

Cumbria



Annual Report

Introduction

Welcome to the 2024 annual report on Cumbria's Multi-Agency Public Protection Arrangements (MAPPA).

MAPPA continues to provide a framework for managing the risks to the public presented by sexual & violent offenders, including those convicted of a relevant terrorism offence or offence with terrorism connections determined by the Court (introduced by the Police, Crime & Sentencing & Court Act 2022).

The number of sexual and violent crimes committed represent a small proportion of the total recorded crime in Cumbria, but for the victims and their families they inevitably cause a great deal of fear and concern.

It is with this in mind that protecting the public from offenders who carry out these crimes, and meeting the needs of victims, remain high priorities in Cumbria for the Police, Probation and Prison Services.

Public protection continues to receive high profile coverage nationally and remains a challenging issue for Cumbria MAPPA. We accept that the public expect us to do everything within our powers to reduce the risks presented by sexual and violent offenders, whilst at the same time recognising that we must make the most efficient use of our finite resources.

By embracing joint working within MAPPA, we can communicate more effectively, reduce duplication and ensure robust risk management. No single agency can tackle these challenges alone and it is vitally important that agencies continue to support and inform the MAPPA process. This way, together, we believe we can offer the best protection for the public of Cumbria.

The working arrangements with partners in Cumbria make a vital difference to the success of MAPPA.

Since the change to 2 unitary authorities in Cumbria in 2023, MAPPA agencies have increased their commitment to managing MAPPA offenders in line with demand. Showing their continued support for MAPPA in Cumbria.

We have worked together to ensure that all agencies are represented on both the MAPPA Strategic Management Board and the local MAPPA meetings. Building on our work from the previous year, ensuring that the change to the new unitary authorities did not negatively impact on the effectiveness of MAPPA across Cumbria.

Cumbria MAPPA agencies have continued to embrace technology, such as Microsoft TEAMS, within MAPPA meetings, to enable agencies locally, regionally & nationally to be involved in the joint management of those offenders, whose management involves agencies from different areas.

We have seen participation in MAPPA meetings improve significantly over the years, due to the commitment of MAPPA agencies and the use of technology to enable increased attendance.

The Annual Report reflects the contributions made by all the agencies involved in MAPPA across Cumbria, and sets out our commitment to you, to continue to develop strong partnerships and explore new ways of working to face the challenges of protecting the public from serious offenders.

We hope that you will find the report informative and that it helps answer some key questions about public protection arrangements in Cumbria.

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 those convicted of violent offences and 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

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.

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.

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

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	659	130	-	789
Level 2	1	5	5	11
Level 3	1	0	1	2
Total	661	135	6	802

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	17	12	27	56
Level 3	2	0	1	3
Total	19	12	28	59

Category 1 cautioned or convicted for breach of notification requirements	27
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Category 1 who have had their lifetime notification revoked on application	2
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Restrictive orders for Category 1 offenders

Sexual Harm Prevention Order (SHPO)	51
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)	1
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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	2	3	6	11
Level 3	0	1	0	1
Total	2	4	6	12

Breach of SHPO	
Level 2	3
Level 3	0
Total	3

Total number of individuals subject to sex offender notification requirements per 100,000 population	145
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This figure has been calculated using the mid-2022 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-2023 estimated resident population; however, the ONS has changed its publication schedule 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 2024 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2023 to 31 March 2024.

(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 – 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

Case Study

Offender X is managed at MAPPA Level 3 by Cumbria MAPPA agencies. X has a violent offending history including making threats to kill and has a complex history of mental health and social care issues & has spent time in a mental health hospital. There is also a Domestic abuse element to this case.

Offender X had little in the way of conviction history and no clear pattern of offending, meaning that the current offences demonstrated by X were reflective of an escalation in seriousness in this case. X was sentenced to a period of imprisonment.

As this case was complex the lead agency, Probation, referred the case into Level 2 MAPPA management. Whilst managed at L2 middle managers and a core group of agencies, plus those directly involved in the case, attended formal meetings to devise a plan to manage the assessed risks identified, both to the public and the offender.

The MAPPA panel had to consider a robust Risk Management plan for Offender X's release from Prison, once the custodial element of their sentence had been served. Consideration was given to a placement at a Probation Approved premises (AP). However, it was assessed that this would not be suitable for Offender X's needs.

A complex case meeting was held with the Approved premises and whilst ideally an AP placement would usually be a first step from custody, a referral in this case was refused, given the complexities of Offender X's behaviour and presentation, due to the mental health needs of offender X.

Mental health is an important aspect of diversity and is often overlooked in our communities. Agencies recognised mental health as having a significant impact on offender X's behaviour, with a wide range of negative experiences in X's life and background significantly impacting X's mental health. An integral part of our identity, mental health shapes how we experience the world and interact with others. Mental health is usually an invisible disability, which in this case resulted in offending and a period in hospital and prison.

It was important for the MAPPA agencies in this case to identify mental health as a disability, as this is one of 9 protected characteristics under the Equality Act 2010 that agencies considered. It is illegal to discriminate against someone based on their disability and the act defines disability as 'a physical or mental impairment that has a long-term and substantial effect on a person's ability to do normal daily activities'. MAPPA agencies recognised this and our work with offender X reflected their diversity/disability needs.

Previous behaviour within the hospital environment had proved very challenging, with assaults on staff being a significant concern and it was deemed more appropriate to look for a specialist placement, where mental health professionals within this placement can provide more effective communication and tailored care & can help to reduce barriers to the care that Offender X required due to their mental health.

MAPPA professionals had to consider the care & treatment of offender X alongside any risk factors that X was presenting both to staff and the public. This was identified as the most effective way to ensure X received the best care, whilst reducing the risk of reoffending.

Panel members agreed to escalate this case to Level 3, where senior managers also attended the MAPPA meeting to commit resources, due to the complex needs associated with Offender X. The level 3 panel were able to agree commissioning and a specialist placement was found, with a care package put in place to support Offender X.

Prison & Probation Services, Mental health & Adult services, Housing and Police all played a part in providing resources to manage the risks associated with Offender X, supported by the other MAPPA agencies.

Adult services provided a mental health capacity assessment to assist with Offender X's care & residence arrangements and liaised with the Integrated Care Board (ICB) to agree funding for the identified placement.

Licence conditions were requested to ensure that Supervision of Offender X could be supported by Probation, with the Offender being made aware of what was required of them on release into the community. Referrals to 'Intervention & Treatment' providers were submitted, to ensure that there were no delays with provision.

Travel arrangements were made for the X's day of release. Links were established with Mental Health within the release area, to ensure that Offender X could be supported.

Safety planning around family members was also put into place to ensure that potential victims were protected. Legal orders have been utilised to prevent contact between Offender X and family members. 'Victim Support' services offered specialist help to support any victims of crime or traumatic incidents.

Contingency planning was also considered to ensure agencies were ready to respond effectively in the event of a sudden change of circumstances.

Throughout the management of Offender X, agencies have considered Equality & Diversity with the following statement circulated to all attendees prior to all the MAPPA meetings taking place:

Diversity Statement

The work of MAPPA is committed to equal access to services for all groups, particularly in relation to race, gender, age, religious belief, sexual orientation and disability, and to ensuring that policies and procedures do not draw on stereotypical assumptions about groups or contain any elements that will be discriminatory in outcome.

In undertaking its work, the agencies involved in MAPPA will be sensitive and responsive to people's differences and needs and will integrate that understanding into the delivery of its function in order to ensure that nobody is disadvantaged as a result of their belonging to a specific social group.

It was also agreed that the actions decided upon were necessary & proportionate with reference to:

- Public safety
- The prevention of Crime and disorder
- The protection of health and morals
- The protection of the rights and freedoms of others.

The case of Offender X shows local MAPPA agencies working well together in support of their statutory duties and wider responsibilities for public protection.

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