

# What is MAPPA?

## MAPPA background

- (a) MAPPA (Multi-Agency Public Protection Arrangements) are a set of arrangements to manage the risk posed by the most serious sexual and violent offenders (MAPPA-eligible offenders) under the provisions of sections 325 to 327B of the Criminal Justice Act 2003.
- (b) They bring together the Police, Probation and Prison Services in each of the 42 Areas in England and Wales into what is known as the MAPPA Responsible Authority.
- (c) A number of other agencies are under a Duty To Co-operate (DTC) with the Responsible Authority. These include Social Services, Health Trusts, Youth Offending Teams, Jobcentre Plus and Local Housing and Education Authorities.
- (d) The Responsible Authority is required to appoint two Lay Advisers to sit on each MAPPA area Strategic Management Board (SMB) alongside senior representatives from each of the Responsible Authority and duty to co-operate agencies.
- (e) Lay Advisers are members of the public with no links to the business of managing MAPPA offenders and act as independent, yet informed, observers; able to pose questions which the professionals closely involved in the work might not think of asking. They also bring to the SMB their understanding and perspective of the local community (where they must reside and have strong links).

## How MAPPA works

- ☐ MAPPA-eligible offenders are identified and information about them is shared by the agencies in order to inform the risk assessments and risk management plans of those managing or supervising them.
- ☐ In the majority of cases that is as far as MAPPA extends but in some cases, it is determined that active multi-agency management is required. In such cases there will be regular MAPPA meetings attended by relevant agency practitioners.
- ☐ There are 3 categories of MAPPA-eligible offender: Category 1 - registered sexual offenders; Category 2 - (in the main) violent offenders sentenced to imprisonment for 12 months or more; and Category 3 - offenders who do not qualify under categories 1 or 2 but who currently pose a risk of serious harm.
- ☐ There are three management levels intended to ensure that resources are focussed upon the cases where they are most needed; generally those involving the higher risks of serious harm. Level 1 involves ordinary agency management (i.e. no MAPPA meetings or resources); Level 2 is where the active involvement of more than one agency is required to manage the offender but the risk management plans do not require the attendance and commitment of resources at a senior level. Where senior oversight is required the case would be managed at Level 3.

MAPPA is supported by ViSOR. This is a national IT system for the management of people who pose a serious risk of harm to the public. The police have been using ViSOR since 2005 but, since June 2008, ViSOR has been fully operational allowing, for the first time, key staff from the Police, Probation and Prison Services to work on the same IT system, thus improving the quality and timeliness of risk assessments and of interventions to prevent offending. The combined use of ViSOR increases the ability to share intelligence across organisations and enable the safe transfer of key information when these high risk offenders move, enhancing public protection measures. All MAPPA reports from England and Wales are published online at: [www.justice.gov.uk](http://www.justice.gov.uk)



IN THE CARDIFF COUNTY COURT

CASE NO. BS 614159-MC65

CF101741

CF204141

7CF0734S

BETWEEN

MAURICE JOHN KIRK

Claimant

and

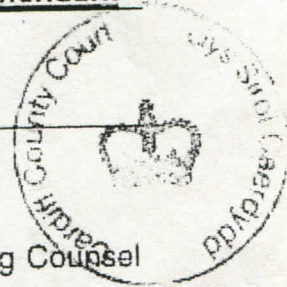
THE CHIEF CONSTABLE OF THE SOUTH WALES CONSTABULARY

Defendant

ORDER

BEFORE HIS HONOUR JUDGE SEYS LLEWELLYN QC.

Upon hearing the Claimant as a litigant in person and Leading Counsel  
for the Defendant



IT IS ORDERED THAT:

1. The Claimant's application to adjourn the trial of Actions 1, 2 and 3 is dismissed.
2. The Claimant's application this day for permission to appeal the dismissal of his application to adjourn is refused.
3. The Claimant's application to protect him from his perception that the Defendant is utilising phone tapping against the Claimant is dismissed.
4. The Claimant's application that the trial judge should recuse himself from hearing the trial is dismissed.
5. The Court having been advised that the Claimant was categorised as "MAPPA Category 3" for a period of time in 2009. It is ordered that the Defendant's solicitor should make urgent enquiries with the South Wales Police and provide a statement by 31 August 2010 in which the following is identified:



- (i) The dates upon which the Claimant was categorised as "MAPPA Category 3".
- (ii) The dates upon the Claimant was no longer categorised as "MAPPA Category 3".
- (iii) The dates of all "MAPPA" meetings at which the Claimant was discussed.
- (iv) The extent to which any documents might exist as a result of such meetings and whether it is understood by the Defendant that he or any other agency present at the meetings would object to disclosure of such documents in the context of these civil proceedings to the Claimant. In the event of any intended refusal the statement should seek to set out supporting reasons for any intended refusal.

6. Costs of today costs in the case.

DATED this 17<sup>th</sup> day of August 2010

This order was drawn up by Dolmans, 17 Windsor Place,  
Cardiff, CF10 4DS Solicitors for the Defendant.

SOCIAL WORK ASSESSMENT -

E.

P.

This report cannot be disclosed to the patient

MAPPA INVOLVEMENT JUNE 2009

- The first involvement of the South Wales Psychiatric Service that I am aware of occurred in June 2009, when

TG

(FCMHN) and I were invited at very short notice to a MAPPA

3 meeting regarding Maurice Kirk. It was established that Maurice had been referred to the MAPPA by South Wales Police following discussion with the Independent Advisory Group.

- We were able to establish that, following the circulation of information from the Fixated Threat Unit (following the Highgrove incident), Maurice's GP had referred him to local psychiatric services. Dr Metters had met with Mr Kirk on one occasion and we were able to take his notes along to the MAPPA.

- It was explained that the subject of the MAPPA was deemed to be Level 3 - partly because of the risk of attracting media attention, but also because of the risk he posed to himself and others by his actions. The meeting was informed that Maurice Kirk has a long history with



law enforcement agencies with a number of criminal convictions, together with a large number of civil actions and complaints being instigated against relevant forces. Currently, he has just over a hundred civil actions pending against South Wales Police, focused on a variety of individuals.

- In considering who was at risk, it was established that the South Wales' Police view is that he poses a definite risk to the Chief Constable and her family who all have enhanced protection currently. Also a level of protection currently being provided towards various others (members of South Wales Police, solicitors etc). It was also reviewed that South Wales Police have a firearms response which could mean that the MAPPA subject would be shot if he attempted to make any approach to the Chief Constable. Police spoke about their serious concerns that Mr Kirk had information about the whereabouts and family circumstances of various members of the police, court staff etc.

- It was reviewed that Mr Kirk has a criminal history - mostly minor offences. Does not have a criminal history which includes previous use of firearms. Five offences against the person dating from 1978 to 1999 as well as four public order offences.

- The meeting was informed that in recent discussions with the CPS, it has been clarified that several of Mr Kirk's recent actions do not constitute an offence. Even his approach to the Chief Constable could be seen as his right to request an interview with her, necessary for the procedure of his civil court case.

- It was discussed that Mr Kirk has recently offered to sell a machine gun for £4000 on his website. Not known whether he is actually in possession of the machine gun. Has referred to

it as "she " and "her " on his website etc.

- At the meeting, it was reviewed that the police intend to take certain action which they anticipate will result in a remand into custody.

#### FIRST MEETING WITH MAURICE KIRK 17.08-09

After liaising with nursing staff, I met with Maurice Kirk together with an escorting member of nursing staff. I shook hands with Mr Kirk and asked if he would be prepared to meet with me. He put his cigarette out and suggested that we go to another room where there is no smoke. I thanked him for his consideration. I informed that I hoped to introduce myself and explain my role in the team and that I also had information to pass on to him.

Mr Kirk instructed me to continue whilst making note of my name and time of the talk etc. At one point, when I said that I found his method of communicating offensive, he apologised if I found it so. I asked him why it was necessary to make explicit notes of my name etc and he responded that it was necessary to keep a record of everything that happens as he is being detained illegally - both in prison and at the Clinic. I suggested that it would be helpful to hear his own story that has led to his detention in a medium secure unit. Also reflected that, up until now, he has met with team members who are considering medical model as it applies to him and his circumstances. Informed that social work is informed by other models.

Mr Kirk made it clear that he wished to discontinue the conversation. Informed him of telephone call from an Environmental Health Officer who would wish the opportunity to discuss some problems with him regarding one of his rented properties (leaking roof). Mr Kirk informed that

this was if no interest/concern to him in his current situation, that he was only concerned with his own predicament and with his family. He continued that he had no concern for the tenant (presumably) as the tenant was living off the state etc.

He declined to take the contact details from EHO stating that he couldn't telephone her and she would have to contact him. On checking with nursing staff, I was informed that Mr Kirk has 15 minutes access to the telephone per day (to phone out). Mr Kirk implied that he had other and more important business to attend to.

#### SECOND MEETING WITH MAURICE KIRK 19.08.09

I met with Maurice together with nursing escort to discuss with him, if possible, the remarks that he made in CTM yesterday (18.08.09) regarding family difficulties. In particular, the distress of both his wife and youngest daughter. I wanted to explain the need to gather information from a variety of sources to be able to make an informed assessment of mental state/behaviour.

Although interspersed with various preoccupations about past and current injustices and likely conspiracy between agencies that explain past and current situation, Maurice appeared thoughtful about my suggestion that I meet with Kirsty Kirk. He informed that he would contact her and

put it to her that it may be helpful to meet with me. He informed that she is suspicious and reluctant to involve herself and that, despite his intervention, she remains unlikely to agree to meet with me. We talked about various interpretations that could be put on his communications currently.

#### THIRD MEETING WITH MAURICE KIRK 24.08.09





Maurice Kirk  
HMP Cardiff

1.12.09.

Dear Mr Kirk

**Re Your letter dated 17.11.09**

MAPPA is not an official body but a set of arrangements that exists to assess and manage the risks posed by offenders. It therefore does not have the authority to disclose the information you request.

Application for the disclosure of specific information should be made to the relevant agency.


You will be notified on each occasion your situation has been discussed under MAPPA

The most recent meeting (Level 3) occurred on 23/11/09.

Yours sincerely,

Nigel Rees, MAPPA Co-ordinator

ViSOR MAPPA Unit  
Public Protection Department  
South Wales Police Headquarters  
Cowbridge Road  
Bridgend  
CF31 3SU





Our Ref: JD/SW/K0552-001-1

Your Ref:

7 December 2009

Mr Nigel Rees  
MAPPA Coordinator  
South Wales Police  
Cowbridge Road  
Bridgend  
CF31 3SU

Dear Sir

**Maurice Kirk - Prison Number BM8473**

We act for the above named prisoner who is currently held on remand at HMP Cardiff.

We understand from our client that he has been informed that he has been given a Category 3 MAPPA classification which, as you will know, is reserved for offenders who do not qualify under categories 1 and 2, and who pose a risk of serious harm, there being a link between the offending and the risk posed, and it is considered that they require multi-agency management.

The first point that we should make is that our client is not an "offender"; our client is a remand prisoner and has neither been tried, nor convicted, of the offence with which he is charged.


Second, there should be a link between "the offending" and the risk posed, which clearly does not apply, since there is no offence.

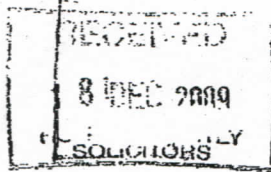
Third, MAPPA 3 is reserved for serious sexual or violent offenders, and leaving aside the fact that Mr Kirk has not been convicted of an offence, he would not appear to come within either category.

At this stage, our purpose in writing, is to require you to explain, and to justify, why you consider the MAPPA regime to be appropriate to Mr Kirk and, specifically, to justify the category 3 classification. We would expect your response to include a copy of the risk management plan for Mr Kirk. On receipt of this information, we shall consult further with *our client and advise him appropriately.*

~~We look forward to hearing from you within the course of the next five days, that is, on or before Friday 11 December 2009.~~

Yours faithfully





Nigel Rees,  
MAPPA Co-ordinator  
ViSOR MAPPA Unit  
Public Protection Department  
South Wales Police Headquarters  
Cowbridge Road  
Bridgend  
CF31 3SU



15.12.09

Your ref: JD/SW/K0552-001-1

London  
SW1H 9BL

Dear Sir / Madam

**Re: Maurice Kirk – Prison Number BM8473**

I thank you for your letter, dated 7.12.09, postmarked 9.12.09 and which I received yesterday.

Category 3 MAPPA cases are defined within the MAPPA Guidance 2009 Version 3.0.

'Offender' does not refer only to the current offence charged but to any relevant previous convictions.

The Responsible Authority has determined that Mr Kirk meets the criteria as a Category 3 case.

Mr Kirk will continue to be informed when MAPPA meetings have been held and what his current MAPPA status may be. Any further disclosures will be decided by a MAPPA meeting and communicated, if applicable, directly to Mr Kirk.

Yours faithfully,

Nigel Rees, MAPPA Co-ordinator, South Wales Area.

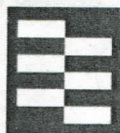
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Prawf Cymru  
Wales Probation



Ministry of  
**JUSTICE**  
National Offender  
Management Service



Gweinyddiaeth  
**CYFIAWNDER**  
Gwasanaeth Rheoli  
Troseddwyr Cenedlaethol

Mr M J Kirk  
A7306AT  
HMP Cardiff  
1 Knox Road  
Cardiff  
CF24 0UG

31.1.12

Dear Mr Kirk

**Re: MAPPA / Criminal / Civil appeals**

As MAPPA Manager I have received your letters dated 17/1/12 and addressed to AJ Richards, MAPPA and South Wales Probation Trust.

You have received an Executive Summary of all MAPPA meetings relating to you. Disclosure of any further material will only be done by order of the court in accordance with MAPPA guidelines and the court's decision.

Yours sincerely,

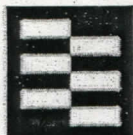
Nigel Rees  
MAPPA Manager and Co-ordinator  
South Wales Area

Nigel Rees, MAPPA Manager and Co-ordinator / Rheolwr / Cydmydd TAEDC  
ViSOR MAPPA Unit (VMU), Public Protection Department, South Wales Police Headquarters,  
Cowbridge Road, Bridgend. CF31 3SU  
Uned ViSOR TAEDC (VMU), Adran Gwarchod y Cyhoedd, Pencadlys Heddlu De Cymru,  
Heol y Bont-faen, Penybont, CF31 3SU





National  
Probation  
Service



HM PRISON  
SERVICE



MAPPA



Ministry of  
JUSTICE  
National Offender  
Management Service



Gweinyddiaeth  
CYFIAWNDER  
Gwasanaeth Rheoli  
Troseddwyr Cenedlaethol

Mr Maurice Kirk

Date: 5.8.14.

Dear Mr Kirk

I have been notified by your supervising probation officer of the following query:

*Mr Kirk wishes written confirmation of the following:*

1. MAPPA Level
2. Date registered as MAPPA 3
3. Reason for reduction to MAPPA Level 2

I reply as follows:

- You are currently managed as a MAPPA Level 2 offender
- You were referred to MAPPA Level 3 on 4<sup>th</sup> June 2014
- The Level 3 meeting of 18<sup>th</sup> July 2014 decided that management at Level 2 was henceforth appropriate.

I refer you to Section 7 of the MAPPA Guidance 2012 which explains the levels of MAPPA management.

Yours sincerely,

Nigel Rees

Nigel Rees, MAPPA Manager and Co-ordinator / Rheolwr / Cydmydd TAEDC  
ViSOR MAPPA Unit (VMU), Public Protection Department, South Wales Police Headquarters,  
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16/8/14