

### East and West Lincolnshire



### **Annual Report**

## Intro

As the SMB chair, I am pleased to introduce the 2023- 2024 annual report of the Multi-Agency Public Protection Arrangements (MAPPA) in Lincolnshire. I am grateful for the commitment and dedication displayed by the partnership in protecting the public and keeping our communities safe from the most dangerous violent and sexual offenders living within our county.

This report offers the opportunity to demonstrate our commitment and accountability to the communities of Lincolnshire. It details how we are working together to manage the risk posed by these offenders, to reduce the risk of harm and rehabilitate offenders. We strive to continually learn and improve, and I am pleased to say that we have fully implemented all the recommendations from the 2021/22 thematic inspection.

Whilst MAPPA management cannot totally eradicate the risks posed by these offenders, you should be reassured that there are strong and embedded working relationships between agencies in LincoInshire who together ensure that all possible measures are undertaken to manage the most dangerous MAPPA offenders and keep you safe.

Public Protection remains a complex and challenging area of work for all involved. We acknowledge this and wish to thank all our colleagues for their continued commitment and dedication.

Nicola Mayo Assistant Chief Constable MAPPA SMB Chair



Nicola Mayo Assistant Chief Constable Lincolnshire Police SMB Chair



Rachel Crook Head of East and West Lincolnshire Probation Service



Colin Hussey Governor HMP Lincoln

## 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 multiagency 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 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.

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	917	144	-	1061
Level 2	0	1	1	2
Level 3	0	0	0	0
Total	917	145	1	1063

#### 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	6	5	10	21
Level 3	1	0	2	3
Total	7	5	12	24

Category 1 cautioned or convicted for breach of notification requirements

1

#### **Restrictive orders for Category 1 offenders**

Sexual Harm Prevention Order (SHPO)	94
SHPO with foreign travel restriction	0
Notification Order	4

Number of individuals who became subject to sex offender notification	10
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	1	0	1	2

Level 3	1	0	0	1
Total	2	0	1	3

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

131

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 terrorismrelated 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, 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 can 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 apply 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

**MAPPA Delivery:** During the reporting year MAPPA partners have engaged well. Processes for the identification, assessment and management of level 1 offenders remain effective, and there is a continued commitment to MAPPA and effective information sharing at Level 2 and 3 meetings, to ensure robust and effective risk management. Level 2 and 3 meetings have taken place virtually via Microsoft teams. VISOR, the joint Police, Prison and Probation case management system, continues to be our main recording tool with Probation staff now using the tool as business as usual according to the Probation Visor Policy Framework.

We have ensured that the recommendations from the MAPPA Thematic inspection of 2021/22 are fully implemented.

The MAPPA unit and partners have audited 3 cases across the county where there have been mental health and social care issues. We pinpointed learning from those cases and recommendations for the partnership to complete as follows:

1 NPS/HMP/Health/Social Care to formulate a joint input that highlights basis of each agencies capabilities and can be delivered to multi agency groups of staff.

2 Whilst Courts are not part of MAPPA arrangements, a nominated spokesperson should discuss with Courts/Judges the issues in relation to sentencing of these case types to improve practise.

3 Any category 3 case being deregistered from level 2 (and therefore out of MAPPA arrangements) the MAPPA Co-ordinator will ensure there is robust discharge plan with a contingency measure for a one-off meeting, chaired by the Co-ordinator to ensure that the RMP continues to be robust and worked to, this could be triggered by the lead agency at any time. The last recommendation is now fully embedded in practise. Recommendations 1 and 2 will require action in the next 12 months.

**Training:** MAPPA training continues to be delivered virtually and face to face. We have delivered several events during the reporting period and feedback from training events has been extremely positive. All staff now attend a virtual event for basic MAPPA training and staff managing MAPPA offenders attend the face-to-face workshop that has been designed to improve the quality of risk management plans and contingency plans.

**Statistics**: The MAPPA statistics evidence continued high performance for year 2023/24. We met or achieved our targets. Attendance at SMB has been Good.

**Performance and Quality:** The MAPPA Unit has implemented the use of the new national MAPPA case audit tool. A multi-agency panel have met every quarter to audit 3 cases, 2 level 2 cases and 1 level 3 case. Those audits have highlighted no practice issues. Level 2 and 3 audits are scheduled to take place every quarter for the year 23-24. Additionally, the multi-agency panel have audited the decision-making processes for 3 rejected referrals every quarter. That audit highlights appropriate decision making in that respect.

Lincolnshire has had no MAPPA Serious Case Reviews.

Lay Advisor Statement: Since my appointment as a Lay Advisor for the Lincolnshire Strategic Management Board, I have contributed to the monitoring and evaluation of the operation of MAPPA in Lincolnshire by attending monthly or bimonthly Level 2 and Level 3 MAPPA meetings and SMB meetings. As an observer in the Level 2 and Level 3 Meetings, I have been struck by the depth and breadth of information shared and brought together by the Practitioners in each case to enable a full picture of the risk posed for each of the offenders, not only to victims, friends, family, or members of the public, but also to themselves. The risk management plans are reviewed in detail to ensure that they are all encompassing and mitigate all identified risks. I have seen great cooperation between the agencies who support each other in problem solving to overcome obstacles within the management plans. Everyday situations have been highlighted as challenges by a thorough analysis of individual circumstances, such as how to ensure that a vulnerable offender would get to the approved premises on release as it had been identified in the plan that they were probably unable to navigate their own way there via public transport.

I have observed new cases referred to MAPPA and cases which have been referred up to the next level, or dropped back a level due to an evaluation that the threshold for the current level was not met. The validation process has been rigorous and very thorough with the opportunity for every member of the core panel to input to the final decision.

Attendance at the meetings has always been high, with every one of the agencies represented where included in the Risk Management Plan.

Whilst I do not have a role in the decision making at the MAPPA meetings, my observations are considered by the MAPPA Coordinator in a separate one to one meeting after the event. It is an opportunity to raise concerns, ask questions about the decision making or the legal framework for various management tools, for example tagging of offenders or imposition of licence conditions, or to raise independent observations about the assessment or process which the professionals may not recognise due to being deeply involved and concerned in the process. I have a role within the SMB meetings to summarise any observations from the MAPPA meetings and to feed into the development of the MAPPA arrangements for Lincolnshire which could have other impacts.

It has become quite clear that resources in all the contributing agencies are stretched and there is a lot of pressure upon the individuals within each of the organisations involved in the MAPPA arrangements, but I have seen only huge commitment and support across all the agencies to keep the public safe and to manage those who present a risk.

I also note that there has not been a Serious Case Review again this year in Lincolnshire, which in my view reflects the rigorous effort and commitment in managing the risks, observed in every meeting I have attended.

I am now keen to see how the changes to sentencing and time in custody which have been brought in by the new Government, will impact on the work of Lincolnshire MAPPA. All MAPPA reports from England and Wales are published online at: <u>www.gov.uk</u>





