and deeper working relationships within the

MAPPA arena. Durham Police continue to work closely with both prison and probation colleagues to address the complex issues faced by all agencies at this time. Since January 2024 Durham Police have embarked upon Operation Trinity. A local initiative that seeks to manage those individuals who pose a significant risk of sexual harm, but who have not necessarily entered the criminal justice system by a conventional route. Operation Trinity utilises civil orders to manage offenders prior to conviction, often coupled with Potentially Person Dangerous (PDP) management. In addition, in November 2023 Durham Police began using the newly developed Safeguarding Perpetrator Identification Process (SPIP) to identify and manage repeat violent and sexual offenders who are not subject to any judicial disposal in relation to their offending. The process identifies a new cohort of offenders every quarter, resulting in tactical options, including MAPPA management, being recommended to local policing teams to allow robust management of those individuals who seek to cause the greatest harm

All MAPPA reports from England and Wales are published online at: <u>www.gov.uk</u>



