**Multi-Agency Public Protection Arrangements (MAPPA)**

This guide has been adapted from Sheffield’s Safeguarding Partnership Tri X Procedure for MAPPA and the HM Prison and Probation Service, March 2023 MAPPA Guidance.

**1. Introduction**

The MAPPA (Multi-Agency Public Protection Arrangements) is a national framework to assess and manage the risk posed by serious and violent sexual offenders living in or returning to community.

The Police, the Prison Service and probation service providers ('the Responsible Authority') have statutory responsibilities under Sections 325 – 327B [**Criminal Justice Act 2003**](http://www.legislation.gov.uk/ukpga/2003/44/contents) to establish in consultation with partner agencies, 'Multi-Agency Public Protection Arrangements' (MAPPA).

The Strategic Management Board (SMB) is how the Responsible Authority fulfils its duties to keep the MAPPA arrangements under review with a view to monitoring their effectiveness and making any changes to them that appear necessary or expedient. The SMB are responsible for the implementation of the MAPPA Guidance in their area, in line with local initiatives and priorities. In Devon, we are represented on the Strategic Management Board by the Head of Service for Early Help and Partnership.

**2. Assessment of the Risk of Serious Harm and Criterial Categories**

All MAPPA offenders must be assessed using the approved risk assessment tools where appropriate. Risk assessment must draw on the widest information available from all agencies involved. For example, the [**National Offender Management Service**](http://www.justice.gov.uk/about/noms/) (NOMS) assess risk of harm using the Offender Assessment System (OASys). The Youth Justice Board use ASSET for under eighteen year olds. The following describe each level of risk.

**Very high**: there is an imminent risk of serious harm. The potential event is more likely than not to happen imminently and the impact would be serious.

**Medium**: there are identifiable indicators of serious harm. The offender has the potential to cause harm but is unlikely to do so unless there is a change in circumstances, e.g. failure to take medication, loss of accommodation, relationship breakdown, drug or alcohol misuse;

**Low**: current evidence does not indicate a likelihood of causing serious harm;

**High**: there are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious;

Offenders may be sentenced for offences that fall into more than one category but for the purposes of MAPPA they will only be identified under one of Category at any one time.

Those who meet the criteria for Category 1 or Category 4 will be identified under that Category even if they also meet the criteria for Category 2. Offenders who meet the criteria for Category 1 and Category 4 will be identified as Category 4. Offenders will only be identified under Category 3 if they do not meet the criteria for another category. This is to avoid confusion in administering the arrangements.

Offenders who cease to meet the criteria for one category can be identified under a different category if they meet the relevant criteria. For example an offender released on licence for a violent offence near the end of the notification period for a previous sexual offence would move from Category 1 to Category 2 at the expiry of their notification period. Offenders in any other category can be identified under Category 3 at the point their eligibility under Category 1, 2 or 4 ends.

**3. Children Subject to MAPPA**

A child is defined as anyone who has not yet reached their 18th birthday. The Youth Offending Service is responsible for identifying which of its cases/children are subject to MAPPA within 3 days of sentencing. A child who is convicted of a serious sexual or violent offence (as set out in Schedule 3 of the Sexual Offences Act 2003 and Schedule 15 of the Criminal Justice Act 2003) and receives a relevant disposal will be subject to MAPPA.

MAPPA agencies take a different approach when managing children as offenders. Without dismissing the risk of potential harm to others that the child poses, the Children Act requires them to discharge their functions having regard to the need to safeguard and promote the welfare of children and MAPPA must reflect this. Children involved in criminal activity must be seen as vulnerable children in their own right and not just as offenders. Many children who pose a risk to others have themselves experienced criminal offences, exploitation and abuse. It is important that vulnerable children are identified, safeguarded and supported for as long as they need. Agencies should also have regard for their role in helping the child to create a new pro-social identity and balance risk management actions with those which will support the child to desist from further offending.

When a child is subject to MAPPA and is also being assessed as a Child In Need or Looked After by the Local Authority, it is essential the appropriate agencies are in attendance at all MAPPA meetings. The meeting should consider any Child Protection Plan, Child In Need Plan, Education Health and Care Plan (EHCP), Care Plan or Early Help support being provided by the Local Authority or one of its partners. If the child is Looked after by the Local authority their Independent Review Officer (IRO) should be informed.

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| **Category** | **Criterial for Referral IN to MAPPA** | **Criteria for Referral OUT of MAPPA** |
| **Category 1** | Registered sexual offenders as specified under [**Sexual Offences Act 2003, Part 2: Notification and Orders**](http://www.legislation.gov.uk/ukpga/2003/42/part/2) (on the Sexual Offenders' Register); | (Registered Sexual Offenders) - when their period of notification expires. In the most serious cases, offenders will be subject to lifetime notification requirements. |
| **Category 2** | Violent offenders and other sexual offenders who are not required to register:  An offender convicted (or found not guilty by reason of insanity or to be unfit to stand trial and to have done the act charged) of murder or an offence specified under [**Schedule 15 of the Criminal Justice Act 2003 (CJA 2003)**](http://www.legislation.gov.uk/ukpga/2003/44/schedule/15) who received a sentence of 12 months or more or a hospital order;  An offender barred from working with children under the DBS Vetting and Barring Scheme (or subject to a Disqualification Order for an offence listed under Schedule 4 of the Criminal Justice and Court Services Act 2000, which preceded this Scheme). | Violent and other sexual offenders – when the licence expires, the offender is absolutely discharged from the hospital order or guardianship order, or when the Community Treatment Order expires. An offender on licence for a consecutive or concurrent sentence will remain subject to MAPPA until the whole sentence has expired. An offender does not remain automatically subject to MAPPA as a result of Post Sentence Supervision. |
| **Category 3** | Other dangerous offenders: a person who has been cautioned, reprimanded, warned or convicted of an offence which indicates that they are capable of causing serious harm and which requires multi-agency management at Level 2 or 3 (This might not be for an offence under Sch.15 of the CJA 2003 – see above); | other dangerous offenders – when a level 2 or 3 MAPP meeting decides that the risk of harm has reduced sufficiently or the case no longer requires active multi-agency management. |
| **Category 4** | Terrorist or terrorist risk offender:  They are required to comply with the notification requirements set out in Part 4 of the Counter-Terrorism Act 2008 (CTA 2008) (aged 16 or over and have been convicted (or found to be under a disability and to have done the act charged or found not guilty by reason of insanity) of an offence under s.41 or s.42 CTA 2008 and who receive a qualifying sentence of 12 months or more, a hospital order or a guardianship order);  They have been convicted of a relevant terrorist offence and received a qualifying sentence of 12 months or more or disposal for that offence;  They have been found to be under a disability and to have done the act charged/found not guilty by reason of insanity of a relevant terrorist offence with a maximum sentence of more than 12 months and received a hospital order (with or without restrictions) or guardianship order under MHA 1983 for that offence; or  They have committed an offence and may be at risk of involvement in terrorism-related activity (discretionary Category 4) – they have either a conviction for any offence (current or historic, within the UK or abroad); or received a formal caution (adult or young person) or reprimand/warning (young person) for any offence; or been found not guilty of any offence by reason of insanity; or been found to be under a disability (unfit to stand trial) and to have done any act charged against the and the Responsible Authority believes that they may be or become involved in terrorism-related activity. This risk does not have to relate to the offence for which they received the disposal. The offence can be any offence. It does not have to be related to terrorism and may have been committed abroad. | For offenders subject to notification requirements, when the period of registration expires; for offenders at risk of involvement in terrorism related activity, when they no longer require multi-agency management; for other Category 4 offenders, when the licence expires, the offender is absolutely discharged from the hospital or guardianship order or when the Community Treatment Order expires. An offender on licence for a consecutive or concurrent sentence will remain subject to MAPPA until the whole sentence has expired. An offender does not remain automatically subject to MAPPA as a result of Post Sentence Supervision.  All Category 1, 2 and 4 offenders managed at MAPPA levels 2 or 3 who are coming to the end of their notification requirements or period of licence must be reviewed and should be considered for registration as a Category 3 offender or discretionary Category 4 offender. However, registration as a Category 3 or discretionary Category 4 offender should only occur if they meet the criteria and continue to require active multi-agency management.  All except Category 2 level 1 offenders will have an active ViSOR record. When they cease to be MAPPA offenders, the record will be archived. The record will remain in ViSOR until the offender's 100th birthday. At this point, the case will be reviewed with the expectation that the record will be deleted. |
| **Potentially Dangerous Person** | | |
|  | A PDP is a person who is not currently managed  under one of the three MAPPA categories, but whose behaviour gives reasonable grounds for believing that there is a present likelihood of them committing an offence or offences that will cause serious harm.  Examples of PDPs include:   * A person charged with domestic abuse offences on a number of occasions against different partners but never convicted of offences that would make them a MAPPA-eligible offender; * An individual who is continually investigated for allegations of child sexual abuse but is never charged or never receives a civil order, but whom agencies still believe poses a serious risk of sexual harm to children; * A terrorist suspected but not convicted of an offence; * Where a community psychiatric nurse (CPN) shares information with the police that a patient with mental ill health has disclosed fantasies about committing serious violent offences. The patient is not cooperating with the current treatment plan, and the CPN believes serious violent behaviour is imminent; * A person who has committed offences abroad that had they been committed here would result in the offender being managed under MAPPA. * These types of individuals could still benefit from active risk management but would not be managed under MAPPA. This management would usually involve two or more agencies, although there may be cases where only the police are involved. There must be a present likelihood of the subject causing serious harm in order for their case to be managed. | |

**4. Risk Level Management**

MAPPA offenders are managed at one of three levels according to the extent of agency involvement needed and the number of different agencies involved.

The great majority are managed at level 1 (ordinary agency management). This involves the sharing of information but does not require multi-agency meetings. The others are managed at level 2 if an active multi-agency approach is required (MAPP meetings), and at level 3 if senior representatives of the relevant agencies with the authority to commit resources are also needed. The three levels of MAPPA management are:

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| **Level 1: ordinary agency management/multi-agency support;** | **Level 2: active multi-agency management; and** | **Level 3: active enhanced multi-agency management.** |
| Ordinary agency management Level 1 is where the risks posed by the offender can be managed by the lead agency in co-operation with other agencies but without the need for formal multi agency meetings. Offenders will only be managed at Level 1 where the lead agency is confident that their Risk Management Plan (RMP) is sufficiently robust to manage the identified risks, the circumstances of the case do not require the formal multi agency oversight offered by level 2 or 3 meetings and there are no barriers to the implementation of agreed multi-agency actions. It is essential that information-sharing takes place, disclosure is considered, and there are discussions between agencies as necessary. | Cases should be managed at level 2 where formal multi-agency meetings would add value to the lead agency's management of the risk of serious harm posed; and one, or more, of the following applies:   * The offender is assessed as posing a high or very high risk of serious harm; * Exceptionally, 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; * The case requires oversight at a more senior level; * The case has been previously managed at level 3 but no longer requires level 3 management. | Level 3 management is for cases that meet at least one of the following criteria:   * Meet the criteria for Level 2 and require senior representation and oversight by the Responsible Authority and Duty-to-Co-operate agencies to commit significant resources at short notice; * Meet the criteria for Level 2 and require senior representation and oversight in order to maintain public confidence in the criminal justice system. This may be due to high levels of current national media scrutiny or public interest in the management of the case as a result of the nature of the offence or the identity of the offender or victim; * Have a national security dimension and require senior oversight by Counter-Terrorism Police (CTP) or the Probation Service National Security Division (NSD). Cases will be identified in line with lead agency case allocation polices relating to CTP and NSD. Discretionary Category 4 offenders, like Category 3 offenders, must be managed at Level 2 or 3; * Involve high risk offenders involved in serious organised crime. |
| **Multi-Agency Public Protection Meetings & Risk Management Plan** | | |
| Level 1 MAPPA offenders must have a Risk Management Plan (RMP) completed by the lead agency to its own required standards. Information from Duty to Corporate or any other agencies involved and other Responsible Authority agencies should inform the RMP. | The purpose of Level 2 & 3 Multi-Agency Public Protection meetings is to provide a forum for sharing information and intelligence to support multi-agency risk assessments, and formulate effective Risk Management Plans (RMPs), ensuring action is taken to manage the risk of serious harm posed by the offender. These meetings enable the provision of authority, resources and skills that may be unavailable at Level 1. | |

**7. Duty to Cooperate & Attendance at MAPPA meetings**

MAPPA and the duty to co-operate enable different agencies to work together. Co-operation between agencies ensures that all agencies involved know what the others are doing, prevents decisions being made in ignorance of other agencies’ actions and enables joint working. Without co-operation, there is a risk of collision – agencies unintentionally frustrating or compromising each other’s work, sometimes with dangerous consequences.

Each borough or MAPPA area should have a standing Children's Services representative with the relevant experience and authority to commit resources. For Devon this is the Head of Service for Early Help and Partnership. **The lead social worker for the child (or family) should attend where there is a risk to an identified child**. Where the lead social worker does not have the authority to make decisions and commitments on behalf of the local authority and in the absence of a standing representative able to do so, the lead social worker's manager should attend as well or instead.

**Social Workers Attendance**

* An invited Social Worker **should always attend when invited**, where not possible another member of their team with suitable knowledge of the child should attend on their behalf. The information sharing by Social Workers can help to ensure children are protected.
* Upon invitation to a MAPP meeting the social worker should:
* Read the invitation and any attached documents and reply to the email to confirm attendance
* Check your agency’s records to establish any involvement with the offender, their victim(s), their family members etc
* Identify anyone else who should also be invited? If so, provide their details to the MAPPA Administrator for consideration.
* Know your own agency’s assessment of the risks and know what actions your agency can realistically take with regards to managing risk (consult managers in advance if necessary) and be prepared to give a verbal input on your involvement
* Following the meeting complete any actions within the timescales set and feedback outcomes to the MAPPA Administrator

**The Minutes**

* MAPP meeting minutes are **NOT** to be attached to the associated child's Eclipse record unless the offender is the child. Only relevant information that relates to the associated child IS to be taken from the MAPP meeting minutes and added to case notes.
* If the offender is the child, the MAPP meeting minutes can be uploaded to Eclipse. If 'subject access request' is requested at a later stage, the MAPP meeting minutes are **NOT** be shared. MAPP meeting minutes are **NOT** to be shared with any other party / agency.