

West Mercia MAPPA Basic Awareness Training Notes 2012

NB: If there are no notes for a slide then it is because they are self-explanatory - unless you think otherwise, then let me know.

Slide 4 notes

Legislative framework

Criminal Justice and Court Services Act 2000 - Police and Probation made Responsible Authorities for establishing arrangements for the purpose of assessing and managing the risks posed by relevant violent and sexual offenders.

Criminal Justice Act 2003 – superseded above act and made Prison Service the third Responsible Authority – **take the opportunity to point out the importance of the contribution made by prisons and the fact many of the offenders managed by MAPPA will receive a custodial sentence.**

Acronym MAPPA is **not** in the legislation.

The **arrangements** are statutory –MAPPA is **not** an agency, statutory or otherwise.

Point out there is not a mythical beast called “The MAPPA” with powers of its own - the powers and responsibilities that are used belong to the individual agencies.

Slide 5 notes

Before turning to this side it may be worth asking if people know of any other MAPPA's.

Slide 6 notes

It is important to take time to unpick the components of this statement and not assume students will know of the various elements of organisations.

- **Police** – Offender Managers, Public Protection Unit, Domestic Abuse officers, local policing teams, Intel officers, investigating officers, media officers.
- **Probation** – Offender Managers, Victim Liaison Officers/ Women's Safety Workers, Senior Probation Officers, Head of Service, programme tutors, media officer.
- **Prisons** – Offender Supervisors, MAPPA single point of contact, wing staff.
- **Living in the community** – do not wait until offender is released/ discharged before planning their management. Referrals for serving prisoners should be made a **minimum** of six months before release date –some are made much earlier, some offenders actively managed throughout sentence e.g. may be harassing partners from prison/networking/grooming.

Good time to point out issues relating to accommodation which may take a very long time to resolve.

The public – everyone, but also consider specific groups, children, females, partners, professionals, Black and ethnic minorities, named individuals.

Slide 7 notes

- The SMB -Strategic Management Board is the body responsible for ensuring these duties are carried out.
- The SMB has representation from the Responsible Authorities and Duty to Cooperate agencies at a senior level.
- In West Mercia the SMB meets 3 times a year. At the moment there are two fully established sub-committees - Training and Development, and Audit.
- The Current SMB chair is Tony Brewerton – Director of Operations for West Mercia Probation Trust and the deputy is ACC Karen Manners– West Mercia Police.

Slide 8 notes

Need to point out that the Youth Offending Service is part of the Criminal Justice System there are plans in place to make it one of the Responsible Authorities.

Slide 10 notes

Make the point that it is critical that the person making the referral to MAPPA needs to identify any bespoke agencies that need to be invited, to include named individuals if possible.

Faith communities –the rights of MAPPA offenders to practice a faith and be part of a faith community are upheld but need to be managed safely. Disclosure and contracts used to minimise risk. Also acts as an additional source of information re offender's behaviour/developing relationships etc.

Women's Aid/IDVA – critical in domestic abuse cases. Give the victim a very strong voice.

Slide 11 notes

- **Children's Care Centres** - Shropshire/Telford & Wrekin areas have quite a lot of independent centres, often taking from outside of West Mercia –needs careful management and good information sharing ---can give Youth Offending Service headaches.
- **Fire and Rescue Service** – involved with arsonists, can undertake work with them, including in prisons. Can also support victims, risk assessment of properties and implement fire reduction equipment at victim's homes, and can work with accommodation providers. Always difficult to find accommodation for arsonists.
- **Ambulance Trust** – there are cases where ambulance staff are at considerable risk – bogus calls followed by direct violence once the crew arrives.
- **FTAC** – Fixed Threat and Assessment Centre, a London based agency that can undertake assessment of and develop risk management strategy for those offenders displaying stalking/obsessive/harassment behaviour.

Slide 12 notes

Police are lead agency.

Slide 13 notes

Detention in hospital - do not have to be a restricted patient for this to apply.

Slide 14 notes

Cat 3 can be very useful and necessary, but co-ordinators will be wary of taking too many on as a "Catch all." They must not be eligible for inclusion under MAPPA in Cat 1 or 2, and must demonstrate a risk of serious harm.

N.b. – it is unlawful for any person to be managed under MAPPA without a conviction for offending or guilty plea for offending being present. These offenders may be suitable for consideration as a PDP.

Potentially Dangerous Person – PDP's have no convictions at all. It is unlawful for these people to be discussed under MAPPA.

The current situation is that an individual has to be designated by a police superintendent as a PDP. A multi-agency meeting can then be called, chaired by a police inspector. MAPPA coordinators can assist at the meetings but not in a coordinators role.

Slide 15 notes

This is the definition which is used when looking at all referrals into MAPPA. It would be very rare to accept a case if this criterion was not met. **Talk about this when discussing levels. This can be present or historical.**

Slide 16 notes

OASys - Probation/Prison Offender Management tool.

There is not an approved tool for female and juvenile sexual offenders. On-going work to refine tool for adult male sexual offenders that will take in both static and dynamic factors.

Slide 17 notes

There are times when an offender may not be high or very high risk but is managed as if they were. This can be because of media interest, "political" issues or community impact aspects.

Slide 18 notes

There is a principle that MAPPA cases should be managed at the lowest level which provides a defensible Risk Management Plan.

Approximately 96% of registered sexual offenders in West Mercia are managed at Level 1.

Slide 19 notes

For Level 2 and 3 meetings the decision of whether to retain at that level and the frequency of meetings will be decided at the end of the meeting. This decision is primarily made by the representatives from the Responsible Authority with guidance from the Coordinator.

Slide 21 notes

Ask people to explain back to you why a Cat 3 cannot be managed at Level 1.

The answer is effectively down to definition. In order to be a Cat 3 offender, the criteria for Cat 1 and 2 has not been met. In order to include a Cat 3 Offender in MAPPA there must be a clear need for “multi agency management”, which would rule out such a case being managed at level one “ordinary or basic” agency management.

Slide 22 notes

Agencies will produce their own risk management plans, with particular emphasis on their area of business. MAPP meetings should ensure they are brought together in a cohesive way e.g., licence conditions and the provisions of a SOPO Sexual Offences Prevention Order should mirror one another. The MAPPA RMP does not replace existing agency RMP's, and the RMP described in prose by the Coordinator during the meeting is for MAPPA purposes only.

Slide 23 notes

Information sharing is the heart of the MAPPA process. **Ask students to give examples of information they have given or received in a MAPP that was not previously known and is relevant for risk management.**

Slide 24 notes

First statement is borne out by every major enquiry that has looked at where things have gone badly wrong i.e. Baby P review.

Second statement is critical but remember people do not have to wait for a MAPP meeting to get on with their own business.

Slide 25 notes

The important principle to remember is that all MAPPA agencies have a prima facie legal power to share information with the Responsible Authority (Police, Prison and Probation)

The Data Protection Act 1998 is not a barrier to sharing information –it provides a framework to ensure that personal information is shared appropriately.

Some people may want to discuss issues of confidentiality – remind them that they have a common law duty of care and that case law has established that the duty of confidence can be breached in order to prevent and support detection, investigation and punishment of serious crime **and/or to prevent abuse or serious harm.**

Question What would be the consequences of not sharing information?

Slide 28 notes

The fact all meetings in West Mercia are chaired by independent MAPPA coordinators is unique to our area. The West Mercia SMB has taken the line of deviating from the national guidance in the interests of consistency and having an independent chair. Other areas will have a mixture of police and Probation senior staff chairing.

Additional notes

It will depend on the size of the group and the venue how interactive you make this session. It is basically designed as a fairly straight forward "Talk and Chalk " delivery to get the basic facts across to a fairly large audience.

On the other hand it is quite adaptable to free flowing discussion about points.

We have plenty of case study material available that could be shared as examples for those students who are not familiar with MAPPA.

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