



# **Multi-Agency Public Protection Arrangements**

Guidance for youth offending teams

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## Introduction

This guidance outlines changes to Multi-Agency Public Protection Arrangements (MAPPA) and sets out youth offending team (YOT) responsibilities regarding young offenders who present a risk of serious harm to others. It builds on the Youth Justice Board for England and Wales' (YJB's) *Criminal Justice Act 2003, 'Dangerousness' and the New Sentences for Public Protection: Guidance for Youth Offending Teams*<sup>1</sup> and on the YJB's *Effective Practice Reader: Managing Risk in the Community*.<sup>2</sup> It also links to the following titles from the *Key Elements of Effective Practice* series:

- *Assessment, Planning Interventions and Supervision*
- *Resettlement*
- *Young People who Sexually Abuse*
- *Remand Management.*

MAPPA were introduced under the Criminal Justice and Court Services Act 2000 to meet the public's need for protection from offenders who present a risk of serious harm to others. The Act also created "Responsible Authorities", which were, initially, the police and the National Probation Service. The Criminal Justice Act 2003 strengthened these arrangements by making the Prison Service a Responsible Authority, and placing a "duty to co-operate" with the Responsible Authorities on a range of local statutory services, including YOTs.<sup>3</sup>

Although MAPPA are run and managed locally (resulting in some regional variations in practice), their four core functions are to:

- identify relevant offenders
- share relevant information with those agencies involved in risk assessment
- assess the risk of serious harm
- manage that risk.

The four main elements of the effective use of MAPPA, as outlined by the National Probation Directorate, are as follows.

- Decisions are defensible.
- Risk assessments are rigorous.
- Risk management plans match the identified need for public protection.
- Performance is evaluated and delivery improved.

<sup>1</sup> YJB (2006), available at [www.yjb.gov.uk/publications](http://www.yjb.gov.uk/publications).

<sup>2</sup> YJB (2005a), available for order at [www.yjb.gov.uk/publications](http://www.yjb.gov.uk/publications).

<sup>3</sup> The Act also created the role of lay advisers to represent the public on the strategic management boards (SMBs), which are part of the MAPPA structure.

### ***Who is eligible for Multi-Agency Public Protection Arrangements?***

To be eligible for referral under MAPPAs, an individual must fall into one of three categories (see p.7 for further details):

- Category 1 – registered sex offenders
- Category 2 – violent and other sex offenders
- Category 3 – other offenders who may present a risk of serious harm to the public.

### ***Strategic management boards***

The Responsible Authorities are obliged, by statute, to set up and manage SMBs, and to ensure that the agencies with a duty to co-operate attend them.

An SMB develops and agrees an area's MAPPAs. Its main functions are to:

- monitor and evaluate referrals made under MAPPAs
- co-ordinate the assessment, information-sharing, management and resourcing of services for referrals
- establish relationships with bodies, such as local safeguarding children boards (LSCBs), crime and disorder reduction partnerships, and local criminal justice boards, that support operational work
- prepare and publish annual reports
- plan longer term developments
- identify common training and development needs, and to plan training.

## The responsibilities of youth offending teams

### *The duty to co-operate<sup>4</sup>*

The statutory services bound by the duty to co-operate with the Responsible Authorities in relation to young people who present a risk of serious harm to others, and young people who sexually abuse are:

- YOTs
- social services and child support
- primary care trusts, health boards, local health boards, other NHS trusts and strategic health authorities
- employment and training agencies, such as Connexions and job centres
- registered social landlords who manage or provide residential accommodation
- local housing authorities
- electronic-monitoring providers.
- local education authorities.<sup>5</sup>

The Criminal Justice Act 2003 also defines three features of the duty to co-operate. These are that:

- the exact nature of the co-operation is defined locally
- arrangements are established to assess and manage the risks posed by offenders who present a risk of serious harm to others
- the duty is compatible with the other statutory functions of the bodies with a duty to co-operate.

YOTs are required to be represented on their area's SMB by a senior member of staff. The more senior the representative, the more likely it is that appropriate risk management decisions are made. All the YOTs involved in a case should be represented on the SMB, and kept informed of its activities. YOTs must also agree to the frequency of the meetings they attend. Although there will be regional variations, they should be held at least four times a year.<sup>6</sup> In addition:

<sup>4</sup> In Wales, the National Probation Directorate has published detailed advice for all Welsh agencies with a duty to co-operate. The National Assembly of Wales is responsible for a number of these functions within Wales. While the principles and general approach to co-operation will be the same as in England, there are differences that will affect the responsible authority in each of the four police/probation areas in Wales, and how they engage with the agencies with a duty to co-operate. This will also be relevant to colleagues in England, if a young person has just moved from, or is moving to, Wales.

<sup>5</sup> These are now being incorporated into children's services.

<sup>6</sup> YOTs may not have to attend every meeting – for example, if the number of referrals they make under MAPPA are very few.

- where a young person is being held in a secure establishment, the relevant YOT should be represented at any meeting on managing risk
- if it has been agreed that the YOT's attendance at all meetings is not mandatory, YOTs must still have advance notice of the cases under discussion.

### **In practice**

YOTs must have an individual framework in place for referring a young person under MAPPA. They must also sign up to a protocol devised by the Responsible Authority that defines how the YOT fulfils its duty to co-operate.<sup>7</sup> The Responsible Authority will also appoint a MAPPA co-ordinator from within its own ranks to liaise with YOTs. Although YOTs will have some input into drawing up the protocol, the elements it should contain can be broadly grouped into the following areas.

YOTs should provide:

- a point of formal and informal contact for other agencies
- general advice and information on their role
- specific advice on the assessment and management of risk.

YOTs should also co-ordinate their work with the activities of other agencies. Recent research (Kemshall et al, 2005) has identified gaps in YOTs' involvement with MAPPA, so it is particularly important that YOTs now ensure that appropriate procedures are in place with regard to all young people who meet the MAPPA eligibility criteria.

Unless a young person is a looked-after child, YOTs retain overall case responsibility at all times for the young people they refer under MAPPA. If a young person is looked after, although they ultimately remain the responsibility of social services, there must be dual case management with the YOT, if a MAPPA referral is required.

<sup>7</sup> Individual protocols governing the relationship between YOTs and the Responsible Authorities under MAPPA must be made available to the YJB's regional managers and the National Manager for Wales.

## Assessment and referral

YOTs are obliged to assess every young person to identify whether he or she should be referred under MAPPA. There are two key questions:

1. Is the young person eligible for MAPPA under one of the categories set out in ‘Who is eligible for Multi-Agency Public Protection Arrangements?’ summarised above (p.4).

In this respect, note the following.

- Category 1 refers to all sexual offences requiring registration on the Sex Offender Register, i.e. subject to the notification requirements of part 2 of the Sexual Offences Act 2003. For some offences, registration will be automatic; for others, a young person will be subject to notification requirements, if he or she received a custodial sentence of 12 months or more (see Appendix 1).
- Category 2 covers those individuals who have been both convicted of a specified violent or sexual offence (as defined by schedule 15 of the Criminal Justice Act 2003) and received a custodial sentence of 12 months or more in respect of that conviction.<sup>8</sup> The list of specified offences can be found in Appendix 2.
- Category 3 refers to “other persons who, by reason of offences committed by them (wherever committed), are considered by the Responsible Authority to be persons who may cause serious harm to the public”.<sup>9</sup> The identification of Category 3 offenders is significantly different from Categories 1 and 2, in that it is determined by the judgement of the Responsible Authority, rather than automatically by the sentence or other disposal imposed by the court. First, it must be established that the person has a conviction for an offence (including offences committed abroad) that indicates that he or she is capable of causing serious harm to the public. Second, the Responsible Authority must have reason to believe that the offender may cause serious harm to the public.

2. If a young person is eligible, what level of risk management is required?

There are three levels at which risk is assessed and managed via MAPPA.

- **Level 1 – ordinary risk management**  
The risks posed by a young person can be managed by the YOT through normal supervision procedures as set out in *National Standards for Youth Justice Services*.<sup>10</sup> There may, however, be some form of liaison and information exchange with other appropriate agencies.

<sup>8</sup> YJB (2006).

<sup>9</sup> Criminal Justice Act 2003, section 325(2)(b).

<sup>10</sup> YJB (2004) available at [www.yjb.gov.uk/publications](http://www.yjb.gov.uk/publications).

- **Level 2 – local inter-agency risk management**  
This applies to cases where the active involvement of more than one agency is required in order to produce a co-ordinated plan to manage the risk of serious harm to others.
- **Level 3 – multi-agency public protection panels (MAPPP)**  
This is intended for the “critical few” young people who present a particularly significant risk of serious harm to others

Young people who are referred to MAPPA under Categories 1 or 2 can be managed at Levels 1, 2 or 3 – this will be determined by the outcome of the risk assessment.

However, young people in Category 3 cannot be managed at Level 1 because, in order to be referred under MAPPA, they will already have been assessed as posing a risk of serious harm to others that requires inter-agency risk management. Decisions as to whether they require MAPPA Level 2 or Level 3 will, again, depend on risk assessments.

### **In practice**

What follows in this section are general guidelines, but a professional judgement needs to be made in each individual case, taking account of any specific features of local MAPPA protocols. Practitioners should always consult their line manager if they are unsure as to whether a young person is eligible for MAPPA, or what level of risk they present. If uncertainty remains, the YOT manager should approach the MAPPA co-ordinator for informal consultation and advice.

### *Risk assessment*

Risk of serious harm to others should be assessed using information from a wide range of sources, including parents, schools, police and so on. The *Asset – Core Profile and Asset – Risk of Serious Harm* should be at the centre of any risk assessment decision.<sup>11</sup> *Asset* defines serious harm as: “death or injury (either physical or psychological) which is life-threatening and/or traumatic, and from which recovery is expected to be difficult, incomplete or impossible.”

The following three questions should be asked in each case:

1. What is the nature of the behaviour causing concern?
2. What is its impact?
  - Who is likely to be the victim?
  - What would be the impact on the victim?
3. How likely is it that the behaviour will happen?
  - In what circumstances is the behaviour likely to happen?
  - How likely is it that the young person will find himself or herself in these circumstances? Is he or she actively seeking opportunities to engage in this behaviour?

<sup>10</sup> See *Asset* guidance at [www.yjb.gov.uk/publications](http://www.yjb.gov.uk/publications) for further details.



- What are the protective factors that would reduce the likelihood of this behaviour occurring?

A judgement then needs to be made about the extent of the risk of serious harm to others that a young person presents. *Asset – Risk of Serious Harm* specifies four levels of risk:<sup>12</sup>

- low risk – no current indicators of a risk of serious harm to others
- medium risk – some risk of serious harm identified, but the young person is unlikely to cause serious harm unless there is a change in circumstances
- high risk – identifiable indicators of risk of serious harm (the event could happen at any time, and the impact would be serious)
- very high risk – imminent risk of serious harm (the potential event is more likely than not to happen immediately, e.g. the young person will behave in the manner in question as soon as an opportunity arises, and the impact would be serious).

#### *MAPPA levels*

- **Level 1**  
This level will generally be appropriate for young people assessed as low or medium risk.
- **Level 2**  
This would be appropriate in cases where either of the two following circumstances apply:
  - the level of risk or the complexity of managing that risk is not so great as to require Level 3 – for example, where a young person is assessed as high risk, but where the risk management plan involves a small number of agencies following typical procedures
  - the case has previously been managed at Level 3, but the risk to others has decreased.
- **Level 3 (MAPPP)**  
This level should be restricted to the very few young people who meet either of the following:
  - assessed using *Asset* as posing a high or very high risk of causing serious harm to others, and the risks have to be managed by a plan that necessitates close co-operation at a senior level, due to the complexity of the case, or a need for the commitment of additional resources
  - although not assessed as being high or very high risk, the case is exceptional because the likelihood of media scrutiny and/or public interest is very high, and there is a need to ensure that public confidence in the Criminal Justice System is maintained.

<sup>12</sup> These are the same as in OASys to ensure consistency of terminology within MAPPA

Any decision to manage a young person at Level 3 must be made collectively by those key partner agencies required to assist in the management of risk.

#### *Referral under MAPPA*

A young person can be referred at any point in his or her progress through the youth justice system, as assessment is continuous, and a young person's circumstances can change.

YOTs are advised to provide MAPPA co-ordinators with information packages so that they can assist with the initial referral process, and corroborate the level of assessed risk. This should include:

- a full risk assessment, including a detailed *Asset – Core Profile* and *Asset – Risk of Serious Harm* assessment
- the key characteristics of the young person, including any local intelligence
- important information such as discipline records, unit/wing notes, parole report, where a young person has served a custodial sentence
- any previous response to supervision and a full offending history.

Other information that may be considered includes:

- factors contributing to the risk of serious harm that require management
- identification of any additional agency critical to the delivery of an effective risk management plan
- any agencies also currently involved in the care of the young person
- any protective factors that may help to reduce the risk to others.

It is the responsibility of the YOT making the initial referral to approach other agencies for relevant information. The submission of key information<sup>13</sup> – ideally five to seven days in advance of meetings – helps to ensure that prompt decisions can be taken in developing a risk management plan.

### **Managing risk**

Practitioners should aim to co-ordinate risk assessment with risk management. Kemshall (2003) has noted that, in order to achieve this, they should ensure that in every case:

- all reasonable steps have been taken
- reliable assessment methods have been used
- information has been widely collated and evaluated
- decisions are recorded
- policies and procedures have been followed

<sup>13</sup> ViSOR (see below, p.15) should be an integral part of this information-sharing process.

- practitioners and managers take the initiative.

### **In practice**

Cases should be managed at the lowest level consistent with providing a defensible risk management plan. In all cases, and at the various levels of risk, the responsibility for a case remains with the agency making the referral – even when the young person is in custody. Note also that, while subject to MAPPA and in conjunction with continued risk assessments, a young person may move between levels. Individual cases should be continuously monitored and reviewed in order to ensure that the level of assessed risk is still appropriate. The YJB's *Effective Practice Reader: Managing Risk in the Community*<sup>14</sup> provides additional guidance.

### *Planning*

At Level 1, the *Asset* risk management plan will often be sufficient for setting out a clear plan. At Levels 2 and 3, there will normally be additional procedures for inter-agency risk planning meetings. An effective risk management planning meeting should include:

- information exchange
- time to consider facts, and to build a comprehensive picture of the young person's circumstances
- systematic review of the risk factors present
- clear summaries from chairs, and active directions as to what is required to manage the case appropriately
- clearly defined actions that match the risk factors present in order to reduce or contain them
- clear agency responsibility for actions and timescales
- contingency plans
- identification of potential triggers and circumstances under which the risk might escalate
- risk management meetings should also take into account the needs of the victim and the frequency of reviews.

Any risk management plan for a young person must be clearly linked to *Asset – Core Profile* and *Asset – Risk of Serious Harm*. Subsequent targets must always be specific, measurable, achievable, realistic and time-bound (SMART). At Level 3, the panel should agree a local risk management plan (LRM). This sets out how the different agencies will work together to manage that young person. LRMs are reviewed by the MAPPP according to an agreed timetable. Regular review of plans is of course also essential for cases managed at Levels 1 and 2.

<sup>14</sup> YJB (2005a) available at [www.yjb.gov.uk/publications](http://www.yjb.gov.uk/publications).

### *The pre-sentence report*

When a practitioner proposes a community sentence, but believes that a MAPPA referral is also required, it must be clear in the pre-sentence report (PSR) how risk will be managed within the sentence plan.

### *Serious incidents*

If a young person eligible for MAPPA and/or being risk-managed at Levels 2 or 3 commits an offence meeting the YJB's 'serious incident'<sup>15</sup> threshold, the initial notification and local management report must be given to the MAPPA co-ordinator for internal review.

### *MAPPA and local safeguarding children boards*

Where young people sexually abuse, although they may in their own right be eligible for referral to the LSCB, this should not be done instead of a referral to MAPPA. The LSCB and MAPPA serve different purposes so, in such cases, a separate referral should be made to each.

### *Transferring young people between different parts of the system*

Where a transfer between YOTs or to the National Probation Service is necessary, it is the responsibility of the YOT from which the young person is being transferred to inform the receiving YOT or local probation service with sufficient notice for the young person to be referred under MAPPA. Where possible, a representative from the transferring YOT should attend the first meeting for managing risk at Levels 2 or 3, or give extensive information to the Responsible Authority.

When a young person in custody is eligible for referral under MAPPA, and is likely to receive or has received a custodial sentence or is being remanded to custody, YOTs must identify their eligibility on the YJB's secure facilities booking form. *Asset – Core Profile* and *Asset – Risk of Serious Harm* forms should accompany the young person, with all other appropriate documentation, when they are transferred to a secure establishment. YOTs should also work with the secure establishment, once the young person has arrived, to define the level of risk management required. Any service-level agreement or local protocol between YOTs and the secure estate should promote end-to-end case management and co-ordinate practice.

While a young person remains in custody, YOTs have a duty to attend all relevant MAPPA meetings relating to the young person's preparations for returning to the community. Although these meetings may also be serving as Detention and Training Order (DTO) and section 91 meetings, the issues must be kept separate. In addition, the secure establishment should ideally support this process by:

- ensuring that the degree of monitoring and the restrictions imposed are in proportion to the identified risk

<sup>15</sup> Offences counting as "serious incidents" are defined by the YJB as: the charge or conviction of a young person -- either alleged or found to have committed murder, attempted murder, manslaughter or rape while under the statutory supervision of a YOT (see YJB [2005b]).

- reviewing the young person's performance on the unit/wing, in line with the DTO/section 91 meetings
- assessing an individual's progress in respect of each intervention, and reviewing as required.

At all times, practitioners must consider the young person's resettlement needs and the management of the risk they pose in the community. Where a young person is being managed at Level 3, members of the MAPPP of the area in which the young offender will be resettled should be invited to attend the final resettlement meeting to discuss how the young person will be supported in the community. Where it is known that, on their release, a young person will be moving to a new area, representation of both YOTs (the YOT initiating the MAPPA, and the YOT taking over responsibility for the young person) is critical for effective risk management.

Although the risk management level will have been defined on the young person's arrival in custody, the perceived level of risk for MAPPA management in the community may change as their release approaches. Preparation for release, involving robust resettlement planning, should begin as soon as the young person enters custody, as outlined in the YJB's *Key Elements of Effective Practice – Resettlement*.<sup>16</sup> YOTs should work with the secure establishment and the Responsible Authority to ensure that the appropriate MAPPA level is determined, and a risk management plan is completed. *Asset – Core Profile* and *Asset – Risk of Serious Harm* are critical to this process. The result of the assessment should inform the risk management level, licence conditions and the community element of the sentence plan. Information should be gathered from a range of sources, and should not depend solely on an interview with the young person. Examples of other sources of information include:

- key workers
- wing or unit information
- intelligence.

Where applicable, the risk management plan should also be shared with any parole process, but must always reflect the licence conditions. Ideally, the notification of discharge should be provided to the local MAPPA co-ordinator for those at Level 3, three to six months before release, and for those identified as Level 2, six weeks to three months before release.<sup>17</sup>

Where a transfer between secure establishments is necessary, the YOT that referred the young person under a MAPPA is responsible for telling (with sufficient notice) the secure establishment to which the young person is being transferred that the young person is subject to MAPPA. Where possible, a representative from the YOT should attend meetings for managing risk at Levels 2 or 3, or provide extensive information for the Responsible Authority.

<sup>16</sup> YJB (2003b), available at [www.yjb.gov.uk/publications](http://www.yjb.gov.uk/publications).

<sup>17</sup> Note that a young person may move up and down between the MAPPA risk management levels as a result of information received from police intelligence or *Asset*.

Post-release obligations in risk-managing the young person while on licence in the community include ensuring that:

- reviews of licence conditions are conducted
- the MAPPA risk management plan continues to be operational, relevant and SMART
- other agencies have been identified, where appropriate
- the young person is meeting the targets, as identified in their community sentence plan
- an end-of-licence review is completed.

### ***Information-sharing***

The appropriate sharing of information with the Responsible Authorities and other bodies with a duty to co-operate is crucial in the management of risk. This, however, must be balanced against basic rights under the Data Protection Act 1998 and the Human Rights Act 1998.

Since practitioners are not actually employed by the YJB, it cannot advise on how these Acts affect them locally. But, in general, the YJB would urge YOTs and custodial establishments to seek advice from either the chief executive of their local authority or to consult guidance provided by the Prison Service. Each local authority will have teams responsible for information management, data protection, freedom of information and legal compliance. There are some documents, such as those relating to looked-after children, that are subject to legal restrictions.

Clearly, the sharing of personal information between public bodies must be lawful. There is a legal requirement to disclose personal information for the purpose of preventing or detecting offending by children and young people, and where there is an overriding public interest in favour of disclosure. The statutory bodies appropriate for sharing information include:

- local authorities
- chief officers of police
- prison services
- police authorities
- health authorities, such as children and adolescent mental health services
- local probation boards
- local education authorities
- primary care trusts
- local housing authorities.

Where a YOT does share information regarding a young person under MAPPA, in addition to the requirements of local protocols, the YOT should keep a record of:

- when the information was provided
- what the information was
- with whom the information was shared
- the purpose of sharing it.

Formal and consistent protocols must be established between YOTs, secure establishments and other MAPPA agencies, which ensure that:

- confidentiality and security are emphasised
- there is an agreement that information will be confidentially stored
- those accountable for the flow of information are identified
- it is clear how and under what circumstances that information may be used.

### **ViSOR**

The Police Information Technology Organisation has recently developed the Violent and Sexual Offender Register (ViSOR), which holds essential intelligence on individuals eligible for all levels of MAPPA. The information is held by the local police public protection unit, and it is anticipated that the National Probation Service and Prison Service will also have access to this information.

ViSOR holds relevant personal information to assist the Responsible Authorities in managing the risk posed by offenders who present a risk of serious harm to others. It could also be valuable in the investigation of serious crime, in that it can provide a list of matching suspects for investigation and analysis. ViSOR contains information similar to that generated by *Asset* – for example, on:

- personal details
- offending history
- modus operandi
- details of risk assessments
- risk management plans
- victims.

YOTs will not normally be able to input information into ViSOR directly, but they must pass all relevant information to the local MAPPA co-ordinator at the earliest opportunity, once a young person has been identified as being eligible under MAPPA. The MAPPA co-ordinator should then ensure that ViSOR is updated accordingly.

### **Contacting victims**

In cases where a young person has committed a violent or sexual offence and has received a custodial sentence of 12 months or more, The National Probation Service and YOTs have a duty<sup>18</sup> to:

<sup>18</sup> Domestic Violence, Crime and Victims Act 2004

- take all reasonable steps to establish whether a victim wishes to make representations about what supervision requirements the offender should be subject to on their release from prison, and to forward these to those responsible for making decisions about the young person's release
- pass on any information to the victim about whether the offender will be subject to any conditions or requirements in the event of release, and provide the victim with details of any which relate to contact with the victim or their family
- provide the victim with any other information appropriate to the circumstances of the case (generally, victims will be given information at key stages during the progress of an offender's sentence, for example, when eligibility for parole is being considered).

Protocols need to be in place defining whether the probation service or the YOT is responsible, in a given case, for communicating with these victims.



## Appendix 1: Offender notification thresholds

**Thresholds that must be met before an offender becomes subject to the notification requirements of part 2 of the Sexual offences Act 2003**

Offence	Threshold to registration in Schedule 3
<b>Indecent photographs of children under 16 (Protection of Children Act 1978, section 1)</b>	Where the offender is under 18: <ul style="list-style-type: none"> <li>▪ 12 months' imprisonment</li> </ul> Where the offender is 18 or above: <ul style="list-style-type: none"> <li>▪ automatic registration</li> </ul>
<b>Importing indecent photographs of children under 16 (Sec 170, Customs and Excise Management Act 1979 and Sec 42 Customs Consolidation Act 1876)</b>	Where the offender is under 18: <ul style="list-style-type: none"> <li>▪ 12 months' imprisonment</li> </ul> Where the offender is 18 or above: <ul style="list-style-type: none"> <li>▪ automatic registration</li> </ul>
<b>Possession of indecent photographs of children under 16 (Criminal Justice Act 1988, section 160)</b>	Where the offender is under 18: <ul style="list-style-type: none"> <li>▪ 12 months' imprisonment</li> </ul> Where the offender is 18 or above: <ul style="list-style-type: none"> <li>▪ automatic registration</li> </ul>
<b>Rape (1),<sup>19</sup> Assault by penetration (2),</b>	Automatic registration
<b>Sexual assault (3)</b>	Where the offender is under 18: <ul style="list-style-type: none"> <li>▪ 12 months' imprisonment</li> </ul> Where the offender is 18 or above, and at least one of the following applies: <ul style="list-style-type: none"> <li>▪ the victim was under 18</li> <li>▪ the offender received a prison sentence</li> <li>▪ was detained in a hospital</li> <li>▪ was made the subject of a 12-month community sentence</li> </ul>
<b>Causing sexual activity without consent (4) Rape of a child under 13 (5) Assault of child under 13 by penetration (6)</b>	Automatic registration

<sup>19</sup> Number in brackets denotes section number in the Sexual Offences Act 2003.

<b>Sexual assault of a child under 13 (7)</b>	Where the offender is under 18: <ul style="list-style-type: none"> <li>12 months' imprisonment</li> </ul> Where the offender is 18 or above: <ul style="list-style-type: none"> <li>automatic registration</li> </ul>
<b>Causing or inciting a child under 13 to engage in sexual activity (8)</b> <b>Child sex offences committed by adults (9 – 12)</b>	Automatic registration
<b>Child sex offences committed by children or young persons (13)</b>	(The offender will always be under 18): <ul style="list-style-type: none"> <li>12 months' imprisonment</li> </ul>
<b>Arranging or facilitating the commission of a child sex offence (14)</b>	Where the offender is under 18: <ul style="list-style-type: none"> <li>12 months' imprisonment</li> </ul> Where the offender is 18 or above: <ul style="list-style-type: none"> <li>automatic registration</li> </ul>
<b>Meeting a child following sexual grooming (15)</b>	Automatic registration
<b>Abuse of a position of trust (16 – 19)</b>	Where the offender fulfils any of the following: <ul style="list-style-type: none"> <li>received a prison sentence</li> <li>was detained in a hospital</li> <li>was made the subject of a 12-month community sentence</li> </ul>
<b>Familial child sex offences (25 – 26)</b>	Where the offender is under 18: <ul style="list-style-type: none"> <li>12 months' imprisonment</li> </ul> Where the offender is 18 or above: <ul style="list-style-type: none"> <li>automatic registration</li> </ul>
<b>Offences against persons with a mental disorder (30 – 37)</b>	Automatic registration
<b>Care worker offences (38 – 41)</b>	Where the offender is under 18: <ul style="list-style-type: none"> <li>12 months' imprisonment</li> </ul> Where the offender is 18 or above, and at least one of the following applies: <ul style="list-style-type: none"> <li>received a prison sentence</li> <li>was detained in a hospital</li> <li>was made the subject of a 12-month community sentence</li> </ul>

<b>Paying for the sexual services of a child (47)</b>	<p>Where the victim was under 16:</p> <ul style="list-style-type: none"> <li>■ And the offender was under 18, 12 months' imprisonment</li> <li>■ And the offender was 18 or above, automatic registration</li> </ul>
<b>Administering a substance with intent (61)</b>	Automatic registration
<b>Committing an offence (62), or trespassing (63), with intent to commit a sexual offence</b>	<p>Where the offender is under 18:</p> <ul style="list-style-type: none"> <li>■ 12 months' imprisonment</li> </ul> <p>Where the offender is 18 or above, and at least one of the following applies:</p> <ul style="list-style-type: none"> <li>■ the victim was under 18</li> <li>■ the offender received a prison sentence</li> <li>■ was detained in a hospital</li> <li>■ was made the subject of a 12-month community sentence</li> </ul>
<b>Sex with an adult relative (64 – 65)</b>	<p>Where the offender is under 18:</p> <ul style="list-style-type: none"> <li>■ 12 months' imprisonment</li> </ul> <p>Where the offender is 18 or above and where either of the following applies:</p> <ul style="list-style-type: none"> <li>■ received a prison sentence</li> <li>■ was detained in a hospital</li> </ul>
<b>Exposure (66)</b>	<p>Where the offender is under 18:</p> <ul style="list-style-type: none"> <li>■ 12 months' imprisonment</li> </ul> <p>Where the offender is 18 or above, and at least one of the following applies:</p> <ul style="list-style-type: none"> <li>■ the victim was under 18</li> <li>■ the offender received a prison sentence</li> <li>■ was detained in a hospital</li> <li>■ was made the subject of a 12-month community sentence</li> </ul>

<p><b>Voyeurism (67)</b></p>	<p>Where the offender is under 18:</p> <ul style="list-style-type: none"> <li>▪ 12 months' imprisonment</li> </ul> <p>Where the offender is 18 or above, and at least one of the following applies:</p> <ul style="list-style-type: none"> <li>▪ the victim was under 18</li> <li>▪ the offender received a prison sentence</li> <li>▪ was detained in a hospital</li> <li>▪ was made the subject of a 12-month community sentence</li> </ul>
<p><b>Intercourse with an animal (69) or sexual penetration of a corpse (70)</b></p>	<p>Where the offender is under 18:</p> <ul style="list-style-type: none"> <li>▪ 12 months' imprisonment</li> </ul> <p>Where the offender is 18 or above, and at least one of the following applies:</p> <ul style="list-style-type: none"> <li>▪ received a prison sentence</li> <li>▪ was detained in a hospital</li> </ul>

## Appendix 2: Criminal Justice Act 2003, schedule 15

### Section 224 specified offences for purposes of chapter 5 of part 12

*Specified violent offences (those marked with an asterisk are serious specified offences)*

1. Manslaughter.\*
2. Kidnapping.\*
3. False imprisonment.\*
4. An offence under section 4 of the Offences Against the Person Act 1861 (c.100) (soliciting murder).\*
5. An offence under section 16 of that Act (making threats to kill).\*
6. An offence under section 18 of that Act (wounding with intent to cause grievous bodily harm).\*
7. An offence under section 20 of that Act (malicious wounding).
8. An offence under section 21 of that Act (attempting to choke, suffocate or strangle in order to commit or assist in committing an indictable offence).\*
9. An offence under section 22 of that Act (using chloroform, etc, to commit or assist in the committing of any indictable offence).\*
10. An offence under section 23 of that Act (maliciously administering poison, etc, so as to endanger life or inflict grievous bodily harm).\*
11. An offence under section 27 of that Act (abandoning children).
12. An offence under section 28 of that Act (causing bodily injury by explosives).\*
13. An offence under section 29 of that Act (using explosives, etc, with intent to do grievous bodily harm).\*
14. An offence under section 30 of that Act (placing explosives with intent to do bodily injury).\*
15. An offence under section 31 of that Act (setting spring guns, etc, with intent to do grievous bodily harm).
16. An offence under section 32 of that Act (endangering the safety of railway passengers).\*
17. An offence under section 35 of that Act (injuring persons by furious driving).
18. An offence under section 37 of that Act (assaulting officer preserving wreck).
19. An offence under section 38 of that Act (assault with intent to resist arrest).
20. An offence under section 47 of that Act (assault occasioning actual bodily harm).
21. An offence under section 2 of the Explosive Substances Act 1883 (c.3) (causing explosion likely to endanger life or property).\*

22. An offence under section 3 of that Act (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property).\*
23. An offence under section 1 of the Infant Life (Preservation) Act 1929 (c.34) (child destruction).\*
24. An offence under section 1 of the Children and Young Persons Act 1933 (c.12) (cruelty to children).\*
25. An offence under section 1 of the Infanticide Act 1938 (c.36) (infanticide).\*
26. An offence under section 16 of the Firearms Act 1968 (c.27) (possession of firearm with intent to endanger life).\*
27. An offence under section 16A of that Act (possession of firearm with intent to cause fear of violence).\*
28. An offence under section 17(1) of that Act (use of firearm to resist arrest).\*
29. An offence under section 17(2) of that Act (possession of firearm at time of committing or being arrested for offence specified in schedule 1 to that Act).\*
30. An offence under section 18 of that Act (carrying a firearm with criminal intent).\*
31. An offence under section 8 of the Theft Act 1968 (c.60) (robbery or assault with intent to rob).\*
32. An offence under section 9 of that Act of burglary with intent to:
  - a. inflict grievous bodily harm on a person, or
  - b. do unlawful damage to a building or anything in it.\*
33. An offence under section 10 of that Act (aggravated burglary).\*
34. An offence under section 12A of that Act (aggravated vehicle-taking) involving an accident which caused the death of any person.\*
35. An offence of arson under section 1 of the Criminal Damage Act 1971 (c.48).\*
36. An offence under section 1(2) of that Act (destroying or damaging property) other than an offence of arson.\*
37. An offence under section 1 of the Taking of Hostages Act 1982 (c.28) (hostage-taking).\*
38. An offence under section 1 of the Aviation Security Act 1982 (c.36) (hijacking).\*
39. An offence under section 2 of that Act (destroying, damaging or endangering the safety of aircraft).\*
40. An offence under section 3 of that Act (other acts endangering or likely to endanger the safety of aircraft).\*
41. An offence under section 4 of that Act (offences in relation to certain dangerous articles).
42. An offence under section 127 of the Mental Health Act 1983 (c.20) (ill-treatment of patients).

43. An offence under section 1 of the Prohibition of Female Circumcision Act 1985 (c.38) (prohibition of female circumcision).
44. An offence under section 1 of the Public Order Act 1986 (c.64) (riot).\*
45. An offence under section 2 of that Act (violent disorder).
46. An offence under section 3 of that Act (affray).
47. An offence under section 134 of the Criminal Justice Act 1988 (c.33) (torture).\*
48. An offence under section 1 of the Road Traffic Act 1988 (c.52) (causing death by dangerous driving).\*
49. An offence under section 3a of that Act (causing death by careless driving when under the influence of drink or drugs).\*
50. An offence under section 1 of the Aviation and Maritime Security Act 1990 (c.31) (endangering safety at aerodromes).\*
51. An offence under section 9 of that Act (hijacking of ships).\*
52. An offence under section 10 of that Act (seizing or exercising control of fixed platforms).\*
53. An offence under section 11 of that Act (destroying fixed platforms or endangering their safety).\*
54. An offence under section 12 of that Act (other acts endangering or likely to endanger safe navigation).\*
55. An offence under section 13 of that Act (offences involving threats).\*
56. An offence under Part II of the Channel Tunnel (Security) Order 1994 (S.I. 1994/570) (offences relating to Channel Tunnel trains and the tunnel system).\*
57. An offence under section 4 of the Protection from Harassment Act 1997 (c.40) (putting people in fear of violence).
58. An offence under section 29 of the Crime and Disorder Act 1998 (c.37) (racially or religiously aggravated assaults).
59. An offence falling within section 31(1)(a) or (b) of that Act (racially or religiously aggravated offences under section 4 or 4a of the Public Order Act 1986 (c.64)).
60. An offence under section 51 or 52 of the International Criminal Court Act 2001 (c.17) (genocide, crimes against humanity, war crimes and related offences), other than one involving murder.\*
61. An offence under section 1 of the Female Genital Mutilation Act 2003 (c.31) (female genital mutilation).\*
62. An offence under section 2 of that Act (assisting a girl to mutilate her own genitalia).\*
63. An offence under section 3 of that Act (assisting a non-UK person to mutilate overseas a girl's genitalia).\*
64. An offence of:

- a. aiding, abetting, counselling, procuring or inciting the commission of an offence specified in this part of this schedule
- b. conspiring to commit an offence so specified, or
- c. attempting to commit an offence so specified.\*

65. An attempt to commit murder or a conspiracy to commit murder.

*Specified sexual offences*

- 66. An offence under section 1 of the Sexual Offences Act 1956 (c.69) (rape).\*
- 67. An offence under section 2 of that Act (procurement of a woman by threats).
- 68. An offence under section 3 of that Act (procurement of a woman by false pretences).
- 69. An offence under section 4 of that Act (administering drugs to obtain or facilitate intercourse).
- 70. An offence under section 5 of that Act (intercourse with a girl under 13).\*
- 71. An offence under section 6 of that Act (intercourse with a girl under 16).
- 72. An offence under section 7 of that Act (intercourse with a defective).
- 73. An offence under section 9 of that Act (procurement of a defective).
- 74. An offence under section 10 of that Act (incest by a man).\*
- 75. An offence under section 11 of that Act (incest by a woman).
- 76. An offence under section 14 of that Act (indecent assault on a woman).\*
- 77. An offence under section 15 of that Act (indecent assault on a man).\*
- 78. An offence under section 16 of that Act (assault with intent to commit buggery).\*
- 79. An offence under section 17 of that Act (abduction of a woman by force or for the sake of her property).\*
- 80. An offence under section 19 of that Act (abduction of an unmarried girl under 18 from parent or guardian).
- 81. An offence under section 20 of that Act (abduction of an unmarried girl under 16 from parent or guardian).
- 82. An offence under section 21 of that Act (abduction of a defective from parent or guardian).
- 83. An offence under section 22 of that Act (causing prostitution of women).
- 84. An offence under section 23 of that Act (procuration of a girl under 21).
- 85. An offence under section 24 of that Act (detention of a woman in a brothel).
- 86. An offence under section 25 of that Act (permitting a girl under 13 to use premises for intercourse).\*
- 87. An offence under section 26 of that Act (permitting a girl under 16 to use premises for intercourse).



88. An offence under section 27 of that Act (permitting a defective to use premises for intercourse).
89. An offence under section 28 of that Act (causing or encouraging the prostitution of, intercourse with or indecent assault on a girl under 16).
90. An offence under section 29 of that Act (causing or encouraging the prostitution of a defective).
91. An offence under section 32 of that Act (soliciting by men).
92. An offence under section 33 of that Act (keeping a brothel).
93. An offence under section 128 of the Mental Health Act 1959 (c.72) (sexual intercourse with patients).
94. An offence under section 1 of the Indecency with Children Act 1960 (c.33) (indecent conduct towards a young child).\*
95. An offence under section 4 of the Sexual Offences Act 1967 (c.60) (procuring others to commit homosexual acts).
96. An offence under section 5 of that Act (living on earnings of male prostitution).
97. An offence under section 9 of the Theft Act 1968 (c.60) (burglary with intent to commit rape).\*
98. An offence under section 54 of the Criminal Law Act 1977 (c.45) (inciting girl under 16 to have incestuous sexual intercourse).
99. An offence under section 1 of the Protection of Children Act 1978 (c.37) (indecent photographs of children).\*
100. An offence under 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 (c.36) (indecent or obscene articles).
101. An offence under section 160 of the Criminal Justice Act 1988 (c.33) (possession of an indecent photograph of a child).\*
102. An offence under section 1 of the Sexual Offences Act 2003 (c.42) (rape).\*
103. An offence under section 2 of that Act (assault by penetration).\*
104. An offence under section 3 of that Act (sexual assault).\*
105. An offence under section 4 of that Act (causing a person to engage in sexual activity without consent).\*
106. An offence under section 5 of that Act (rape of a child under 13).\*
107. An offence under section 6 of that Act (assault of a child under 13 by penetration).\*
108. An offence under section 7 of that Act (sexual assault of a child under 13).\*
109. An offence under section 8 of that Act (causing or inciting a child under 13 to engage in sexual activity).\*

110. An offence under section 9 of that Act (sexual activity with a child).\*
111. An offence under section 10 of that Act (causing or inciting a child to engage in sexual activity).\*
112. An offence under section 11 of that Act (engaging in sexual activity in the presence of a child).\*
113. An offence under section 12 of that Act (causing a child to watch a sexual act).\*
114. An offence under section 13 of that Act (child sex offences committed by children or young persons).
115. An offence under section 14 of that Act (arranging or facilitating commission of a child sex offence).\*
116. An offence under section 15 of that Act (meeting a child following sexual grooming, etc).\*
117. An offence under section 16 of that Act (abuse of a position of trust: sexual activity with a child).
118. An offence under section 17 of that Act (abuse of a position of trust: causing or inciting a child to engage in sexual activity).
119. An offence under section 18 of that Act (abuse of a position of trust: sexual activity in the presence of a child).
120. An offence under section 19 of that Act (abuse of a position of trust: causing a child to watch a sexual act).
121. An offence under section 25 of that Act (sexual activity with a child family member).\*
122. An offence under section 26 of that Act (inciting a child family member to engage in sexual activity).\*
123. An offence under section 30 of that Act (sexual activity with a person with a mental disorder impeding choice).\*
124. An offence under section 31 of that Act (causing or inciting a person with a mental disorder impeding choice to engage in sexual activity).\*
125. An offence under section 32 of that Act (engaging in sexual activity in the presence of a person with a mental disorder impeding choice).\*
126. An offence under section 33 of that Act (causing a person with a mental disorder impeding choice to watch a sexual act).\*
127. An offence under section 34 of that Act (inducement, threat or deception to procure sexual activity with a person with a mental disorder).\*
128. An offence under section 35 of that Act (causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception).\*
129. An offence under section 36 of that Act (engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder).\*

130. An offence under section 37 of that Act (causing a person with a mental disorder to watch a sexual act by inducement, threat or deception).\*
131. An offence under section 38 of that Act (care workers: sexual activity with a person with a mental disorder).\*
132. An offence under section 39 of that Act (care workers: causing or inciting sexual activity).\*
133. An offence under section 40 of that Act (care workers: sexual activity in the presence of a person with a mental disorder).
134. An offence under section 41 of that Act (care workers: causing a person with a mental disorder to watch a sexual act).
135. An offence under section 47 of that Act (paying for the sexual services of a child).\*
136. An offence under section 48 of that Act (causing or inciting child prostitution or pornography).\*
137. An offence under section 49 of that Act (controlling a child prostitute or a child involved in pornography).\*
138. An offence under section 50 of that Act (arranging or facilitating child prostitution or pornography).\*
139. An offence under section 52 of that Act (causing or inciting prostitution for gain).
140. An offence under section 53 of that Act (controlling prostitution for gain).
141. An offence under section 57 of that Act (trafficking into the UK for sexual exploitation).\*
142. An offence under section 58 of that Act (trafficking within the UK for sexual exploitation).\*
143. An offence under section 59 of that Act (trafficking out of the UK for sexual exploitation).\*
144. An offence under section 61 of that Act (administering a substance with intent).\*
145. An offence under section 62 of that Act (committing an offence with intent to commit a sexual offence).\*
146. An offence under section 63 of that Act (trespass with intent to commit a sexual offence).\*
147. An offence under section 64 of that Act (sex with an adult relative: penetration).
148. An offence under section 65 of that Act (sex with an adult relative: consenting to penetration).
149. An offence under section 66 of that Act (exposure).
150. An offence under section 67 of that Act (voyeurism).
151. An offence under section 69 of that Act (intercourse with an animal).
152. An offence under section 70 of that Act (sexual penetration of a corpse).
153. An offence of:

- a. aiding, abetting, counselling, procuring or inciting the commission of an offence specified in this part of this schedule
- b. conspiring to commit an offence so specified
- c. attempting to commit an offence so specified.

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<sup>20</sup> All YJB publications are available for download or order at [www.yjb.gov.uk/publications](http://www.yjb.gov.uk/publications).