

**Leicester, Leicestershire & Rutland**

**MAPPA LOCAL GUIDANCE**

A GUIDE FOR STAFF

**Version 4: September 2015**

MAPPA Co-ordination Unit

c/o Mansfield House Police Station

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**1. Executive Summary**

The Multi-Agency Public Protection Arrangements (MAPPA) are jointly a statutory duty of the Police, Probation and Prison Service who are known as the ‘Responsible Authority’ (RA) agencies. A number of other key agencies are charged with a statutory Duty To Cooperate (DTC) in the operations of the MAPPA.

In Leicester, Leicestershire and Rutland the MAPPA are coordinated and administered by a MAPPA Coordination Unit accountable to the MAPPA Strategic Management Board (SMB) which has the ultimate responsibility for the MAPPA in this area.

The MAPPA provide a framework for co-ordinating and channelling multi-agency management, where appropriate and necessary, aimed at protecting the public from offenders in the community whose previous offences and current behaviour suggest that they have the potential to cause serious harm to others.

There are three categories of offenders who fall within the MAPPA:-

* **MAPPA Category 1:** Registered Sex Offenders

**Note:** *Category 1 offenders remain subject to the MAPPA for as long as their registration period lasts or for as long as they are subject to a Sexual Offences Prevention Order.*

* **MAPPA Category 2:** Murderer or an offender who has been convicted of an offence under Schedule 15 of the Criminal Justice Act (CJA 2003) and:
  + who has been sentenced to 12 months or more in custody; or
  + who has been sentenced to 12 months or more in custody and is transferred to hospital under s.47/s.49 of the Mental Health Act 1983 (“MHA 1983”); or
  + who is detained in hospital under s.37 of the MHA 1983 with or without a restriction order under s.41 of that Act

**Note:** *Category 2 offenders remain subject to the MAPPA for as long as their licence period lasts or until the supervision element of the Hospital Order is formally discharged.*

* **MAPPA Category 3:** Other dangerous offender: a person who has been cautioned for or convicted of an offence which indicates that he or she is capable of causing serious harm, is currently assessed as high risk of serious harm **and** their risk requires multi-agency management. This might not be for an offence under Sch.15 of the CJA 2003.

**Note:** Category 3 offenders remain subject to the MAPPA until a MAPP Level 2 or 3 Meeting formally decides either that they no longer pose a risk of serious harm to others and/or there is no further value in managing them through the MAPPA procedures.

The MAPPA require that all relevant offenders are **identified.** One of the functions of the MAPPA Coordination Unit is to provide a gatekeeping function in respect of the correct identification of MAPPA offenders. Therefore, the decision as to whether Category 3 offenders satisfy the criteria described above, locally, will be taken by the MAPPA Coordination Unit’s Gatekeeping Panel. This panel links with the local Integrated Offender Management (IOM) Unit and comprises of staff representing the MAPPA and IOM.

The MAPPA require that systems are in place to ensure that relevant information (to risk of harm) can be shared between and within agencies to contribute towards a comprehensive risk assessment which must be undertaken on all offenders who fall within the MAPPA.

In Leicester, Leicestershire and Rutland all key local agencies are signatories to an Information Sharing Agreement. All key local agencies have a designated Single Point of Contact (SPOC) who will review and manage requests for relevant information made to their respective agency.

The MAPPA are not intended to achieve “zero risk” which would be impossible, but rather aim to identify the offenders who pose the greatest risk so that resources can be concentrated on this group. The MAPPA require that all qualifying offenders are managed at the lowest level commensurate with the risks posed and the deployment of a defensible risk management plan.

The majority of MAPPA offenders can be effectively managed by the agency which has statutory responsibility for them, albeit seeking and receiving relevant information from other agencies, including convening ‘Information Sharing Meetings’ or ‘Case Management Meetings’ for this purpose, where necessary and appropriate. This is called MAPP Level 1, ordinary agency management.

In more complex cases, many of which will also be high risk, the offender can only be effectively managed by active, ongoing multi-agency management. Such cases should be managed via local multi-agency management by means of a MAPP Level 2 Meeting.

In Leicester, Leicestershire and Rutland, MAPP Level 2 Meetings are *independently* chaired and *centrally* administered. Any agency can make a referral for Level 2 management[[1]](#footnote-1) and this will be presented to the Single Referral Meeting for a decision. Where referrals are *not* accepted, the reasons for this will be relayed to the referrer.

A relatively small number of cases will be of such seriousness or complexity and/or demand sufficient resource provision for their management and/or be the subject of serious community or media attention, such that they require senior management oversight. These cases will be referred to a MAPP Level 3 Meeting. Again, any agency can make a referral for Level 3 management[[2]](#footnote-2), for consideration at the Single Referral Meeting.

Given the principle of management at the lowest level commensurate with defensible practice, cases will not typically be managed at Level 3 for long periods of time and will often be delegated to MAPP Level 2 or Level 1 once the risk management plan has been agreed and put into place.

All MAPPA cases must be regularly reviewed according to the following timescales:-

* MAPP Level 3 cases – no less than every 8 weeks
* MAPP Level 2 cases – no less than every 16 weeks
* MAPP Level 1 cases – as required by Agency policy

Additionally all MAPPA cases must be reviewed in the light of significant events or changes in the offender’s circumstances. All reviews should be recorded on agency internal files and, where appropriate on the ViSOR database.

One consequence of the heightened emphasis of cases needing to satisfy the multi-agency management criterion, is that a significant number of high or even very high risk cases may be managed by a single agency at MAPP Level 1. In such cases, the managing agency may feel that it is good practice for them to be reviewed more frequently than the minimum standard which Agency policy suggests.

Our procedures in Leicester, Leicestershire and Rutland allow for informal reviews of Level 3 managed cases to be delegated outside of formal MAPP meetings, to Core Group Meetings convened by the MAPPA Coordination Unit and chaired by the MAPPA Manager. At a Core Group Meeting, the current Risk Management Plan is reviewed and new actions are set where necessary prior to the next formal Level 3 meeting. A Core Group Meeting will only be convened when it has been agreed at a formal MAPP Level 3 meeting or in emergency situations when it is not possible to convene a MAPP meeting in sufficient time to address the new circumstances.[[3]](#footnote-3)

In all MAPPA cases, a case record must be kept to provide an effective audit trail. All significant events and changes of circumstances must be recorded, including risk management reviews and changes in level of risk assessment. For qualifying cases, this information must be recorded on ViSOR as well as on individual agency systems. The case/offender manager or ViSOR owner is responsible for ensuring that this is done. In Leicester, Leicestershire and Rutland, regular audits are carried out to ensure ViSOR records are accurate and updated as required.

**2. Introduction**

The Multi-Agency Public Protection Arrangements (MAPPA) were introduced by the Criminal Justice and Court Services Act 2000[[4]](#footnote-4) to address the need for the public to be protected from dangerous offenders. The legislation, which was implemented in April 2001, placed a statutory duty upon Police and Probation Services (the Responsible Authority) to establish arrangements to identify assess and manage the risks posed by relevant sexual and violent offenders. Relevant sexual and violent offences are defined in Schedule 15 of the Criminal Justice Act 2003. The Criminal Justice Act 2003[[5]](#footnote-5) strengthened the Multi-Agency Public Protection Arrangements (MAPPA) by including the Prison Service in the ‘Responsible Authority.’

Locally, the Responsible Authority agencies are Leicestershire Police, Leicestershire & Rutland Probation area of the National Probation Service and the East Midlands Region of HM Prison Service. These three organisations, jointly, have a statutory responsibility to operate the MAPPA framework in Leicester, Leicestershire & Rutland.

The Criminal Justice Act 2003[[6]](#footnote-6) also places a statutory ‘duty to co-operate’ upon the following agencies:-

* Youth Offending Teams (YOT’s)
* Jobcentre Plus
* Local Education Authorities (LEA)
* Local Housing Authorities
* Registered Social Landlords (RSLs)
* Local Authority Social Services
* Health Bodies
* Electronic Monitoring Providers
* The UK Visas and Immigration Agency

Several local agencies subject to the duty to cooperate are regularly involved, operationally, in working with the Police, Probation and Prison Services in the assessment and management of offenders. These include:-

* Leicester City and Leicestershire Youth Offending Services
* Leicester City and Leicestershire Children and Young Peoples’ Services
* Leicester City Adults and Housing Service
* Rutland County Council
* Leicestershire Partnership NHS Trust

For the purposes of this Local Guidance, all Responsible Authority (RA) agencies and Duty to Cooperate (DTC) agencies are referred to as ‘MAPPA’ agencies.

The publication of the National MAPPA Guidance in October 2007 saw a significant departure from previous guidance that had been issued, in that it brought a statutory duty on MAPPA Strategic Management Boards (SMB) to ‘have regard’ to the Guidance and, where it sought to depart from it ‘to demonstrate and record good reasons for doing so’.

The Guidance places great emphasis on a centralised MAPPA co-ordination function, including a centralised system for MAPP Level 2 management, as opposed to the agency-led system which we operated in the past.

This Local Guidance sets out the arrangements for the management of MAPPA offenders in Leicester, Leicestershire and Rutland that were introduced as a pilot on 6th October 2008 and formally adopted as standard practice by all MAPPA agencies on 1st April 2009. These local arrangements will be subject to regular review and revision, as deemed necessary by the MAPPA SMB.

**3. The MAPPA in Leicester, Leicestershire and Rutland**

**3.1 Principles underpinning MAPPA**

* Managing risk in a multi-agency way and also managing risk at the lowest level which ensures a defensible risk management plan.
* Ensuring that all “relevant offenders” are identified assessed and risk managed.
* Making ‘defensible decisions’ with regards to level of risk management.

**3.2 MAPPA Framework**

* Identification of offenders.
* Sharing of relevant information.
* Assessment of the risk of serious harm.
* Management of that risk.
  1. **Identification of Offenders**

It is a statutory responsibility to ensure that all MAPPA offenders are identified as such, in order that relevant information (to risk of harm) can be shared between agencies; that this information is used to inform a formal risk assessment; that this risk assessment, in turn, is used to produce a defensible risk management plan; and that risk assessments and risk management plans are regularly reviewed and updated.[[7]](#footnote-7)

**3.4 Definition of Serious Harm**

Defined as a risk which is life threatening and/or traumatic and from which recovery, whether physical or psychological, can be expected to be difficult or impossible.[[8]](#footnote-8)

**3.5 Sharing of Information**

The MAPPA require that arrangements are put in place to ensure the effective and timely sharing of relevant information between agencies takes place to ensure that this is taken into account in assessing risk.

‘Relevant information’ is any information which has, or may have, a bearing on the risk assessment. As well as factual information, other information which may prove vital to undertaking a comprehensive risk assessment will include, for example, assessments, reports, referral information or information or complaints received from third parties.

Locally, all key agencies have signed an ‘Information Sharing Protocol’ which demonstrates their commitment to this process and in doing so, the ‘Human Rights Act’ has been considered and they have accepted that the need to protect the public supersedes the offender’s normal right to confidentiality.

This protocol stresses that information provided must:-

1. Respect the confidentiality of third parties who may have contributed,
2. Only be used for the purposes of risk assessment and risk management via MAPPA procedures,
3. Only be shared with staff of MAPPA agencies and should *not* be disseminated beyond a ‘need to know’ basis,
4. Remain subject to the existing confidentiality of all agencies involved and that breaches of confidentiality will be dealt with by the agency employing the person accused of the breach,
5. Be communicated and stored securely.

All local agencies have identified a ‘Single Point of Contact’ (SPOC) to whom requests for information should be made. Where the member(s) of staff who are, or have been involved with an offender, or who may hold relevant information, have not been identified, the MAPPA Co-ordination Unit should be approached for SPOC details.

Queries for staff of local agencies who wish to enquire whether an offender is subject to the MAPPA or not should approach the MAPPA Co-ordination Unit, who will provide the contact details of the offender’s MAPPA key/caseworker and/or in urgent situations provide advice as to risk assessment and risk management measures which may need to be taken immediately.

It is important to remember that whilst information will normally be shared between agencies at MAPP meetings, there is a clear expectation that information should be proactively sought and provided, where appropriate, in respect of ALL MAPPA offenders where there is reason to believe that such information may be held.

**3.6. Youth Offending Service (YOS) and Mental Health Notifications**

The YOS and Mental Health Service should ensure that there is a process in place to identify all MAPPA eligible offenders within 3 days of sentence/admission to hospital. Additionally, YOS should notify the MAPPA Co-ordination Unit six months prior to release with details of their MAPPA nominals using Form H[[9]](#footnote-9).

Mental Health Services should notify the MAPPA Co-ordination Unit six months prior to discharge or when unescorted community leave is being considered. Form I[[10]](#footnote-10) should be used for this purpose.

Relevant offenders for YOS are MAPPA eligible offenders who:-

1. Are subject to statutory supervision in the community by YOTs; or
2. Will be subject to statutory supervision in the community by YOTs, once released, and their release date is within the next 6 months.

Relevant offenders for Mental Health are MAPPA eligible offenders who:-

1. Are subject to a conditional discharge from a restricted hospital order made under section 37 of the Mental Health Act (1983) (as amended) or under the Insanity legislation or under the Criminal Procedure (Insanity) Act (1964) as amended by the Criminal Procedure (Insanity and Unfitness to Plead) Act (1991) or the Domestic Violence, Crime and Victims Act (2004); or
2. Are discharged by a responsible clinician under a community treatment order made under section 17A of the Mental Health Act (1983); or
3. Has a conditional discharge planned within the next 6 months; or
4. Are required to register with the police and whose discharge from any Hospital Order or Guardianship Order (including those transferred prisoners being treated as notionally subject to section 37 Hospital Orders), or from an admission under part 2 of the Mental Health Act (1983) is planned within the next 6 months.

**3.7 Risk Assessment**

ALL MAPPA offenders must be subject to a formal risk assessment by the Lead Agency. In addition, a MAPP Level 2 and 3 meeting will discuss and agree a collective ‘MAPPA view of risk of serious harm’ using the Risk Matrix developed by Professor Hazel Kemshall[[11]](#footnote-11)

MAPPA uses four risk assessment levels – Low, Medium, High and Very High.

**Low** = No significant current indicators of risk.

**Medium** = There are identifiable indicators of risk of harm. The offender has the potential to cause harm but is unlikely to do so unless there is a change in circumstances.

**High** = There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact could be serious.

**Very High** = There is imminent risk of serious harm. The potential event is more likely than not to happen imminently and the impact would be serious.

**3.8. Levels of Risk Management (national definitions)**

**MAPP Level 1:** Ordinary agency management (does not require active involvement of more than one agency).

Ordinary agency managementlevel 1 is where the risks posed by the offender can be managed by the agency responsible for the supervision or case management of the offender. This does not mean that other agencies will not be involved, only that it is not considered necessary to refer the case to a level 2 or 3 MAPP meeting.

It is essential that information-sharing takes place, disclosure is considered, and there are discussions between agencies as necessary.

The Responsible Authority agencies must have arrangements in place to review cases managed at level 1 in line with their own policies and procedures. Please see the guidance document MAPPA Level 1 Ordinary Agency Management Best Practice, issued by the Offender Management and Public Protection Group in March 2011 and available on EPIC to Probation staff at:

<http://npsintranet.probation.gsi.gov.uk/document_library/Documents/mappa_level_1_best_practice-_march_2011.doc>.

**MAPP Level 2:** Active, multi-agency management.

Cases should be managed at level 2 where the offender:

* Is assessed as posing a high or very high risk of serious harm, or
* The risk level is lower but the case requires the active involvement and co-ordination of interventions from other agencies to manage the presenting risks of serious harm, or
* The case has been previously managed at level 3 but no longer meets the criteria for level 3, or
* Multi-agency management adds value to the lead agency’s management of the risk of serious harm posed.[[12]](#footnote-12)

**MAPP Level 3:** Senior, active, multi-agency management.

Level 3 management should be used for cases that meet the criteria for level 2 but where it is determined that the management issues require senior representation from the Responsible Authority and Duty-to-Co-operate agencies. This may be when there is a perceived need to commit significant resources at short notice or where, although not assessed as high or very high risk of serious harm, there is a high likelihood of media scrutiny or public interest in the management of the case and there is a need to ensure that public confidence in the criminal justice system is maintained.

Whilst there is a *correlation* between level of risk and level of MAPPA management (the higher the risk, the higher the level), the levels of risk do not equate directly to the levels of MAPPA management. The other relevant consideration is the extent to which the effective management of the offender can only be achieved by the active and ongoing involvement of more than one agency.

The central question in determining the correct MAPPA level is:

***“What is the lowest level that a case can be managed at which provides a defensible risk management plan?”***

This means that not all high-risk cases will need to be managed at MAPP Level 2 or 3. Similarly, the complexities of managing a low/medium risk case might, in exceptional circumstances, justify it being managed at level 2 or 3, especially where notoriety and public interest is an issue

* + 1. **MAPPA Key Worker**

**ALL** MAPPA cases must have an identified case manager or key worker.

For MAPP Level 2 and Level 3 managed cases, the key worker will assume responsibility for the coordination and implementation of the risk management plan. He/she must also act as a central point of contact for the management of the case and any new information or changes in circumstances must be reported to him/her. He/she will also have the responsibility to inform other staff who are involved in the delivery of the risk management plan.

He/she must also attend all MAPP meetings including review and core group meetings.

Prior to each MAPP Level 2/3 meeting, the key worker is required to complete the following in preparation for the meeting:-

* Consideration of the ‘Four Pillars’ document[[13]](#footnote-13) and PSNLI document.[[14]](#footnote-14)
* Attempt completion of BTEI (Birmingham Treatment Effectiveness Initiative) Risk Assessment with the offender.[[15]](#footnote-15)
* Inform the offender by letter to obtain their views for the meeting (subject to them being aware of their management under MAPP Level 2/3 management.)[[16]](#footnote-16)

**3.9. Inclusion in MAPPA**

**3.9.1 Automatic Inclusion in MAPPA**

Category 1 and Category 2 offenders will be identified mainly by the Police, Probation and Youth Offending Services. They are automatically included in MAPPA because of their offence and the disposal they receive from the Courts. They can be managed at any of the three levels.

**3.9.2 Offenders NOT automatically included in MAPPA**

Category 3 offenders are not automatically included in MAPPA and require a professional assessment as to whether they would benefit from being managed under the MAPPA processes (see 3.3). Where a practitioner believes that an offender qualifies for inclusion in Category 3, a referral should be made to the Single Referral Panel for consideration.

**Note:** **Category 3 offenders can only be managed at MAPP Level 2 or 3.**

There will be a small number of offenders who have not been convicted of an offence which demonstrates that they pose a risk of harm to others, or have not committed any previous offences at all, but whom, nonetheless, have been identified as posing a high risk of harm to others. These offenders, who have no previous or relevant offences, but who are assessed as high risk of harm can be assessed as ‘Potentially Dangerous Persons’ (PDPs). These people may not, lawfully, be managed under the MAPPA procedures.

If they are offenders currently under supervision, they should be risk assessed and managed by the agency which is responsible for them. If they are not offenders and/or no agency has a current involvement, the Police will undertake this procedure. Where the Police designate someone as a PDP, they will include the details of such persons on the ViSOR database. It may be that the Offender Manager requires the involvement of other agencies in the risk assessment or management process, but this process must not be undertaken as part of the MAPPA (see Section 7.3).

**4. The MAPPA Coordination Unit**

**4.1 Roles and Responsibilities**

From 1st April 2009, the MAPPA Co-ordination Unit has assumed responsibility for the co-ordination of *all* offenders managed under MAPPA. This coordination includes:-

* Acting as a central recipient of all information on MAPPA offenders, including notifications, referrals, risk assessments, exit from MAPPA etc.
* Acting as a source of information for any staff from Responsible Authority agencies and Duty to Cooperate agencies.
* Involved in the facilitation of a centralised ‘Gatekeeping Panel’ whose responsibility is to agree the appropriateness of all MAPP Level 2 and 3 referrals and Category 3 referrals.
* Provision of independent Chairing facilities for all MAPP Level 2 and Level 3 meetings.
* Provision of administrative support, including minute-taking, at all MAPP Level 2 and 3 meetings, Core Group Meetings and some ISM’s.
* Ensuring relevant personnel are invited to the Level 2 and 3 meetings, Core Group Meetings and some ISM’s.
* Maintenance of a centralised database including relevant details of all MAPP Level 2 and 3 offenders.

**4.2 Personnel**

The MAPPA Coordination Unit is managed by the MAPPA Manager. The Unit’s establishment currently comprises of the MAPPA Manager, (seconded Senior Probation Officer) and, a Senior MAPPA Administration Officer and MAPPA Administration Officer.[[17]](#footnote-17)

**4.3 Gatekeeping Panel**

All potential new referrals for management at MAPP Level 2 and 3, including potential Category 3 offenders, should be referred into the Single Referral process (email above at points 1 and 2). Following acceptance of the case to be heard at a MAPP level 2 or 3 meeting a MAPPA A form needs to be completed and sent to the MAPPA Coordination Unit. Failure to complete all sections of the referral will result in delays in the processing of the referral.

* + 1. **MAPPA A’s should be addressed to:-**

[mappa@leicestershire.pnn.police.uk](mailto:mappa@leicestershire.pnn.police.uk) providing the referring agency has secure email.

Or posted to:-

The MAPPA Co-ordination Unit

C/o Mansfield House Police Station

74 Belgrave Gate,

Leicester, LE1 3GG

* + 1. The Single Referral Panel consists of representation from MAPPA and IOM. The panel meets weekly to ensure that any potential MAPPA cases have a decision within 10 days.

Where Young Offenders are referred, a member of the Youth Offending Service will also be consulted and similarly, where a Mental Health case is referred, a member from the Forensic Mental Health Service.

* The Panel will review each referral and make a decision as to its appropriateness for management under MAPP Level 2 or 3.
* The referrer will be notified of the decision that day and will be asked to complete a MAPPA A.
* When referrals are not accepted for Level 2 or Level 3 management, the reasons of the Gatekeeping Panel will be fed back to the person who made the referral. This may also include advice with regard to future risk management.
  1. **Documentation**

The MAPPA Co-ordination Unit will be responsible for recording minutes from all MAPP Level 2 and 3 meetings and ensuring that the minutes and the Risk Management Plan is sent to all relevant parties within the following timescales:-

* Within ten working days of a Level 2 meeting.
* Within five working days of a Level 3 meeting.

The full document set following a Level 2/3 meeting will be stored on ViSOR, which is a confidential database. The MAPPA Coordination Unit is responsible for inputting the MAPPA minutes onto ViSOR.

Agencies must determine how they will store the minutes securely (they are always an ‘official sensitive’ document under the Government Protective Marking Scheme) and how they can be accessed in the event of an emergency by other agency personnel.

Where there is a request for a copy of the MAPP meeting minutes from a third party, for example, from the offender, the Parole Board, or a Court, this must be referred to the Chair of the Level 2/3 meeting. All requests and decisions relating to disclosure of MAPP meeting minutes must be recorded on case management records and on VISOR. Where so requested, only an executive summary of the minutes will be provided, written by the Chair of the meeting, to a third party unless a Court Order directs otherwise.

**4.5 Data Collection**

The MAPPA Co-ordination Unit has arrangements in place to collect data and monitor the following, which is available for analysis by the SMB at any time:-

* The total number of MAPPA offenders by Category and level who are being actively managed.
* New cases by category and level being managed in a specific time period;
* Cases which are archived by category and level during a specific time period;
* Diversity information by category and level showing age, gender and ethnicity;
* The number of ”wanted/missing” registered sexual offenders.
* The number of MAPPA offenders by category and level who commit a Serious Further Offence as defined by Probation Circular 10/2011:
* Agency attendance at MAPP meetings, to include those who were invited and attended, those who were invited and gave apologies, those who were invited and gave apologies but provided a report for the meeting and those who were invited, failed to attend and did not provided apologies;
* Disclosure – decisions regarding third party disclosure for *ALL active* MAPPA cases detailing where disclosure has taken place, to whom and by whom and those cases where it has not;
* Civil orders which have been applied for – the number granted, the number refused and the number made by the court at point of criminal conviction – Sexual Offences Prevention Order (SOPO), Notification Order, Foreign Travel Order and Risk of Sexual Harm Order;
* The number of breaches of SOPO and action taken - arrest, charge, caution, no further action; and
* The number of breaches of licence by category and level who were recalled to Prison.
* Numbers referred into the scheme and reasons for non-acceptance.
* In addition to this data collection, there are a number of Key Performance Indicators (KPIs) that the MAPPA Co-ordination Unit will be measured against and these are reported quarterly at the operational and strategic MAPPA meetings.

**5. Referral Process**

**5.1 Referrals for management at MAPP Level 2 or 3**

Where any agency identifies an offender whose behaviour is giving cause for concern in terms of public protection, and meets the MAPPA criteria, and a multi-agency approach to the management of that offender’s risk is felt to be necessary, that agency should gather information and, based upon an initial risk assessment, make a referral into the Single Referral Panel using the MAPPA Referral Form.[[18]](#footnote-18)

All referrals will require:-

* A completed referral form which requires the referring agency to identify who needs to be invited to the initial Level 2 or 3 meeting (including their contact details).
* The current or most recent formal risk assessment, where one has been undertaken.
* The current, Lead Agency Risk Management Plan.
* Copies of any relevant reports (eg Pre-Sentence Report, Parole Report, Psychiatric Report etc).

**5.2 Procedure**

Offender is identified by agency as an individual causing concern in terms of presenting a current, active risk of harm that requires multi-agency information sharing and agreement of an appropriate risk management plan.

* Agency gathers information, undertakes a risk assessment, produces a Risk Management Plan and decides whether to make referral. Referral must be endorsed by the referrer’s line manager.
* Single Referral Meeting Panel considers referral and makes decision as follows:-
  1. Offender does not meet the criteria for an initial MAPP Level 2/3 meeting. Referrer informed and full reasons for non-acceptance at Level 2 or 3 provided. Referral is then considered at the same meeting whether IOM scheme is appropriate.
  2. Offender does meet the criteria and discussion at an initial MAPP Level 2 or 3 meeting is required. The referrer is notified of the outcome. Arrangements are made to convene the appropriate meeting.

**6. MAPP Meetings**

**6.1 Frequency**

Once an offender is identified as falling within one of the MAPPA Categories, the principle is that all activity from that point onwards is driven by best practice in terms of reducing and managing risk of harm. The frequency of MAPP meetings should be in keeping with this principle.

Where the offender is in custody, the Offender Manager/Key Worker should consider the need for a referral to MAPP Level 2/3 at least eight months prior to their earliest release date. If they consider that a Level 2/3 referral is required, this should be submitted approximately six months prior to the release date or the Parole eligibility date. It is therefore important that agencies have appropriate systems in place for identifying those custody cases who may meet the criteria for MAPP Level 2 or 3 at least eight months in advance of their release date to allow time for a referral to be made and for a Level 2/3 meeting to be convened prior to release. MAPP level 2/3 meetings will usually take place during the three month time period immediately prior to release. Where an offender is in custody, it is a requirement that the prisons provide a report to the MAPP Level 2/3 meeting via a MAPPA Form F[[19]](#footnote-19) and where possible, attend the meeting in person.

Once an initial meeting has taken place and the MAPPA level has been determined, a review date will be set according to timeliness guidance (16 weeks for Level 2 and 8 weeks for Level 3 cases). The review date should be set for a time, which will allow for the actions agreed at the initial meeting to be put in place and any necessary revisions to be made.

**6.2 Reviews**

There is an assumption that cases will always be managed at the lowest possible level that is consistent with providing a defensible risk management plan. Therefore, the question of whether it is appropriate to reduce the case to a lower level should be considered at the end of every meeting. *The decision should be based on what is the most appropriate management level for the case rather than the level of assessed risk*. Many MAPP Level 3 cases will not warrant management at that level after the first MAPP meeting, when decisions concerning the use of resources and media management have been made. Similarly, many MAPP Level 2 cases will not require ongoing management at this level where it is felt that satisfactory arrangements are in place to manage the case. In both cases, there is an option to re-refer a case should circumstances change.

## 6.3 Review Meetings

The purpose of review meetings is to ensure that the risk management plan that was put in place remains effective and those agencies have undertaken the actions agreed. The review will consider whether any new information is available which changes the risk assessment and whether the case still needs to be managed at the current level.

Reviews are undertaken through a formal MAPP meeting although Level 3 meetings are *sometimes* reviewed via an informal MAPPA Core Group Meeting. The initial meeting will identify the members of the Core Group (those who are involved in the day to day management of the case and any other agency who has significant involvement) and the lead agency. The MAPPA Coordination Unit will convene the MAPPA Core Group Meeting and the MAPPA Manager will chair the meeting.

**6.4 Offenders convicted under anti-terrorist legislation**

There will be a very small number of offenders locally, who have been convicted of terrorist-related offences and/or convicted under anti-terrorist legislation. It is the responsibility of the managing agency to identify such offenders at point of sentence.

It has been agreed that these offenders should be managed via MAPPA procedures and, in ALL cases at least an initial MAPP meeting should be held to share information and agree a risk management plan. However, the procedures in place for such meetings will be “bespoke”, such that only staff with an active interest or knowledge of the case will be invited.

As well as referring such cases to MAPPA in a timely manner, Police staff should consult with their colleagues in Special Branch and in the case of Probation referrals, the Senior Probation Officer (PREVENT) must also be consulted and made aware.

**7. Police**

**7.1 Multi-Agency Risk Assessment Conference (MARAC)**

A MARAC is a Multi-Agency Risk Assessment Conference called in high risk cases involving domestic violence or abuse. MARACs are convened, led and chaired by the Police. They have a specific focus in ensuring measures are in place to protect the victim, or prospective victim of domestic violence or abuse and other members of his/her immediate family. Any agency may make a referral to a MARAC, but, in practice, the majority of referrals are made by the Police, and Independent Domestic Violence Advisors [IDVA] service.

In some cases the perpetrator may already fall within MAPPA. In such circumstances, the [MAPPA procedures should take precedence over the MARAC process](file:///C:\Users\manvk002\AppData\Local\FredaParker-LeehaNPS\Local%20Settings\Temp\andygullicklts\Local%20Settings\Documents%20and%20Settings\andygullicklts\Local%20Settings\Temp\andygullicklts\Local%20Settings\Temp\1e\wz0125\MARAC%20-%20MAPPA%20Protocol.doc). The rationale for this is that MAPPA, unlike MARAC, is a statutory process.

In other cases the perpetrator could potentially be included within MAPPA as a Category 3 offender. Where the MARAC meeting considers this appropriate, a referral should be made to MAPPA and, if accepted, again the MARAC process will be superseded by MAPPA.

In either of the circumstances described above, it is important that key staff involved in the MARAC process, particularly the IDVA, MUST be invited to attend the MAPPA meeting.

In some cases, a MAPPA meeting may consider a referral to MARAC as a component of the risk management plan in order to ensure the protection of a potential victim of domestic violence. Where this is done, the MAPPA key/caseworker MUST attend the MARAC and report back to the MAPPA review meeting if one is held.

**7.2 Criminal/Civil Orders**

This section will cover orders which are intended to protect the public from serious sexual or violent harm.

Successful application of these orders helps to provide an element of control over those offenders who are considered to pose a risk of serious harm.

There are 4 orders which are relevant for public protection and this procedure:-

* Sexual Harm Prevention Orders (SHPOs)
* Sexual Risk Order (SRO)
* Violent Offender Orders (VOOs)
* Notification Orders (NOs)

This procedure provides a brief overview over the application of these orders, and specific advice should be sought from the relevant Police teams.

Sexual Harm Prevention Orders (SHPOs)

SHPOs are covered by the Section 103A of the Sexual Offences Act 2003

An application for a SHPO can either be made:-

* By a court when it deals with the defendant following a conviction for an offence listed in Schedule 3 (these are all sexual offences) or 5 (violent offences, trafficking, prostitution, indecent images of children), or a finding that he is not guilty of such an offence by reason of insanity, or that he is under a disability but has done the act charged in respect of the offence (i.e. similar to the restraining order) or,
* On application made to the Magistrates Court by a Chief Officer of Police in respect of a defendant with a previous conviction for an offence listed in schedule 3 or 5, or a finding that he is not guilty of such an offence by reason of insanity or that he is under a disability but has done the act charged in respect of the offence (i.e. similar to the restraining order) Courts have the power to make interim SOPOs, pending a court hearing to consider making a full Order.

In more general terms, a SHPO can be sought in respect of specific sexual offences as well as numerous violent/acquisitive offences where there is a sexually motivated method of offending.

Where a SHPO is made, either at point of conviction or on application, it will have the effect of making the offender subject to the Sexual Offender Notification Requirements (“The Sex Offender Register”), where he/she is not already subject to these requirements.

SHPO’s will contain specific prohibitions on the offender in order to reduce the risk of harm to others and the likelihood of reoffending. Whilst there is a standard “menu” of prohibitions agreed by local courts (e.g. not to have unsupervised contact with children), bespoke prohibitions can be sought if deemed necessary in individual cases. One example often quoted is a prohibition to be in possession of a balloon in a public place, granted against a child sex offender who attracted children by making balloon animals.

A SHPO can have prohibitions to protect from sexual harm children or vulnerable specifically identified or in general outside of the United Kingdom. This could be travelling to certain countries or travelling abroad with also their passport being surrendered. This prohibitions last for 5 years but can be reapplied for.

Offenders proved to be in breach of the conditions of their SHPO are committing a distinct criminal offence, punishable by a maximum of five years imprisonment.

The SHPO has a fixed period of at least 5 years up until further order.

Sexual Risk Order (SRO)

SRO’ s are covered by Section 122A of the Sexual Offences Act 2003. They have been introduced to target adults who have done a an act of a sexual nature and the Order is given so to protect the public or protecting children or vulnerable adults this includes out of the United Kingdom from Harm by the defendant..

An application can be made if an adult or child has done and act of a sexual nature as a result of which it is reasonable to believe that it is necessary for an SRO to be granted to protect the Public or children or vulnerable adults in general or specific people from Harm. The protection extends to the harm to children and vulnerable adults outside of the UK.

The order can have specific prohibitions like not to contact child X or person Y or general ones not to contact or communicate with children under 16 or have them at your address except with prior approval of Children and Young Peoples Services (C&YPS), formerly children social services,

The subject of a SRO, will only be subject to the Sexual Offender Notification Requirements, if the SRO is breached. The person will have notification requirements which are that they must give their name and address and again if they change either of these at a time when the SRO is in force. The SRO can be effective for at least 2 years up until further notice.

A breach of a SRO is a criminal offence punishable by a maximum of five years imprisonment.

The SRO like the SHPO can have conditions not to travel to certain countries and can be given the power to remove the person passport. This is to prevent them travelling abroad to commit harm against people including children and vulnerable adults. This has a period of time of enforcement of 5 years but can be renewed.

Violent Offender Orders (VOOs)

A VOO is a civil preventative order, which came into operation in August 2009. It is very similar in concept to a Sexual Harm Prevention Orders (SHPO)

However, there are several important differences:-

A VOO can ONLY be made by application to the courts by the POLICE - unlike SHPO 's they cannot be made at point of conviction.

A VOO cannot become operational (though it could be applied for) whilst an offender is subject to post-custody licence.

In order to qualify, an offender:

1. MUST have been convicted of one of a small number of serious violent offences (Manslaughter; Soliciting Murder; Wounding with intent to cause GBH (Sect 18); Malicious Wounding (Sect 20); Attempted Murder or Conspiracy to Commit Murder; a relevant (armed) service offence; or an equivalent offence to any of these committed outside of the UK),
2. AND have received a sentence for such an offence of 12 months or more custody - though almost all convictions for these offences will have attracted at least this sentence.

BUT this conviction can be at any time in the past and/or anywhere, so to this extent the qualifying criteria are retrospective.

Courts can make Interim VOOs pending an application for a full Order. VOOs can include specific prohibitions, but only in relation to People (e.g. ex or potential victims) Places (e.g. Specific addresses, areas, named pubs etc) or Events (e.g. Football matches, wedding receptions etc).

Offenders must be assessed as a current high risk of harm to qualify, and evidence may need to be produced to demonstrate that this is the case.

Offenders made subject to a VOO are required to sign on the Violent Offender Register (specific requirements almost identical to notification requirements for Registered Sexual Offenders). They will also be entered on the ViSOR database, and will be “owned” by the Police case manager.

VOOs can be made for a minimum of two and a maximum of five years.

Offenders breaching the VOO notification requirements or specific prohibitions of a VOO are committing a criminal offence, punishable by a maximum sentence of five years imprisonment.

Although the numbers are likely to be very small, it is possible that other agencies e.g. Probation, YOS or the Health Service may manage offenders who may qualify as “candidates” for a VOO. If the offender is subject to post-custody licence, ideally, such cases should be brought to the attention of the Police within 6 months of the licence expiry date, so that the case can be assessed and, where a decision is taken to proceed, the process can be initiated. In other cases, the Police should be contacted to discuss eligibility as soon as possible.

If you are managing an offender who you think may qualify for a VOO, please contact D/ Insp Mark Cuddihy , of the Police Public Protection Management Team (PPMT) on 0116 248 6370 / 6259 to discuss.

Notification Orders (NOs)

Under sections 97 to 103 of the Sexual Offences Act 2003, a Notification Order (NO) requires a sexual offender who has been convicted or cautioned abroad to be subject to notification requirements under Part 2 of the Act.

A Chief Officer of Police may apply for an NO if they believe that the offender is in, or is intending to come to, the relevant police force area. A NO should, for example, be sought for a UK citizen who has been convicted of a sexual offence overseas and who is deported to the UK on release from prison abroad. The police should also apply for an NO for a foreign citizen coming to the UK whom the police know has been convicted of a sexual offence in another country.

Where an offender is in the UK illegally or where previous offending history may be sufficient for the Secretary of State to request that the offender is deported or removed, contact should be made with immigration. The Police, however, should continue to pursue an NO in anticipation of delay in removal or a decision that the offender can remain in the UK. In cases where prohibitions on an individual are necessary to protect the public from serious harm, a SHPO should be considered.

**8. MAPPA and Safeguarding Children**

There will be occasions when the management of a MAPPA offender also involves issues regarding safeguarding children.

In such situations, the over-riding principle must always be to ensure that the safety of the child(ren) remains the matter of paramount importance. Therefore, safeguarding procedures must ALWAYS be followed, and MAPPA processes must never be used as a substitute for them.

This means that in a MAPPA cases where Safeguarding Children issues are present or arise, a formal referral to the appropriate Children’s Service MUST be made without delay.

However, the MAPPA procedures and those to Safeguard Children necessarily each have a different focus, and so in some cases, the two procedures will quite properly operate in parallel. In such circumstances, effective and regular communication between all of the staff involved is vital, and so it is essential that key staff involved in managing the offender via MAPPA attend all Safeguarding meetings (Strategy Meetings, Safeguarding Child Protection Conferences etc.) and vice versa.

This is likely to be mutually advantageous in terms of public protection, since the MAPPA route may provide access to additional measures necessary to safeguard children, such as recall to prison, the application for civil orders such as SHPOs etc which are beyond the remit of the Safeguarding procedures. Equally, Safeguarding Children Procedures may be able to provide for clearer and more decisive measures to protect children at risk, than is the case under MAPPA management.

In this way, protection and management plans can be dovetailed and complementary to ensure a comprehensive, holistic approach.

The Local Safeguarding Procedures contain a whole chapter (Chapter 16) explaining these matters in more detail (See <http://www.lcitylscb.org/>)

Although there are, as yet, no similar procedures in relation to protecting vulnerable adults, the same principles outlined above should be adhered to.

**APPENDICES**

**Appendix A:**

**Schedule 15 Offences**

**CRIMINAL JUSTICE ACT 2003**

**SCHEDULE 15**

**Section 224 Specified Offences for Purposes of Chapter 5 of Part 12**

**Part 1 Specified Violent Offences**

|  |  |  |
| --- | --- | --- |
| SERIOUS? | **OFFENCE** | **MAXIMUM PENALTY** |
| **√** | Manslaughter | Life |
| **√** | Kidnapping | Life |
| **√** | False imprisonment | Life |
| **√** | Soliciting murder (section 4 of the Offences against the Person Act 1861) | Life |
| **√** | Threats to kill  (section 16 of the Offences against the Person Act 1861) | On indictment -10 years  Summary conviction – 6 months |
| **√** | Wounding with intent to cause grievous bodily harm (section 18 of the Offences against the Person Act 1861) | Life |
|  | Malicious wounding (section 20 of the Offences against the Person Act 1861) | On indictment - 5 years  Summary conviction – 6 months |
| **√** | Attempting to choke, suffocate or strangle in order to commit or assist in committing an indictable offence (section 21 of the Offences Against the Person Act 1861) | Life |
| **√** | Using chloroform etc. to commit or assist in the committing of any indictable offence (section 22 of the Offences Against the Person Act 1861) | Life |
| **√** | Maliciously administering poison etc. so as to endanger life or inflict grievous bodily harm (section 23 of the Offences Against the Person Act 1861) | 10 years |
|  | Abandoning children (section 27 of the Offences Against the Persons Act 1861) | On indictment - 5 years  Summary conviction – 6 months |
| **√** | Causing bodily injury by explosives (section 28 of the Offences Against the Person Act 1861) | Life |
| **√** | Using explosives etc. with intent to do grievous bodily harm (section 29 of the Offences Against the Person Act 1861) | Life |
| **√** | Placing explosives etc. with intent to do bodily injury (section 30 of the Offences Against the Person Act 1861) | 14 years |
|  | Setting spring guns etc. with intent to do grievous bodily harm (section 31 of the Offences Against the Person Act 1861) | 5 years |
| **√** | Endangering the safety of railway passengers (section 32 of the Offences Against the Person Act 1861) | Life |
|  | Injuring persons by furious driving (section 35 of the Offences Against the Person Act 1861) | 2 years |
|  | Assaulting officer preserving wreck (section 37 of the Offences Against the Person Act 1861) | 7 years |
|  | Assault with intent to resist arrest (section 38 of the Offences Against the Person Act 1861) | On indictment - 2 years  Summary conviction – 6 months |
|  | Assault occasioning actual bodily harm (section 47 of the Offences Against the Person Act 1861) | On indictment - 5 years  Summary conviction – 6 months |
| **√** | Causing explosion likely to endanger life or property (section 2 of the Explosive Substances Act 1883) | Life |
| **√** | Attempt to cause explosion, or making or keeping explosive with intent to endanger life or property (section 3 of the Explosive Substances Act 1883) | Life |
| **√** | Child destruction (section 1 of the Infant Life (Preservation) Act 1929) | Life |
| **√** | Cruelty to children (section 1 of the Children and Young Persons Act 1933) | On indictment -10 years  Summary conviction – 6 months |
| **√** | Infanticide (section 1 of the Infanticide Act 1938) | Life |
| **√** | Possession of firearm with intent to endanger life (section 16 of the Firearms Act 1968) | Life |
| **√** | Possession of firearm with intent to cause fear of violence (section 16A of the Firearms Act 1968) | 10 years |
| **√** | Use of firearm to resist arrest (section 17(1) of the Firearms Act 1968) | Life |
| **√** | Possession of firearm at time of committing or being arrested for offence specified in Schedule 1 to that Act (section 17(2) of the Firearms Act 1968) | Life |

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| **√** | Carrying a firearm with criminal intent (section 18 of the Firearms Act 1968) | Life |
| **√** | Robbery or assault with intent to rob (section 8 of the Theft Act 1968) | Life |
| **√** | Burglary with intent to-  inflict grievous bodily harm on a person, or do unlawful damage to a building or anything in it.  (section 9 of the Theft Act 1968) | 14 years (building which is a dwelling)  10 years otherwise |
| **√** | Aggravated burglary (section 10 of the Theft Act 1968) | Life |
| **√** | Aggravated vehicle-taking involving an accident which caused the death of any person (Section 12A of the Theft Act 1968) | 14 years |
| **√** | Arson (section 1 of the Criminal Damage Act 1971) | Life |
| **√** | Destroying or damaging property other than an offence of arson (section 1(2) of the Criminal Damage Act 1971) | Life |
| **√** | Hostage-taking (section 1 of the Taking of Hostages Act 1982) | Life |
| **√** | Hijacking (section 1 of the Aviation Security Act 1982) | Life |
| **√** | Destroying, damaging or endangering safety of aircraft (section 2 of the Aviation Security Act 1982) | Life |
| **√** | Other acts endangering or likely to endanger safety of aircraft (section 3 of the Aviation Security Act 1982) | Life |
|  | Offences in relation to certain dangerous articles (section 4 of the Aviation Security Act 1982) | On indictment - 5 years  Summary conviction – 6 months |
|  | Ill-treatment of patients (section 127 of the Mental Health Act 1983) | On indictment - 2 years  Summary conviction – 6 months |
|  | Prohibition of female circumcision (section 1 of the Prohibition of Female Circumcision Act 1985) | On indictment - 5 years  Summary conviction – 6 months |
| **√** | Riot (section 1 of the Public Order Act 1986) | 10 years |
|  | Violent disorder (section 2 of the Public Order Act 1986) | On indictment - 5 years  Summary conviction – 6 months |

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|  | Affray (section 3 of the Public Order Act 1986) | On indictment - 3 years  Summary conviction – 6 months |
| **√** | Torture (section 134 of the Criminal Justice Act 1988) | Life |
| **√** | Causing death by dangerous driving (section 1 of the Road Traffic Act 1988) | 14 years |
| **√** | Causing death by careless driving when under influence of drink or drugs (section 3A of the Road Traffic Act 1988) | 14 years |
| **√** | Endangering safety at aerodromes (under section 1 of the Aviation and Maritime Security Act 1990) | Life |
| **√** | Hijacking of ships (section 9 of the Aviation and Maritime Security Act 1990) | Life |
| **√** | Seizing or exercising control of fixed platforms (section 10 of the Aviation and Maritime Security Act 1990) | Life |
| **√** | Destroying fixed platforms or endangering their safety (section 11 of the Aviation and Maritime Security Act 1990) | Life |
| **√** | Other acts endangering or likely to endanger safe navigation (section 12 of the Aviation and Maritime Security Act 1990) | Life |
| **√** | Offences relating to Channel Tunnel trains and the tunnel system (Part II of the Channel Tunnel (Security) Order 1994 (S.I. 1994/570)) | Life |
|  | Putting people in fear of violence (section 4 of the Protection from Harassment Act 1997) | On indictment - 5 years  Summary conviction – 6 months |
|  | Racially or religiously aggravated assaults (section 29 of the Crime and Disorder Act 1998) | (GBH or ABH) On indictment 7 years  Summary conviction 6 months (common assault)  On indictment - 2 years  Summary conviction – 6 months |
|  | Racially or religiously aggravated offences under section 4 or 4A of the Public Order Act 1986 (section 31(1)(a) or (b) of the Crime and Disorder Act 1998) | On indictment - 2 years  Summary conviction – 6 months |

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| **√** | Genocide, crimes against humanity, war crimes and related offences), other than one involving murder (section 51 or 52 of the International Criminal Court Act 2001) | 30 years |
| **√** | Female genital mutilation (section 1 of the Female Genital Mutilation Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Assisting a girl to mutilate her own genitalia (section 2 of the Female Genital Mutilation Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Assisting a non-UK person to mutilate overseas a girl's genitalia (section 3 of the Female Genital Mutilation Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
|  | Aiding, abetting, counselling, procuring or inciting the commission of an offence specified in this Part of this Schedule,  Conspiring to commit an offence so specified, or  attempting to commit an offence so specified. | Same as substantive offence  Same as substantive offence  Same as substantive offence |
| **√** | Attempt to commit murder or a conspiracy to commit murder | Life |

**Part 2 Specified Sexual Offences**

|  |  |  |
| --- | --- | --- |
| **SERIOUS?** | **OFFENCE** | **MAXIMUM PENALTY** |
| **√** | Rape (section 1 of the Sexual Offences Act 1956) | Life |
|  | Procurement of woman by threats (section 2 of the Sexual Offences Act 1956) | 2 years |
|  | Procurement of woman by false pretences (section 3 of the Sexual Offences Act 1956) | 2 years |
|  | Administering drugs to obtain or facilitate intercourse (section 4 of the Sexual Offences Act 1956) | 2 years |
| **√** | Intercourse with girl under thirteen (section 5 of the Sexual Offences Act 1956) | Life |
|  | Intercourse with girl under 16 (section 6 of the Sexual Offences Act 1956) | On indictment - 2 years  Summary conviction – 6 months |
|  | Intercourse with a defective (section 7 of the Sexual Offences Act 1956) | 2 years |
|  | Procurement of a defective (section 9 of the Sexual Offences Act 1956) | 2 years |
| **√** | Incest by a man (section 10 of the Sexual Offences Act 1956) | Life (incest with girl under 13)  7 years otherwise |
|  | Incest by a woman (section 11 of the Sexual Offences Act 1956) | 7 years |
| **√** | Indecent assault on a woman (section 14 of the Sexual Offences Act 1956) | On indictment - 10 years  Summary conviction – 6 months |
| **√** | Indecent assault on a man section 15 of the Sexual Offences Act 1956) | On indictment - 10 years  Summary conviction – 6 months |
| **√** | Assault with intent to commit buggery (section 16 of the Sexual Offences Act 1956) | 10 years |
| **√** | Abduction of woman by force or for the sake of her property (section 17 of the Sexual Offences Act 1956) | 14 years |
|  | Abduction of unmarried girl under eighteen from parent or guardian (section 19 of the Sexual Offences Act 1956) | 2 years |
|  | Abduction of unmarried girl under sixteen from parent or guardian (section 20 of the Sexual Offences Act 1956) | 2 years |
|  | Abduction of defective from parent or guardian (section 21 of the Sexual Offences Act 1956) | 2 years |
|  | Causing prostitution of women (section 22 of the Sexual Offences Act 1956) | 2 years |
|  | Procuration of girl under twenty-one (section 23 of the Sexual Offences Act 1956) | 2 years |
|  | Detention of woman in brothel (section 24 of the Sexual Offences Act 1956) | 2 years |
| **√** | Permitting girl under thirteen to use premises for intercourse (section 25 of the Sexual Offences Act 1956) | Life |
|  | Permitting girl under sixteen to use premises for intercourse (section 26 of the Sexual Offences Act 1956) | On indictment - 2 years  Summary conviction – 6 months |
|  | Permitting defective to use premises for intercourse (section 27 of the Sexual Offences Act 1956) | 2 years |
|  | Causing or encouraging the prostitution of, intercourse with or indecent assault on girl under sixteen (section 28 of the Sexual Offences Act 1956) | 2 years |
|  | Causing or encouraging prostitution of defective (section 29 of the Sexual Offences Act 1956) | 2 years |
|  | Soliciting by men (section 32 of the Sexual Offences Act 1956) | On indictment - 2 years  Summary conviction – 6 months |
|  | Keeping a brothel (section 33 of the Sexual Offences Act 1956) | 2nd Offence - 6 months  1st Offence – 3 months |
|  | Sexual intercourse with patients (section 128 of the Mental Health Act 1959) | 2 years |
| **√** | Indecent conduct towards young child (under section 1 of the Indecency with Children Act 1960) | On indictment - 10 years  Summary conviction – 6 months |
|  | Procuring others to commit homosexual acts (section 4 of the Sexual Offences Act 1967) | On indictment - 2 years  Summary conviction – 6 months |
|  | Living on earnings of male prostitution (section 5 of the Sexual Offences Act 1967) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Burglary with intent to commit rape (section 9 of the Theft Act 1968) | 14 years (building which is a dwelling)  10 years otherwise |
|  | Inciting girl under sixteen to have incestuous sexual intercourse (section 54 of the Criminal Law Act 1977) | On indictment - 2 years  Summary conviction – 6 months |
| **√** | Indecent photographs of children (section 1 of the Protection of Children Act 1978) | On indictment - 10 years  Summary conviction – 6 months |
|  | Indecent or obscene articles (section 170 of the Customs and Excise Management Act 1979 (c. 2) (penalty for fraudulent evasion of duty etc.) in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876) | On indictment - 14 years  Summary conviction – 6 months |
|  | Possession of indecent photograph of a child (section 160 of the Criminal Justice Act 1988) | On indictment - 5 years  Summary conviction – 6 months |
| **√** | Rape (section 1 of the Sexual Offences Act 2003) | Life |
| **√** | Assault by penetration (section 2 of the Sexual Offences Act 2003) | Life |
| **√** | Sexual assault (section 3 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
| **√** | Causing a person to engage in sexual activity without consent (section 4 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
| **√** | Rape of a child under 13 (section 5 of the Sexual Offences Act 2003) | Life |
| **√** | Assault of a child under 13 by penetration (section 6 of the Sexual Offences Act 2003) | Life |
| **√** | Sexual assault of a child under 13 (section 7 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Causing or inciting a child under 13 to engage in sexual activity (section 8 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Sexual activity with a child (section 9 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Causing or inciting a child to engage in sexual activity (section 10 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
| **√** | Engaging in sexual activity in the presence of a child (section 11 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
| **√** | Causing a child to watch a sexual act (section 12 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
|  | Child sex offences committed by children or young persons (section 13 of the Sexual Offences Act 2003) | On indictment - 5 years  Summary conviction – 6 months |

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| **√** | Arranging or facilitating commission of a child sex offence (section 14 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Meeting a child following sexual grooming etc. (section 15 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
|  | Abuse of position of trust: sexual activity with a child (section 16 of the Sexual Offences Act 2003) | On indictment - 5 years  Summary conviction – 6 months |
|  | Abuse of position of trust: causing or inciting a child to engage in sexual activity (section 17 of the Sexual Offences Act 2003) | On indictment - 5 years  Summary conviction – 6 months |
|  | Abuse of position of trust: sexual activity in the presence of a child (section 18 of the Sexual Offences Act 2003) | On indictment - 5 years  Summary conviction – 6 months |
|  | Abuse of position of trust: causing a child to watch a sexual act (section 19 of the Sexual Offences Act 2003) | On indictment - 5 years  Summary conviction – 6 months |
| **√** | Sexual activity with a child family member (section 25 of the Sexual Offences Act 2003) | **(offender aged 18+)** On indictment 14 years  Summary conviction – 6 months  **(offender under 18)** On indictment 5 years  Summary conviction – 6 months |
| **√** | Inciting a child family member to engage in sexual activity (section 26 of the Sexual Offences Act 2003) | **(offender aged 18+)** On indictment - 14 years  Summary conviction – 6 months  **(offender under 18)** On indictment - 5 years  Summary conviction – 6 months |
| **√** | Sexual activity with a person with a mental disorder impeding choice (section 30 of the Sexual Offences Act 2003) | On indictment – 14 years  Summary conviction – 6 months |
| **√** | Causing or inciting a person with a mental disorder impeding choice to engage in sexual activity (section 31 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Engaging in sexual activity in the presence of a person with a mental disorder impeding choice (section 32 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
| **√** | Causing a person with a mental disorder impeding choice to watch a sexual act (section 33 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
| **√** | Inducement, threat or deception to procure sexual activity with a person with a mental disorder (section 34 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception (section 35 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder (section 36 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
| **√** | Causing a person with a mental disorder to watch a sexual act by inducement, threat or deception (section 37 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
| **√** | Care workers: sexual activity with a person with a mental disorder (section 38 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
| **√** | Care workers: causing or inciting sexual activity (section 39 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
|  | Care workers: sexual activity in the presence of a person with a mental disorder (section 40 of the Sexual Offences Act 2003) | On indictment - 7 years  Summary conviction – 6 months |
|  | Care workers: causing a person with a mental disorder to watch a sexual act (section 41 of the Sexual Offences Act 2003) | On indictment - 7 years  Summary conviction – 6 months |

|  |  |  |
| --- | --- | --- |
| **√** | Paying for sexual services of a child (section 47 of the Sexual Offences Act 2003) | **(if child under 13)** Life  **(if child under 16)** On indictment - 14 years  Summary conviction – 6 months  **(if child under18)** On indictment - 7 years  Summary conviction – 6 months |
| **√** | Causing or inciting child prostitution or pornography (section 48 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Controlling a child prostitute or a child involved in pornography (section 49 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Arranging or facilitating child prostitution or pornography (section 50 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
|  | Causing or inciting prostitution for gain (section 52 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
|  | Controlling prostitution for gain (section 53 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Trafficking into the UK for sexual exploitation (section 57 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Trafficking within the UK for sexual exploitation (section 58 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |
| **√** | Trafficking out of the UK for sexual exploitation (section 59 of the Sexual Offences Act 2003) | On indictment - 14 years  Summary conviction – 6 months |

|  |  |  |
| --- | --- | --- |
| **√** | Administering a substance with intent (section 61 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
| **√** | Committing an offence with intent to commit a sexual offence (section 62 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
| **√** | Trespass with intent to commit a sexual offence (section 63 of the Sexual Offences Act 2003) | On indictment - 10 years  Summary conviction – 6 months |
|  | Sex with an adult relative: penetration (section 64 of the Sexual Offences Act 2003) | On indictment - 2 years  Summary conviction – 6 months |
|  | Sex with an adult relative: consenting to penetration (section 65 of the Sexual Offences Act 2003) | On indictment - 2 years  Summary conviction – 6 months |
|  | Exposure (section 66 of the Sexual Offences Act 2003) | On indictment - 2 years  Summary conviction – 6 months |
|  | Voyeurism (section 67 of the Sexual Offences Act 2003) | On indictment - 2 years  Summary conviction – 6 months |
|  | Intercourse with an animal (section 69 of the Sexual Offences Act 2003) | On indictment - 2 years  Summary conviction – 6 months |
|  | Sexual penetration of a corpse (section 70 of the Sexual Offences Act 2003) | On indictment - 2 years  Summary conviction – 6 months |
|  | aiding, abetting, counselling, procuring or inciting the commission of an offence specified in this Part of this Schedule,  conspiring to commit an offence so specified, or  (c) attempting to commit an offence so specified. | Same as substantive offence  Same as substantive offence  Same as substantive offence |

**Appendix B**

**MULTI-AGENCY PUBLIC PROTECTION ARRANGEMENTS (MAPPA)**

**For LEICESTER, LEICESTERSHIRE & RUTLAND**

**CORE GROUPS MEETINGS – PRACTICE GUIDANCE**

1. Multi-Agency Public Protection (MAPP) Meetings are held at Level 2 or Level 3 on offenders who have been referred and assessed as requiring this degree of management oversight. They will normally fulfil all of the following criteria:-

* The offender has been assessed as posing a high or very high risk of serious harm to others (although in a very small number of cases, which are particularly complex, MAPP meetings may be held on offenders who are assessed as posing a lower risk) and
* There is a clear need for co-ordinated inter-agency involvement to most effectively manage the risk, and
* There is likely to be clear “value added” by convening a MAPP meeting.[[20]](#footnote-20)

1. National MAPPA Guidance, which has statutory authority, lays down clear timelines for the interim reviews of MAPP Level 2 and Level 3 cases. For Level 2 cases, a review must take place no later than 16 weeks from the previous meeting, and for Level 3 cases, a review must be held within 8 weeks. Whilst reviews at ***formal*** Level 2 or Level 3 meetings must take place within 16 or 8 weeks respectively, there is the facility for interim reviews to be undertaken by a Core Group.
2. Core Groups are therefore sometimes charged by the formal Level 2 or Level 3 meeting with the **delegated responsibility** to review the risk assessment and risk management plan at an interim review. This interim review is known as a ‘Core Group Meeting’. It should be noted that this delegated responsibility marks an important distinction from Level 1 Information Sharing Meetings (ISMs) and in Leicestershire, Core Group Meetings are held for Level 3 managed MAPPA cases only.
3. Where a decision is made at the formal MAPP meeting to request that a Core Group undertakes such a review, the following procedure has been agreed and should be adhered to in all cases.
   1. The formal MAPP meeting will identify a lead agency and a key worker for the management of every case. It will be the responsibility of the MAPPA Coordination Unit to convene the Core Group Meeting within 8 weeks for a Level 2 managed case and 4 weeks for a Level 3 managed case so that the formal level 2/3 meeting is then heard within the prescribed timescales set out above. Under no circumstances should these timescales be exceeded.
   2. The formal MAPP meeting will also identify staff who should attend the Core Group Meeting. This will include the practitioners and front line staff who are involved in the day to day management of the case. All people identified should be invited to attend in all cases. This does not preclude others, not identified at the MAPP meeting being invited if they have subsequently become actively involved in the management of the case and/or where it is felt that such people may have new intelligence or information which is necessary to consider for effective risk management.
   3. The MAPPA Coordination Unit will be responsible for the distribution of invitations. Staff invited to attend a Core Group Meeting should consider attendance as much a priority as for a formal MAPP meeting. When it is not possible for the person invited to attend, he/she should try to arrange for a deputy to attend in their place, or, if this is not possible, should provide a written update of their involvement and include any new information for consideration at the meeting.
   4. The Core Group meeting is chaired by the MAPPA Manager and minuted by a MAPPA Administration Officer.
   5. Core Groups should follow as much of the standard agenda at formal MAPP Meetings as possible and produce minutes according to the standard format used at MAPP Meetings.
   6. The main responsibility of the Core Group Meeting will be to review the current Risk Management Plan in place and add actions as necessary.
   7. The offender should **NOT** be invited to attend a Core Group Meeting but, in the majority of cases where there are no adverse reasons for the offender to be aware that he/she is subject to MAPP management, they can be advised of the meeting and that they can, if they wish, make written representations to be considered.

**Appendix C**



MAPPA Levels and Categories – A Simple Guide

**Andy Gullick, MAPPA Manager**

**Version II – Nov 2011**

**This is a MAPPA Cat 3 offender**

Is this a Registered Sex Offender?

**This is a MAPPA Cat 1 offender** and cannot be anything else

Is the offender on licence following a sentence of 12 months or more for a single Schedule 15 violent offence (or an SSO where the custodial element is 12 months or longer)?

**This is a MAPPA Cat 2 offender**

Has this offender been referred to MAPPA and been accepted at Level 2 or 3? (Use attached referral checklist)

Is this offender being managed at MAPP Level 2 or 3?

This is NOT a MAPPA offender

This offender is a MAPP Level 2 or a MAPP Level 3 managed offender

YES

NO

YES

NO

NO

YES

YES

NO

This offender is a MAPP Level 1 managed offender

Is this offender in the community now?

NO

YES

Will this be a MAPPA offender on release? (Follow flow-chart from blue box down to ascertain)

NO

YES

This is a MAPPA Custody case. Consider referral to Level 2/3 six months prior to release date.

This is not a MAPPA offender

**Checklist for referral for MAPPA Level 2 or Level 3 Management**

**Step One**

Which MAPPA Category is the offender currently assessed as? (Tick)

|  |  |
| --- | --- |
| 1. | Registered Sexual Offender (Category 1) |
| 2. | Violent offenders sentenced to 12 months custody or more for a single Schedule 15 offence (or more, as long as at least one schedule 15 offence attracts a 12 month sentence or more, in its own right) |
| 3. | Other dangerous offenders: Must have a previous conviction indicating serious harm and pose a current, active risk of serious harm that requires multi-agency management ***NB The decision as to whether an offender meets the criteria for Category 3 rests with the MAPPA Coordination Unit Gatekeeping Panel. If the referrer feels that the offender falls into Category 3 and requires active, multi-agency management at Level 2 or 3, a referral should be submitted. Otherwise the offender falls out of the MAPPA process.*** |

If the offender does not fall into one of these categories, they cannot be registered under MAPPA. Consider Information Sharing/Tactical Meeting outside of MAPPA Procedures, or a referral to the PDP process (speak with the relevant MAPPA Sergeant):

City – 0116 2484305

Counties – 0116 2484148

If one of the above MAPPA categories does apply, proceed to step two.

**Step Two**

Do two or more agencies need to meet to agree the Interagency Risk Management Plan? (NB If a jointly managed Cat 1 offender, then three or more agencies)

Yes – move to step three

No – does not meet criteria for level 2 or 3 management. Continue

to manage at Level 1 (apart from Cat 3 offenders who would be

managed outside of MAPPA)

**Step Three**

Does the offender pose a current, active risk of serious harm to others?

Yes – move to step four

No – does not meet criteria for level 2 or 3 management. Continue

to manage at Level 1 (apart from Cat 3 offenders who would be

managed outside of MAPPA)

**Step Four**

Will MAPP Management at Level 2 or 3 ‘add value’ to the management of the offender that otherwise would be missing?

Added value may include all or some of the following:

* More effective coordination and management
* Priority access to scarce or innovative resources
* Fast track referral to another agency that can assist in the risk management of the offender
* Senior Management oversight
* The brokering of proportionate engagement with relevant agencies
* Resolving disputes regarding level of risk or risk management plan between involved agencies
* Any other issues specific to this case which would seem to merit MAPP management

Yes – move to step five

No – does not meet criteria for level 2 or 3 management. Continue

to manage at Level 1 (apart from Cat 3 offenders who would be

managed outside of MAPPA)

**Step Five**

Is there a likelihood of media scrutiny and/or is public interest in the case very high and there is a need to maintain public confidence?

Yes – Suggest referral to Level 3

No – Answer next question

Does the likely seriousness and imminence of risk require special resources or higher level resources that can only be committed by senior staff in attendance at Level 3 meetings?

Yes – Suggest referral to Level 3

No – Suggest Referral to Level 2

**Appendix D**

|  |  |  |
| --- | --- | --- |
| **MAPPA Logo Small** | **INITIAL NOTIFICATION OF MAPPA-ELIGIBLE PATIENT (MENTAL HEALTH)** | **MAPPA I** |

**→ Responsible clinician:**

If you are planning discharge for this patient as part of his long-term rehabilitation into the community, please complete sections 1 to 6 of this form and send it to your relevant MAPPA co-ordinator.

**→ MAPPA co-ordinator:**

If you have any relevant information about this patient, please complete section 7 of this form and send it to the notifying agency.

*THIS FORM SHOULD BE COMPLETED WHEN COMMUNITY LEAVE IS BEING CONSIDERED.*

|  |  |  |
| --- | --- | --- |
| **1. CATEGORY OF OFFENDER** | | |
| The patient must fall into one of the MAPPA Categories summarised below. Please tick **one** box below. | | |
| 1. Registered sexual offender | |  |
| 2. Violent or other sexual offender who has been sentenced to 12 months or more custody for a Schedule 15 offence under the Criminal Justice Act 2003 and is transferred to hospital under s.47/48 MHA 1983, or is detained in hospital under s.37 with or without a restriction order under s.41 | |  |
| 3. Other dangerous offender who has previously been cautioned for or convicted of a Schedule 15 offence under the Criminal Justice Act 2003 | |  |
| **2. OFFENDER INFORMATION** | | |
| Last name: |  | |
| First name: |  | |
| Date of birth: |  | |
| Aliases: |  | |
| Last known address before hospitalisation: |  | |
| Gender: |  | |
| Ethnicity: |  | |
| **3. DETAINED IN HOSPITAL** | | |
| Name of responsible clinician: |  | |
| Hospital: |  | |
| Details of community leave arrangements  [include dates and address] |  | |
| Details of permanent release/discharge if known.  [include dates and address] |  | |
| Date of next CPA if applicable. |  | |
| Date of next tribunal if applicable. |  | |
| **Please indicate the basis for detention from the options below:** | | |
| Guardianship order under s.7 MHA 1983 | YES / NO | |
| Hospital order under s.37 MHA 1983 | YES / NO | |
| Restriction order under s.41 MHA 1983 | YES / NO | |
| Transfer from prison under s.47 MHA 1983 | YES / NO | |
| **4. CONVICTION / CAUTION INFORMATION** | | |
| Index offence: |  | |
| Date of conviction / caution: |  | |
| Sentence: |  | |
| **5. VICTIM CONCERNS** | | |
| Has the victim asked to be kept informed of relevant dates and decisions by the Hospital Managers? | YES / NO | |
| If YES: | | |
| Please state what information has been provided |  | |
| **6. NOTIFYING AGENCY INFORMATION** | | |
| Name of notifying hospital. |  | |
| Name: |  | |
| Grade: |  | |
| Office: |  | |
| Telephone number(s): |  | |
| Email address: |  | |
| Date sent to MAPPA Co-ordinator: |  | |
| **7. INFORMATION HELD BY MAPPA CO-ORDINATOR** | | |
| Is there any information known to MAPPA, including information held on ViSOR regarding this patient, to help manage the risk presented to the public? | YES / NO | |
| If YES: | | |
| Please confirm that the information has been passed to the notifying agency |  | |
| Date information sent |  | |

**Appendix E: Risk Table** Offender Name:

|  |  |  |  |
| --- | --- | --- | --- |
| **Seriousness** | **Absence / presence of protective factors** | **Imminence** | **Risk Classification / Definition for MAPPA** |
| Presents an ongoing risk of committing an offence causing serious harm | Pervasive risk and a lack of protective factors to mitigate that risk | More than likely to happen imminently. Requires long-term risk management to contain the risk (including long-term treatment). Will happen if controls are absent. | **Very High**  There is imminent risk of serious harm. The potential event is more likely than not to happen imminently and the impact would be serious |
| Offender has a history of causing serious harm and remains capable of causing serious harm.  In a very small number of cases, the offender may not have a proven offence history of causing serious harm, but there is evidence of risk factors and/or previous or current behaviours that indicate a propensity to cause serious harm. | There are sufficient protective factors to mitigate that risk. The offender evidences a capacity to engage with risk management strategies and/or comply with treatment. Some capacity to self-risk manage | Ongoing risk which will / could increase if protective factors ‘fail’ are absent or diminish. Protective factors require maintenance and support. | **High**  There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact could be serious |
| May have caused serious harm in the past, but a repeat of such behaviour is not probable  In a very small number of cases the offender may not have a proven offence history of causing serious harm, or current evidence of risk factors. Previous or current behaviours may indicate that there may be a propensity to cause serious harm, however the likelihood of such behaviour is not probable and is not imminent. | Will co-operate with risk management strategies and/or comply with treatment. Some capacity to self-risk manage with appropriate support. Presence of protective factors | Not imminent and a repeat offence is ‘on the balance of probability’ deemed unlikely. | **Medium**  There are identifiable indicators of risk of harm. The offender has the potential to cause harm but is unlikely to do so unless there is a change of circumstances |
| May have caused serious harm in the past, but a repeat of such behaviour is very unlikely. | The balance of protective factors now substantially outweighs any risk factors. There are **no** current indicators of risk of serious harm | Not imminent and deemed very unlikely. | **Low**  No significant current indicators of risk |

This table draws on the MAPPA Guidance; the OASys Handbook; and current legislation. ‘**Risk Levels**’ from Kemshall, Mackenzie, G; Mackenzie, S. and Wilkinson (2011) ‘The Risk of Harm Guidance and Training Resources’ (2011) NOMS/De Montfort University. Amended May 2012.



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**PSNLI GRID**

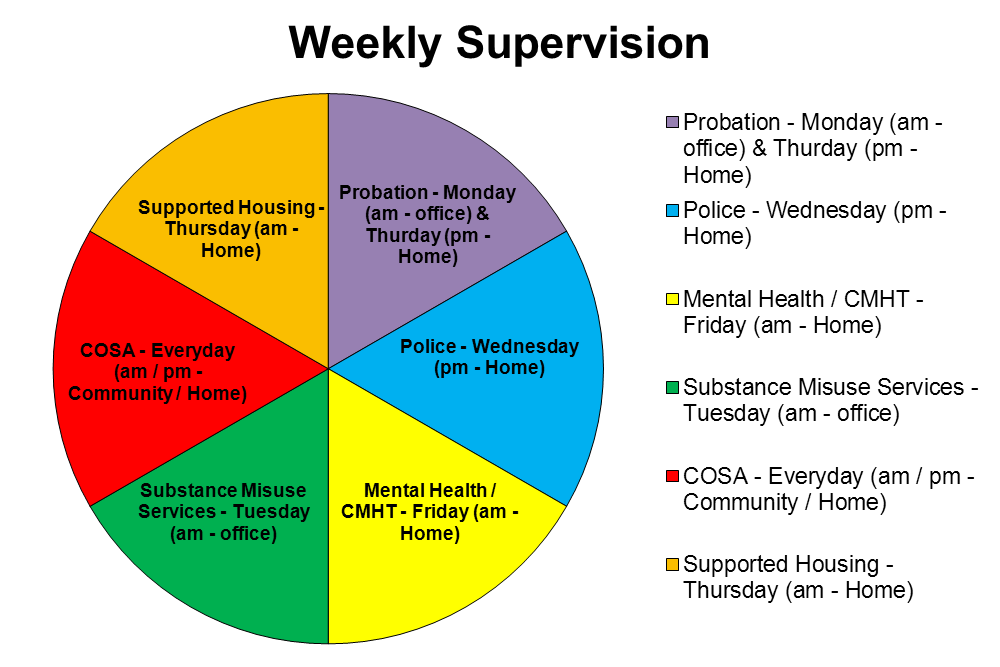
|  |  |  |
| --- | --- | --- |
| **P**attern   * What is the Pattern of offending / offences? * How often? * How? (Grooming, Predatory, DA, substance misuse, weapons, vehicles, pets, hobbies, profession etc) * Pattern / Triggers or early warning signs? * Environmental patterns * Patterns of Relationships (Domestic, Intimate, Social, Criminal etc) * Patterns of Mental Health / Health * Patterns of substance misuse linked to offending. * Positive Patterns – Offence Free periods / protective factors that have worked. * Victim targets (Age / Gender / Vulnerability / Environment etc) * Modus Operandi   **Q – What do we need to plan for in the 4 Pillars RMP** | **S**eriousness   * Consider both current and pre-convictions and the levels of seriousness of these offences. * What is the breadth of this offenders offending potential? * Start thinking about both Imminence and impact at this stage – what is going to happen first?   **Q – What do we need to plan for in the 4 Pillars RMP?** | **N**ature   * What is the Nature of the offending; * Sexual? * Violent? * Domestic Abuse / Violence? * Physical? * Psychological? * Emotional * Grooming? * Predatory? * Familial? * Arson? * Substance misuse? * Racially motivated? * Extremism tendencies / links? * Mental Health linked? * Consider combinations and Modus Operandi   **Q – What do we need to plan for in the 4 Pillars RMP?** |
| **L**ikelihood   * What is the likelihood of the offender complying with requirements (both restrictive and rehabilitative)? * Is the offender likely to re-offend or breach requirements? * Document evidence of motivation and compliance, or lack of. * Evidence based - Did it happen last time?   **Q – What do we need to plan for in the 4 Pillars RMP?** | **I**mminence + **I**mpact   * What is the imminence of the offender re-offending or breaching requirements? * Will the first breach be an offence, if so what (link to seriousness)? * What is the potential impact to known victims and or the public? * Evidence based - How quickly did it happen last time? * Is there a specific victim or target which enhances both imminence and impact? * Differentiate between offence types (one offence may be more imminent than another – Pro-active rather than Reactive to Risk)   **Q – What do we need to plan for in the 4 Pillars RMP?** | |

**PSNLI provided by Hazel Kemshall to Dyfed Powys MAPPA as part of the Four Pillars initiative, adapting work from the RMA 2007. PSNLI grid developed by Andrew Edwards MAPPA Coordinator Dyfed Powys 2014**

**360⁰ SUPERVISION WHEEL**

|  |  |  |  |
| --- | --- | --- | --- |
| **Lead Agency** | **Lead Professional** | **Contact details** | **VISOR** |
| Probation | Offender Manager |  |  |



**Appendix**

**THE FOUR TYPES OF ‘UN-MOTIVATION’**

Assessing motivation still presents practitioners with difficulties. Farrow et al identify four types of offender and some techniques to aid assessments of motivation:-

**Reluctant:**

Those who are fearful of change. These need careful listening and feedback, plus encouragement to change through the use of small, achievable steps and positive reinforcement of success. Fears have to be openly discussed.

They need to be listened to very carefully to draw out their fears and need specific feedback about their behaviour

It can be helpful for them to use someone else’s problem (a scenario similar to their own) and think about how they might advise or help that other person to change, before going on to think about their own problems.

It is particularly relevant to this group to help them think through the consequences of their behaviour and give unbiased information e.g. about the potential impact upon their employment prospects of their criminal record

**Rebellious:**

Those who put energy into resisting the idea of change. They will often dispute the necessity or legitimacy of rules. The practitioner needs to shift the offender’s focus of attention and energy and avoid these sorts of debates.

The best strategy for working with rebels is to offer them choice you are offering them opportunities to change but the choice is theirs. The rebellion may be about an investment in the existing behaviour or about insecurity or fear good interviewing will allow them to express their views while steering them to direct their energy in positive directions.

**Resigned:**

Those who see themselves as incapable of change. The practitioner needs to question and probe in order to identify the barriers and blocks to change. The offender will see a lot of work in front of them for minimal (if any) gain. If possible the practitioner needs to remove these barriers and show what can be gained and that it is worth it. The use of small, achievable steps to change with positive reinforcement of success is also useful. Prioritise first something that the offender is likely to achieve. Start with success.

This type of person has probably tried to make changes, has been around the system a few times and feels like ‘here we go again’. In reviewing where they have got to, three basic strategies are useful:

- Considering the problem in smaller more manageable chunks, by revisiting and reviewing earlier experiences of supervision and the goals that were set. Were these goals framed as Approach Goals?

- Asking whether there are some positive lessons to be learnt from their past experiences, particularly where they have overcome difficulties?

- Reframing and emphasising positive changes that the person has already made. Finding out what has got in the way of change in the past and using some problem-solving approaches to begin to address them

**Rationalising:**

Those who use argument and debate to prove that change is not necessary, that they are ‘doing OK thank you’. They will present a ‘front’ that they are managing their affairs OK. The practitioner needs to avoid argument and emphasise reflective listening, trying to elicit disclosures about what is not going well.

Avoid argument but use methods that look at both sides of the argument e.g. the Decisional Balance and the Balance Sheet. If you allow people to talk about the pros of their behaviours they may be more willing in time to look at the negatives. Use reflection and questions to avoid argument and help the individual hear their own ambivalence.

(Adapted from Farrow, K., Kelly, G. and Wilkinson, B. (2007) *Offenders in Focus: Risk, responsively and diversity*. Bristol: Policy Press. p.135 - practice tool 7.3)

**Appendix I – BTEI Risk Assessment**

**Appendix J**

**MINIMUM STANDARDS**

**FOR THE MANAGEMENT OF HIGH RISK CASES AT MAPP LEVEL 1 (SINGLE/ORDINARY AGENCY MANAGEMENT)**

1. A central principle of the new procedures for the management of MAPPA eligible offenders in Leicester, Leicestershire & Rutland, introduced wef 06/10/08, is that the previous, implied direct linkage between level of risk and level of MAPPA management (i.e. the higher the risk assessment, the higher the level of MAPPA management) **no longer pertains**.
2. Whilst there is, of course, a correlation between risk and level of management, MAPP Level 2 and 3 meetings should normally only be held where there is a clear need for active, inter-agency management, and/or, for Level 3 meetings, where there is clear need for unusual or unusually high resource provision in order to defensibly manage risk or where the case is likely to engender significant community concerns or media attention.
3. As a consequence **a significant number of “high” or “very high” risk offenders will need to be managed** **at MAPP Level 1** – single, or ordinary agency management.
4. These offenders are, nonetheless, subject to the MAPPA framework and so the SMB must require, and be satisfied that, they are managed in a robust, defensible manner and that there is a clear audit trail to evidence this process.
5. **It is therefore incumbent on all agencies who may have a responsibility for the management of MAPPA offenders at Level 1 to have clear policies and standards to fulfil this duty** including having systems to demonstrate that those standards are being met.
6. Such procedures and standards must include the following:-

* Clear ownership of the case by a designated case manager, who will have a clear understanding of his/her responsibilities including updating the managing agency’s case records and, in applicable cases, the ViSOR database.
* A designated “back-up” case manager who will be familiar with the case.
* A clear expectation of the case manager to proactively seek relevant information from other agencies.
* A clear expectation of the case manager to consider third party disclosure issues and keep these under review.
* Minimum standards for levels and frequency of contact between the case manager and the offender.
* Minimum standards for the timeliness of the review of the risk assessment i.e. level of risk, including re-visiting whether a referral for MAPP Level 2 or 3 management is justified.
* Minimum standards for the timeliness of the review of the risk management plan.
* Minimum standards for formal case review by the line manager.
* Wherever possible a clear contingency plan if the risk is assessed as increasing significantly.
* A data collection system to measure compliance with these standards.

1. Whilst it is a matter for agencies managing MAPPA offenders to ensure that such systems are in place, the SMB would make the following **recommendations** in relation to **minimum standards of operational practice.**

**Very High Risk Cases**

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* A face to face contact between the offender and the case manager should take place at least once every 28 days.
* A visit to the offender’s home by the case manager at least once in every three month period.
* The risk assessment and risk management plan should be subject to an interim review\* every eight weeks or in the light of any significant change in circumstances, and a full risk management review\*\* should occur every sixteen weeks. All reviews should be recorded.

**High risk Cases**

* A face to face contact between the offender and the case manager should take place at least once every three months.
* A visit to the offender’s home by the case manager at least once in every three month period.
* The risk assessment and risk management plan should be subject to a full review every sixteen weeks or in the light of significant change of circumstances. All reviews should be recorded.

1. General issues regarding the management of high and very high risk cases:-

* Joint visits (home visits, place of work etc) by staff of different agencies (e.g. Police and Probation) represent good practice and should take place whenever feasible where this is likely to enhance risk management and the protection of the public.

Level 1 “Information Sharing Meetings” add to defensibility in cases where only the Police and Probation Service is involved (and thus does not meet the criteria for management at MAPP Level 2/3) , where:-

* Several different units or departments within the same agency are involved in the management of the case (e.g. Probation – Programmes/Psychology/AP/Victim contact etc; Police – PPMT/ Domestic Violence/CAIU etc.) and/or,
* Where other agencies, although not actively involved may have relevant background information in relation to risk of harm.

When such meetings are convened, **the standard template for agenda/minutes should be used,** with a copy being forwarded to the MAPPA Co-ordination Unit (for those cases where they haven’t convened and minuted the meeting).

**All agencies should treat invitations to Information Sharing Meetings as a priority, since they are only likely to be called on high risk and/or complex cases. Where agencies do not respond to such invitations, this fact should be recorded on the minute’s template, which will enable the MAPPA Co-ordination unit to monitor and report back to the SMB.**

1. The SMB will require the MAPPA Combined Sub-Group to include the management of High Risk Level 1 cases according to the above standards, as part of its wider brief to provide quality assurance in relation to all MAPPA processes and procedures.

\*An interim review will require, as a minimum, the case manager checking their own agency’s database(s) and checking with the Police for any new intelligence or information and discussing with their line manager whether there is any reason to change the current risk assessment or amend the risk management plan.

\*\*A full review will require all of the above as well as contacting staff of any other agency which may be involved in the case, and formally reviewing the OASys/RM 2000, and where different assessments are made, to agree a common risk assessment and revise the risk management plan wherever necessary. In complex cases or where there is disagreement between professionals involved either over the risk assessment or in relation to risk management action points, consideration should be given to convening an Information Sharing Meeting (ISM) to conduct the risk management review.

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**Appendix K: MULTI-AGENCY PUBLIC PROTECTION ARRANGEMENTS**

**Leicester, Leicestershire & Rutland**

**PRACTICE GUIDANCE**

1. Information Sharing Meetings (ISMs) provide a forum for sharing information on risk of harm, both within and between agencies on offenders who are not subject to formal MAPP Level 2 or Level 3 meetings.
2. ISMs should **not** normally be called on offenders managed via MAPP Level 2 or Level 3 meetings – these offenders should be subject to formal MAPP meetings or delegated Core Group Meetings. This distinction is important for accountability and audit purposes. The only exception to this is when it is not feasible to convene a Core Group Meeting and yet it is urgent that new information and/or significantly changed circumstances need to be considered.
3. ISMs are **not** restricted to MAPPA cases but **may be called on any case where it is felt that they would add benefit.**
4. **ISMs are discretionary**, in that there is no requirement that they be called for any set category of offenders or in any given set of circumstances. The decision as to whether or not to call an ISM therefore lies with the Offender Manager’s/Key Worker’s Line Manager. The decision should be based on whether there is likely to be clear **value added** over the existing risk management plan by calling a meeting either in **operational terms and/or in relation to enhanced defensibility.**
5. The purposes of ISMs are to ensure that everyone involved in the risk management plan is aware of all relevant information, to agree a common level of risk and to devise a clear risk management plan which is understood and owned by all involved in its delivery. It follows that, where all of these requirements are already in place, there is likely to be no value added in calling an ISM.
6. ISMs must be chaired by a Manager of the relevant agency (e.g. Senior Probation Officer, Sergeant etc) and the standard ISM agenda/minutes template **must be used for all meetings.** A copy of the minutes **must** be sent electronically to the MAPPA Co-ordination Unit **whether or not the offender falls within MAPPA.**
7. ISMs will normally only be called in respect of high risk of harm cases or those, whilst not high risk of harm, which are complex, with several different departments or units of the agency involved in contributing to the risk management plan – e.g. Approved Premises; Programmes; Psychology; Victim Contact Team etc. and/or where other agencies, although no longer actively involved in the risk management plan may hold relevant information which is most easily shared and considered by convening an ISM.
8. Managers may also consider it good practice to call an ISM on a high risk case shortly before the end of supervision in order to ensure a smooth and defensible transfer of ownership to any other agencies, including the Police, who are likely to remain involved in risk management.
9. It follows that invitations to attend an ISM must be treated as a priority and, when a named individual cannot attend, he/she should try to arrange for a colleague to attend on his/her behalf or, if this is not possible, provide information in writing to the Chair of the meeting before it takes place.
10. The Police should be invited to attend all ISMs regardless of whether the offender is a Registered Sexual Offender or whether the Police have an active, current involvement. All invitations should be sent to: [**public.protection@leicestershire.pnn.police.uk**](mailto:public.protection@leicestershire.pnn.police.uk)or named person if known.
11. Other agencies should be invited as necessary, on a case by case basis, if it is felt that they can provide relevant information and or may have a role to play in the risk management plan going forward. Where there is a known member of staff from another agency who is/has been involved in the case, he/she should be invited. Where this is not the case the invitation should be sent to the agency’s Single Point of Contact (SPOC).
12. Where agencies or individuals have been invited but do not attend or send written information, this fact must clearly be recorded in the minutes.
13. All ISMs should consider in the meeting whether the offender should be referred for a MAPP Level 2 or Level 3 meeting, if the subject is a MAPPA offender or, where this is not the case, whether the offender should be referred to the Police for consideration for registration as a Potentially Dangerous Person (PDP).

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1. This Guidance became effective on 29/06/09 and will remain so until further notice, but will be subject to review (reviewed and updated September 2015). Feedback on difficulties, issues and ideas as to how the process could be improved or made more effective is most welcome and should be forwarded to Freda Parker-Leehane at the MAPPA Co-ordination Unit.



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**Appendix L:**

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**Appendix M:**

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| **MAPPA Logo Small** | **Appendix N: MAPPA F: Offender Information Sharing Report** | |  |
|  | | | |
| **1. ESTABLISHMENT / MEETING DETAILS** | | | |
| Establishment: | |  | |
| Date of MAPP meeting: | |  | |

|  |  |
| --- | --- |
| **2. OFFENDER DETAILS** | |
| Last name: |  |
| First name: |  |
| Aliases inc.nicknames: |  |
| Gender: |  |
| Date of birth: |  |
| Ethnicity: |  |
| Prison Number: |  |
| PNC Number: |  |
| Proposed release address: |  |

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| --- | --- |
| **3. SENTENCE DETAILS** | |
| Prison transfer history: *Give dates and names of establishments held at during current sentence – include reasons for move if significant* |  |
| Current offence: |  |
| Remand date: |  |
| Length of sentence: |  |
| Additional requirements: |  |

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| --- | --- |
| **4. To be completed for FOREIGN NATIONALS only** | |
| Offender to remain in prison custody after completion of sentence? | YES / NO |
| Offender suitable for immigration removal centre? | YES / NO |
| Offender subject to deportation? | YES / NO |
| Offender appealing against deportation? | YES / NO |
| Recorded with UKBA? | YES / NO  62 |
| Immigration Number (if known): |  |

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| --- | --- |
| **5. RELEVANT DATES** | |
| Home Detention Curfew: |  |
| Conditional Release Date: |  |
| Parole Eligibility Date: |  |
| Non-Parole Date: |  |
| Last Parole Review Date: |  |
| Next Parole Review Date: |  |
| Licence Expiry Date: |  |
| Sentence Expiry Date: |  |
| Licence Recall Date: |  |
| Extended Licence Date: |  |
| Release on Temporary Licence Date: |  |
| Tariff Expiry Date: |  |

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| --- | --- |
| **6. PRISON CONTRIBUTION TO ASSESSMENT (see guidance notes at the end)** | |
| Offender supervisor and supervision details: |  |
| Conduct and behaviour in custody: |  |
| Significant associates: |  |
| Offending behaviour work: |  |
| Physical and mental health issues: |  |
| Other diversity considerations: |  |
| Domestic abuse issues: | 63 |
| Vulnerabilities and risk of suicide or  self-harm: |  |
| Social visitors / telephone calls and correspondence: |  |
| Restrictions: |  |
| Security information: |  |
| Summary of main risks identified: |  |

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| **7. LIST REPORTS WHICH HAVE BEEN ATTACHED** |
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| --- | --- |
| **8. LIST CONTRIBUTORS TO THIS REPORT** | |
| **Name and role** | **Contact details** |
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| --- | --- |
| **9. REPORT WRITER DETAILS**  64 | |
| Name: |  |
| Grade: |  |
| Office: |  |
| Telephone number(s): |  |
| Email address: |  |

|  |  |
| --- | --- |
| **10. COUNTERSIGNING MANAGER TO COMPLETE** | |
| Name: |  |
| Grade: |  |
| Office: |  |
| Telephone number(s): |  |
| Email address: |  |
| Date sent to MAPPA Co-ordinator: |  |

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| --- | --- | --- |
|  | **Appendix O: INITIAL NOTIFICATION OF MAPPA-ELIGIBLE OFFENDER (YOT)** | **MAPPA H** |

** Responsible YOT supervisor:**

Please complete sections 1 to 5 of this form and send it to your local MAPPA Co-ordinator 6 months before the release of a MAPPA offender

** MAPPA Co-ordinator:**

If you have any relevant information about this offender, please complete section 6 of this form and send it to the referring agency.

|  |  |  |
| --- | --- | --- |
| **1. CATEGORY OF OFFENDER** | | |
| The offender must fall into one of the MAPPA Categories summarised below. Please state which one applies. | | |
| 1. Registered sexual offender | | YES / NO |
| 2. Violent or other sexual offender who has been sentenced to 12 months or more custody for a Schedule 15 offence under the Criminal Justice Act 2003 and is transferred to hospital under s.47/49 MHA 1983, or is detained in hospital under s.37 with or without a restriction order under s.41 | | YES / NO |
| 3. Other dangerous offender – has 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. This might not be for an offence under Sch.15 of the Criminal Justice Act 2003. | | YES / NO |
| **2. OFFENDER INFORMATION** | | |
| Last name: |  | |
| First name: |  | |
| Date of birth: |  | |
| Aliases: |  | |
| Last known address: |  | |
| Gender: |  | |
| Ethnicity: |  | |
| **3. CONVICTION / CAUTION INFORMATION** | | |
| Index offence: |  | |
| Date of conviction / caution: |  | |
| Sentence: |  | |
| **4. VICTIM CONCERNS** | | |
| Is the victim known to the victim contact scheme? | YES / NO  66 | |
| If YES: | | |
| Please state what information has been provided |  | |
| **5. NOTIFYING AGENCY INFORMATION** | | |
| Referring agency: |  | |
| Name: |  | |
| Grade: |  | |
| Office: |  | |
| Telephone number(s): |  | |
| Email address: |  | |
| Date sent to MAPPA Co-ordinator: |  | |
| **6. INFORMATION HELD BY MAPPA CO-ORDINATOR** | | |
| Is there any information known to MAPPA, including information held on ViSOR regarding this offender, to help manage the risk he presents to the public? | YES / NO | |
| If YES: | | |
| Please confirm that the information has been passed to the referring agency |  | |
| Date information sent |  | |



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MAPPA RISK MANAGEMENT PLAN

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**LEAD AGENCY RMP**

**Appendix P**

Victim

Safety

Interventions

Monitoring &

Control

supervision

1. Completed referrals should be emailed to:iom- mappa-referral@leicestershire.pnn.police.uk [↑](#footnote-ref-1)
2. Completed referrals should be emailed to:iom-mappa-referral@leicestershire.pnn.police.uk [↑](#footnote-ref-2)
3. See Appendix B for Core Group Meeting Practice Guidance [↑](#footnote-ref-3)
4. Sections 67 & 68 of the Criminal Justice and Court Services Act 2000 [↑](#footnote-ref-4)
5. Section 325 (3) of the Criminal Justice Act 2003 [↑](#footnote-ref-5)
6. Section 325 (5) of the Criminal Justice Act 2003 [↑](#footnote-ref-6)
7. See Appendix C, ‘MAPPA Levels and Categories – A Simple Guide’ which provides assistance in identifying MAPPA offenders. [↑](#footnote-ref-7)
8. As stated in ‘OASys Manual’ [↑](#footnote-ref-8)
9. Example of Form H is at Appendix P [↑](#footnote-ref-9)
10. Example of Form I is at Appendix D [↑](#footnote-ref-10)
11. See Risk Table at Appendix E used at MAPP Meetings in Leicestershire & Rutland to help determine level of risk. [↑](#footnote-ref-11)
12. See Appendix R – ‘Added Value Diagram’ [↑](#footnote-ref-12)
13. See Appendix F for Four Pillars document [↑](#footnote-ref-13)
14. See Appendix G for PSNLI Grid [↑](#footnote-ref-14)
15. See Appendix J for BTEI Risk Assessment [↑](#footnote-ref-15)
16. See Appendix Q for Offender Letter [↑](#footnote-ref-16)
17. See Appendix M for structural breakdown of the Unit. [↑](#footnote-ref-17)
18. See Appendix N for MAPPA Referral Form. [↑](#footnote-ref-18)
19. See Appendix O for MAPPA F template. [↑](#footnote-ref-19)
20. See Appendix Q – ‘Added Value Diagram’ [↑](#footnote-ref-20)