

Detention Services Order 20/2012

Multi-Agency Public Protection Arrangements (MAPPA)

November 2024



© Crown copyright 2024

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit <u>nationalarchives.gov.uk/doc/open-government-licence/version/3</u> or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: <u>psi@nationalarchives.gov.uk</u>.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.uk/government/collections/detention-service-orders

Any enquiries regarding this publication should be sent to us at DSOConsultation@homeoffice.gov.uk

Contents

Do	cument Details	4
Со	ntains Mandatory Instructions	4
Instruction		5
	Introduction	5
	Purpose	6
	Procedures	6
	Safeguarding and MAPPA TSFNOs in IRCs	8
	Release of TSFNOs from immigration detention	9
	Revision History	9

Document Details

Process: To provide instructions to those operating in Home Office immigration removal centres, residential short-term holding facilities, Immigration Enforcement (IE) holding rooms only and during in-country and overseas escort on dealing with Multi-Agency Public Protection Arrangements (MAPPA) offenders. This guidance is not applicable to RHRs (Residential Holding Rooms).

Implementation Date: July 2019 (reissued November 2024)

Review Date: November 2026

Version: 3.1

Contains Mandatory Instructions

For Action: All Home office staff and contracted service providers operating in immigration removal centres, pre-departure accommodation and residential short-term holding facilities, Immigration Enforcement (IE) holding rooms only. This guidance is not applicable to RHRs (Residential Holding Rooms)

For Information: Home Office caseworkers

Author and Unit: Akash Shourie, Corporate Operations and Oversight Team

Owner: Michelle Smith, Head of Detention Operations

Contact Point: <u>Detention Services Orders Team.</u>

Processes Affected: Detention and release of MAPPA offenders.

Assumptions: All staff will have the necessary knowledge to follow these

procedures.

Notes:

Instruction

Introduction

- This Detention Services Order (DSO) provides information for all staff and contracted service providers on the process for dealing with MAPPA offenders in immigration detention. MAPPA exists across the UK. Although subject to differing legislation and guidance in <u>England</u>, <u>Wales</u>, <u>Scotland</u> and <u>Northern</u> <u>Ireland</u> the underlying principles and intention are the same.
- MAPPA is a set of arrangements which provides a common framework for the identification, assessment, and management of certain offenders in the community. For those convicted in England and Wales the MAPPA Guidance (https://mappa.justice.gov.uk/MAPPA/view?objectID=5682416) sets out a list of the relevant sexual and violent offences.
- This DSO clarifies the procedures to be adopted by all immigration removal centres (IRCs), residential short-term holding facilities (RSTHFs), Immigration Enforcement (IE) holding rooms that receive time served foreign national offenders (TSFNOs) from the Prison Service who have been convicted of offences which bring them into MAPPA.

Two different Home Office teams operate in IRCs:

- Detention Services Compliance team (Compliance team)
- Detention Engagement team (DET)

The Compliance team are responsible for all on-site commercial and contract monitoring work. The DETs interact with detained individuals face-to-face on behalf of responsible officers within the IRCs. They focus on communicating and engaging with people detained at IRCs, serving paperwork on behalf of caseworkers, and helping them to understand their cases and detention.

There are no DETs at RSTHFs, or the Gatwick pre-departure accommodation (PDA). Some of the functions which are the responsibility of the DET in RSTHFs, are instead carried out by the contracted service provider and overseen by the International and Returns Services (IRS) Escorting Contract Monitoring Team (ECMT) in RSTHFs. In the Gatwick PDA, the role of detained individual engagement is covered by the local Compliance Team.

Purpose

4. The purpose of this DSO is to ensure that all TSFNOs subject to MAPPA who are transferred to the immigration removal estate are located appropriately and are only released into the community when the appropriate arrangements are in place for such release and not before.

Procedures

5. Any FNO who is imprisoned for an offence which brings them into MAPPA should be flagged as a MAPPA "nominal" on the Prison-NOMIS system. However, being identified as a MAPPA nominal does not indicate the risk of serious harm that the offender poses, or the MAPPA level at which the offender will be managed if released into the community. There are three categories of MAPPA offenders, as follows:

Category 1: sexual offenders subject to notification requirements (often called registered sex offenders).

Category 2: violent offenders who have been sentenced to twelve months or more in custody or a hospital or guardianship order. This category also includes some sexual offenders who do not qualify for category 1.

Category 3: other dangerous offenders - who have been cautioned for/ or convicted of an offence which indicates that he or she is capable of causing serious harm, and which requires multi-agency management.

6. The process for the management of MAPPA offenders being released from prison under the supervision of Community Offender Managers is set out in the MAPPA Guidance. A MAPPA offender will have an identified Offender Manager who will assess the level of MAPPA management the offender requires prior to the offender's earliest possible release date from prison. This level of management will continue to apply when the TSFNO is transferred to the immigration removal estate, with the Offender Manager remaining responsible for the case until the licence expires. The three levels of management for dealing with MAPPA offenders are as follows:

Level 1: ordinary agency management, where the offender can be managed by the lead agency in consultation with other agencies involved.

Level 2: for cases where active interagency management is required in order to manage the risk of serious harm posed.

- **Level 3:** for the most complex cases which require active interagency management by Senior Managers from the agencies involved.
- 7. All adult offenders, including FNOs, who are released before their sentence expiry date will be subject to licence on release and therefore will be managed by the National Probation Service (NPS). All MAPPA offenders will be managed by the NPS. This will include a number of TSFNOs who, if released from detention, will be subject to licence and/or notification requirements. Most offenders sentenced for a sexual offence will be subject to notification requirements when released into the community.
- 8. All MAPPA offenders, including FNOs, should be identified at least six months prior to their release date by the NPS Community Offender Manager.
- 9. The prison in which a FNO subject to MAPPA is detained (please refer to FNO Risk Assessment and Placement of Individuals in the Immigration Removal Estate DSO 10/2024), should provide the Detainee Escorting and Population Management Unit's (DEPMU's) risk assessment team with sufficient information around a detained individual's MAPPA status to assist them in assessing the risk posed by a detained individual by ensuring the information is recorded accurately on NOMIS. The provision of a risk assessment will need to be requested by DEPMU in line with the guidance in PI 52/2014 (also issued as PSI 34/2014). This information, along with a full risk assessment based on criminal conviction, sentence length and custodial behaviour, will inform DEPMU as to where the TSFNO is best placed to be detained within the immigration removal estate. MAPPA details will be routinely recorded by DEPMU on ATLAS under Alerts/Person Alerts within Manage Person on the system as part of the risk assessment recording.
- 10. In cases where an FNO is subject to MAPPA management at level 1, the Home Office should be involved in information sharing and risk management planning. The Home Office Foreign National Offender Returns Command (FNORC) responsible caseworker is responsible for providing Home Office input. For FNO cases managed at MAPPA level 2 or level 3, the Home Office is required to contribute to the risk management plan by actively engaging in information and intelligence sharing within the risk management planning meeting on an ongoing basis. This will apply in cases when the FNO would be subject to licence or police management should they be released into the community before their sentence end date.
 - 11. Requests for information on a MAPPA offender should be tasked through the FNORC MAPPA co-ordinator to both the DET Manager and the contracted service provider Centre Manager. The FNORC responsible caseworker should

- attend a MAPPA meeting in person or online (where in person meeting would be difficult) if requested and should be in a position to provide the panel with current, relevant information. They should also be of appropriate seniority to make decisions in relation to the risk management of the offender.
- 12. If the behaviour of a MAPPA offender in the IRC is relevant to their ongoing risk management, the contracted service provider Security team should complete an IS91 Part C and submit to DEPMU, the Compliance team manager, DET managers and to the DET inbox. The DET team are responsible for sharing the document with DEPMU and the responsible caseworker team. It is DEPMU's responsibility to upload a copy of the Part C to ATLAS via 'Manage Documents'. It will be the caseworker's responsibility to engage in the MAPPA process and inform the offender managers risk assessment. Outside of office hours (after 18.00hrs until 09.00hrs, and at weekends/bank holidays) the Home Office responsible case worker should be notified as soon as possible using an IS91RA Part C form. In addition, the IRC contracted service provider should simmediately contact the local HOIE on call manager with the relevant details. The local HOIE on call manager should then immediately inform the Detention Services on call senior manager, who will notify the on-call duty officer for the relevant case working team. The MAPPA meeting invite is sent from the MAPPA Administrator within the Police, Probation and Prison Services or the Lead Agency arranging the meeting, to the FNORC MAPPA SPOC: immigrationmappaspoc@homeoffice.gov.uk. The FNORC MAPPA SPOC then identifies the case working team and forwards the meeting invite to them to confirm attendance. The emails will be sent by the MAPPA SPOC, there would also be a DET/IRC colleague at the meeting.

Safeguarding and MAPPA TSFNOs in IRCs

13. All visitors (including children) to IRCs, Short Term Holding Facilities (STHFs) and PDA should be protected by the safeguarding arrangements outlined in DSO 04/2012 'Visitors and Visiting Procedures' and DSO 10/2012 'Detention and escorting safeguarding children policy', to ensure they are safe and protected in any environment for which the Home Office has responsibility.

Release of TSFNOs from immigration detention

14. If a TSFNO with MAPPA markers is released into the community from an IRC, RSTHF or the PDA, the facility's contracted service provider is responsible for ensuring the detained individual has a copy of their licence prior to their release. Releases will typically be made Monday-Thursday and releases will only be sanctioned on a Friday on a case-by-case basis. The DET team are not

responsible and have no remit regarding enquiries about licences and/or licence conditions. In cases of sexual offenders, the TSFNO may also be subject to notification requirements and as such the TSFNO should be reissued with the notification requirement by the contracted service provider. The contracted service provider must ensure the TSFNO understands the contents of their licence and/or notification requirements, using an interpreter if necessary. Both documents are included in the 2050 Prison Core File or shall be provided by the allocated Offender Manager.

15. Releases should be facilitated during daytime where possible, unless there are significant operational reasons that mean that release at other times would be unavoidable. The releases will be in line with Detention Service Order 01/2018 - Release of detained individuals from immigration detention. The DET team facilitate the release of a TSFNO and all the communications with the responsible case-worker.

Revision History

Review date	Reviewed by	Review outcome	Next review
March 2016	Frances Hardy	Rebranded and change to process to information sharing	March 2018
June 2016	Emily Jarvis	Reference to 'Annex A' removed	June 2018
July 2019	Shadia Ali	Amended to include the roll out of DET teams and individual responsibilities	July 2020
March 2024	Akash Shourie	Standardised changes to document. Terminology changes where applicable. Formatting changes to the document. Update to the process regarding STHFs, RSTHFs and RHRs. Update to the role and duties of DET, FNORC and DEPMU and HO Probation Lead. Links to relevant DSOs that feed into this guidance	March 2025