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A Register for Domestic Abuse and Stalking Offenders in England and Wales?

A Report to Inform Policy and Practice

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Introduction and overview of key findings

A national register of domestic abuse (DA) and stalking offenders for England and Wales was first proposed in 2009 by the Association of Chief Police Officers (ACPO) as part of a suite of measures to improve the criminal justice response to serial perpetration.^[1] That specific policy was never implemented, but proposals for a register remained on the domestic abuse policy agenda. All major political parties as well as the London Assembly, the Home Affairs Select Committee and the All-Party Parliamentary Group on Stalking Law Reform have at some point expressed their support for a register.^[2] Legislative proposals for a register have been debated six times in the UK Parliament. In May 2024 the latest such proposals were approved by the House of Lords, but that decision was overturned by the government in the House of Commons just a few days later. Similar proposals will almost certainly be tabled again at some point in the future. But the potential impacts of a register have not been assessed in any systematic way. Nor has there been any public consultation on the legislative proposals.

Common-sense understandings of a 'register' envisage a standalone database of offenders that could be accessed and updated regularly, providing police with a live source of relevant information about criminal history and current risk. But recent proposals for legislative change in England and Wales are quite different. Rather than calling for a new data system, they involve expansion of existing criminal justice processes that are used for managing the risk posed by 'registered' sex offenders, to manage the risk posed by 'serious and serial' DA and stalking offenders. Specifically, they would see such offenders subject to registration on a case-management data system, police monitoring and risk management, and requirements to notify changes in certain personal circumstances. Those processes, which fall under the broader umbrella of Multi-Agency Public Protection Arrangements (MAPPA), are multifaceted, complicated, and poorly understood by the public and non-experts. There has been little consideration of the practicalities of a new 'register' in this

^[1] See Appendix I to this report for a *Timeline of Key Policy Developments and Recommendations*

^[2] 'Include Serial Stalkers on the Same Register as Violent and Sexual Offenders'. 276, 814 signatures between 2014-2024. <https://www.change.org/p/include-serial-stalkers-on-the-same-register-as-violent-and-sexual-offenders>

context, including who would qualify, potential legal issues, the impact on existing systems and resources, and what it would mean for victim-survivor safety or the rights of offenders.

Further clarity on what the proposals would entail in practice, what the arguments for and against are, and what considerations policymakers should keep in mind when developing an agenda on this issue is needed. The aim of this report is to take some modest steps in that direction, by addressing the following questions:

1. What problem do recent proposals for a register aim to address?
2. What does the available evidence tell us about the efficacy of registers?
3. What do the latest proposals entail?
4. What are the key factors for decision-makers to consider?
5. What are the potential benefits and risks of the proposed register?

To address these issues, we conducted:

- A review of the academic and policy literature on the registration and management of people convicted of sexual and other serious offences in the UK and internationally.
- Formal interviews and informal conversations with over 25 stakeholders from across government, the criminal justice system, academia, campaigning and domestic abuse and stalking charities, and thematic analysis of the data.¹
- Conversations with stakeholders in Scotland, the USA, Australia and Spain, all of which have either considered or introduced comparable registers.

The aim of this report is to provide a clear, comprehensive, and well-informed summary of what is at stake in terms of policy and legislation around a register. The intention is not to make a case for or against any particular policy outcome. Rather, our aim is to clarify the issues policy makers would need to consider and resolve if they do decide to press ahead with plans for a register, and to recommend which other measures they should prioritise if

¹ We spoke to stakeholders working in probation, prisons, policing, Home Office, Ministry of Justice, College of Policing, Mayor's Office for Policing and Crime, Respect, Drive, and the Suzy Lamplugh Trust. We also spoke to academic experts, independent campaigners, Spanish officials working on their gender-based violence database and US domestic abuse practitioners. We received input by email from Scottish lawmakers and written feedback on a draft from academic experts, the London Victim's Commissioner's office, HMPPS, MOPAC and the DA Commissioner's office.

they do not. In doing so, we hope also to address the broader question of how to manage the risk posed by the most serious DA and stalking perpetrators.

Key findings

- Our estimations of the impact on resources of the proposed register indicate that it would cost approximately £8.6m and £11.2m in the first year of its operation alone. This figure corresponds to estimated staffing costs needed to manage approximately 6,689 DA and stalking offenders.² In terms of harm prevented, the register would need to reduce the number of people victimised by approximately 205 - 267 in one year to justify its costs.³
- Most of the stakeholders we spoke to for this study do not support the latest legislative proposals for a DA and stalkers register. They do not object to the idea of a register in principle. Rather, their main concern is that the current proposals are not grounded in evidence about who poses the highest risk and what works in terms of managing that risk and would divert both attention and scarce resources away from where they are most needed. Five specific issues were raised in particular:
 1. The proposed criteria for registration – which include having served a prison sentence – are so narrow that they would only apply to a fraction of high risk and serial offenders. Prison sentences for domestic abuse and stalking are rare and those who serve them are already subject to risk assessment and post-release monitoring and constraints.
 2. Even if proposals for a register were broadened to include all those with relevant convictions, this would still not capture many of the most dangerous offenders. Only 4.4% of DA and 1.7% of stalking perpetrators receive convictions. Most perpetrators assessed as high risk (according to specialist DA/Stalking risk assessments) do not have relevant convictions, and a conviction is not always indicative of higher risk.

² For comparison, we also estimated the cost for a register that went beyond the latest legislative proposals to apply to all convicted offenders who meet the proposed criteria (rather than only those who have received a custodial sentence). The estimated 1-year cost for a broader register would be between £20.5m and £36.5m, to manage a cohort of between approximately 16,000-22,000 offenders. Details are in the 'estimated impact on resources' section below.

³ These estimates relate to DA victimisation. We could not find the equivalent estimates for stalking.

3. The proposals deploy key definitions which lack sound legal grounding, such as 'specified domestic abuse offence' and 'serial offender'. Using such terms as a basis for registration without first establishing them as legal categories risks undermining risk management processes and exposing the government and its agencies to legal action.
4. The notification requirements that would be imposed by the proposed register are poorly tailored to the risk factors, typologies, and modus operandi of DA and stalking offenders because they were designed for sex offenders. In addition, the blanket application of a single set of notification requirements to all DA offending ignores significant differences between intimate partner violence and, for example, child to parent abuse.
5. Evidence suggests that well-resourced, specialist, multi-agency risk management reduces perpetration by high-risk offenders. But the notification requirements imposed by the proposed register do not by themselves imply any improvement in the management of risk.

Taking into account these concerns, we recommend that, if policymakers do decide to pursue new legislation for a register, they develop proposals which better clarify a) the criteria for registration and de-registration, b) the legal grounding for registration and c) the scope and content of notification requirements. Any new proposals for a register should form part of a wider strategy to deal with the threat posed by high risk and serial perpetrators, which should also include commitments to develop a scientifically rigorous, national solution for the risk assessment of DA and stalking perpetrators.

We would also urge government to consult the public on any new proposals, undertake a rigorous impact assessment prior to legislating, and commit appropriate funding to support the change. Introducing a register without committing appropriate funding would risk breaking a system which is already under serious pressure, the cost of which would be borne primarily by victim-survivors.

- Supporters of a register and sceptics alike are unanimous in their call for better resourcing of proactive and genuinely multi-agency risk management of the most serious offenders; better information-sharing supported by modern and accessible digital infrastructure; and better training of criminal justice practitioners in DA and

stalking. Many recommendations for how such improvements can be achieved in practice have been made repeatedly over the last two decades. The time has now come for government to decide which of these should be prioritised and to make a strategic plan for action at a national level.

- Alongside expanded practical measures, many of our participants emphasised the need for culture change across agencies, to ensure practitioners recognise, take seriously, and respond effectively to DA and stalking perpetration. We identified significant gaps in the evidence base on how culture change can be achieved in the criminal justice system over the long term and at the relevant institutional levels. Investment in research addressing this question, including by applying what we know about culture change in other sectors to the criminal justice sector, would be valuable.⁴
- Our research identified significant gaps in knowledge and practice around what works in identifying and assessing the risk posed by perpetrators of domestic abuse and stalking. Individual police forces are currently innovating in this field by developing their own algorithmic approaches to identifying those posing the highest risk. But the fact that there is no national programme of work in this area means investment is limited and evaluation is non-existent. We therefore recommend that urgent priority and investment is given to the development of scientifically rigorous, national solutions for the risk assessment. These solutions should distinguish between those perpetrators who are currently causing the most harm, and those perpetrators who pose the greatest risk of causing life-changing or catastrophic harm.
- In researching this report we encountered significant and unexpected hurdles to accessing the kind of data that would enable us to understand the scale and prevalence of high-risk and serial DA and stalking perpetration. If counting is a political act that reflects what society cares about and prioritises, then the lack of reliable statistics in this field speaks volumes. The latest available estimations of the

⁴ Some research has been done in psychology which may have potential application to criminal justice, but this potential has not yet been explored: Hamedani, M. et al (2024). 'We built this culture (so we can change it): Seven principles for intentional culture change'. *American Psychologist*, 79(3), 384–402.

numbers of serial DA offenders were published over a decade ago. There is very little data estimating the number of victim-survivors affected by this cohort. There is no reliable data on the proportion or numbers of perpetrators known to the authorities who would be assessed as high risk or as a potential threat to life. The lack of a DA offence in the law means it is not possible to estimate proven reoffending rates for DA perpetrators nationally, nor is it possible to track offenders through the system. We heard that official statistics on stalking conviction exist somewhere, but the CPS does not hold them and we could not find them. Better and more comprehensive data collection is essential if we are to assess the nature of the problem posed by high-risk and serial DA and stalking perpetrators and develop appropriate and evidence-based policy responses. We owe that to victim-survivors.

What problem do proposals for a register aim to address?

In 2023, violence against women and girls was made the government's key policing priority for the first time. The Strategic Policing Requirement also published in that year, declared that "the relentless pursuit and disruption of domestic abuse perpetrators should be a national priority for the police", and that police must find proactive ways to reduce reoffending by "the most dangerous and repeat perpetrators". In 2024 both the new Labour government and the National Policing Statement declared the epidemic in violence against women and girls a national emergency.⁵

Evidence suggests that approximately 100,000 DA perpetrators are repeat or serial offenders, having committed multiple offences against more than one current or former partners.⁶ The impact is significant. In 2023, more than 2.1 million people aged 16 and over experienced domestic abuse (DA) and over 17,000 people experienced stalking in England and Wales.⁷ DA and stalking offences are not one-off harms but tend to form part of a pattern of abusive behaviour. One in five killings is a domestic homicide and in 2022-23 the number of DA-related suicides exceeded the number of intimate partner homicides for the first time.⁸

The harms of DA and stalking go beyond the impact on the person targeted as a victim. Experiencing DA as a child is strongly associated with using abuse as an adult⁹ and 20% of

⁵ National Policing Statement 2024 For Violence Against Women and Girls (VAWG). At: <https://cdn.prgloo.com/media/034ed60aa6564c1fbdcfb03fd8e6a210.pdf>.

⁶ HMICFRS 2021, The Police Response to Violence Against Women and Girls, At: <https://assets-hmicfrs.justiceinspectorates.gov.uk/uploads/police-response-to-violence-against-women-and-girls-final-inspection-report.pdf>

⁷ For the DA figures see ONS at: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandanddwalesoverview/november2023>; for stalking see: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/stalkingfindingsfromthecrimsurveyforenglandandwales>

⁸ Respect Manifesto 2024, at: https://hubble-live-assets.s3.eu-west-1.amazonaws.com/respect/file_asset/file/2148/Respect_Manifesto.pdf

⁹ Systematic and other reviews of research confirm consistently that childhood exposure to domestic abuse in the home abuse significantly increase the risks of intimate partner violence perpetration. See Capaldi et al, 2012 'A systematic review of risk factors for intimate partner violence'. *Partner Abuse*, 3, 231-280; Dardis et

children in the UK have lived with an adult perpetrating domestic abuse.¹⁰ Serial abusers with multiple victim-survivors sow the seeds for generations of future harm. If we view this harm in terms of social and economic costs, domestic abuse deprived the economy in England and Wales of £78 billion in 2023.¹¹

Proposals for a register aim to improve the management of repeat and serial perpetrators of DA and Stalking and thereby reduce the harm they cause. A significant proportion of those repeat and serial DA and stalking perpetrators who are known to the authorities as dangerous remain able to inflict serious harm and even kill their victims.¹² Existing systems and practices have proven inadequate to hold perpetrators of these harms properly accountable, bring them to justice, and prevent them inflicting further harms. While some progress has been made, it remains the case that problems first pointed out twenty years ago and reiterated many times since have yet to be properly addressed.¹³ Significant numbers of highly dangerous people are still not effectively tracked, monitored or disrupted by the criminal justice system, nor are they supported effectively to change their behaviour. Proposals for a register aim to address this problem by expanding processes originally established to manage the risk posed by ‘registered’ sex offenders to address perpetrators of DA and stalking. In doing so, they aim also to give legal and institutional force to the message that these historically neglected crimes are unacceptable and must be taken seriously.

al, 2015, ‘An examination of the factors related to dating violence perpetration among young men and women and associated theoretical explanations: A review of the literature’. *Trauma, Violence, & Abuse*, 16, 136-152.; Smith-Marek et al., 2015, ‘Effects of childhood experiences of family violence on adult partner violence: A meta-analytic review’. *Journal of Family Theory & Review*, 7, 498-519.

¹⁰ Women’s Aid Annual Survey 2017. At: [https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/impact-on-children-and-youngpeople/#:~:text=One%20in%20seven%20\(14.2%25\),Women's%20Aid%20Annual%20Survey%202017](https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/impact-on-children-and-youngpeople/#:~:text=One%20in%20seven%20(14.2%25),Women's%20Aid%20Annual%20Survey%202017). Under Part 3 of the Domestic Abuse Act 2021, children are now recognized as victims in their own right even when the abuse they experience at home is targeted at a parent.

¹¹ Domestic Abuse Commissioner’s Report 2023. At: <https://domesticabusecommissioner.uk/national-mapping-of-domestic-abuse-services/>

¹² According to the Respect Manifesto, 52% of domestic homicide victims had been in contact with the police before they were killed. See: <https://www.respect.org.uk/pages/respect-manifesto>

¹³ Work by Laura Richards for the MET (‘Getting Away With It’, 2004) and Amanda Robinson (2007, (2015, 2021) are notable examples, but for policy developments see the Timeline appendix to this report.

What is currently in place to identify and tackle serious and serial perpetrators of domestic abuse, and where are the gaps?

This section outlines the key initiatives currently in place to address serial and serious perpetration of DA and stalking through perpetrator-facing work and summarises reported gaps. A great deal has been written on this issue previously. Our focus is limited only to those initiatives narrowly relevant to proposals for a register.

Police-led algorithmic approaches to identifying and prioritising DA perpetrators for intervention.

DA crimes constitute between 10-20% of emergency calls to police, so it is essential that forces develop reliable methods of triaging and prioritising cases and identifying those most likely to result in serious harm. Most police forces select priority high-risk offenders by using formulas or algorithms that weigh the nature of reported DA or stalking incidents and the presence of specific risk factors. The SASH (Screening Assessment for Stalking and Harassment) is used to identify high-risk stalking cases for multi-agency interventions (MASIP). The College of Policing recommends that police forces assess risk on the basis of the frequency, recency, gravity (seriousness) of relevant incidents and the number of victim-survivors linked to an individual. Most police forces use a variation on this 'FRGV' formula. But as FRGV tends to identify those perpetrators responsible for a *disproportionate amount* of harm,¹⁴ some police forces have developed their own algorithms and other new methods to identify those perpetrators most likely to commit the *most serious* offences. For example, Essex Police's Op Puffin algorithm aims to identify those intimate partner violence perpetrators most likely to pose a threat to life. These individuals are then managed

¹⁴ The formula is viewed as limited in its ability to identify individuals most likely to inflict high or catastrophic harm, e.g. homicide, or to identify coercive control.

intensively by Domestic Abuse Problem Solving Teams, working closely with Independent Domestic Violence Advisors (IDVAs) to protect victim-survivors.¹⁵

As yet, there is no consensus on the proper place for a risk assessment identifying prolific and repeat offenders versus one identifying offenders most likely to kill their victims, let alone any best practice or standardization between police forces. In 2023 the Home Office's Accelerated Capability Environment commissioned a report surveying methods used by police forces to identify high-harm and high-risk DA perpetrators, with a view to identifying a candidate methodology for national roll-out. It found that no single approach was yet suitable, partly because many were still in phases of development, and partly because none had been rigorously evaluated.¹⁶ Significant inconsistencies and gaps therefore remain in this space. The gap is even more marked with respect to stalking perpetrators, as noted in a 2024 report by London's Victim's Commissioner which recommended that government should invest in research towards an algorithm-based system to identify repeat and high-risk stalking offenders.¹⁷

Civil orders

Stalking Protection Orders (SPOs) were introduced through legislation in 2020 as a means of preventing stalking offending in contexts in which there is strong evidence of risk and when a conviction would not be either possible or appropriate. They are civil orders applied for by police and authorised by a judicial process the breach of which is a criminal offence. The order can prevent the perpetrator from contacting or approaching a victim-survivor virtually or in person. It can also impose positive requirements such as attending a MASIP or other programme; undergoing a mental health assessment; undertaking a drugs and alcohol rehabilitation programme; surrendering devices (e.g., laptop, mobile); providing the police with access to social media accounts, mobile phones, computers, tablets and

¹⁵ For a summary see p.70 of Essex Police's 2023 Business Plan, at: <https://www.essex.police.uk/SysSiteAssets/foi-media/essex/how-we-make-decisions/force-business-plan-2023.pdf>

¹⁶ Discovery Report on Domestic Abuse Risk Algorithms in Policing. 2023. Commissioned by Home Office Accelerated Capability Environment. Not currently in the public domain.

¹⁷ The London Stalking Review. Reflections and Recommendations from London's Victims' Commissioner, 2024, p.15. At: <https://www.london.gov.uk/media/106258/download?attachment>

passwords/codes; and signing on at a police station. A victim does not need to attend court for an SPO to be granted. SPOs can theoretically prevent future offending against additional victims by mandating participation in behaviour change programmes and restricting activities, e.g. online dating. SPOs were intended to cover gaps left by other orders such as DA-focused non-molestation orders, but they appear not yet to be living up to their promise. Far fewer have been applied for than expected, breaches are not always responded to in a timely and efficient manner and there is still poor understanding amongst police of where the legal threshold lies, which has resulted in an arguably excessive reluctance to apply for SPOs in the first place.¹⁸

Domestic Abuse Protection Orders (DAPOs) are new court-authorised civil orders which can impose both restrictions and positive requirements on perpetrators of DA even in the absence of a conviction and whose breach is a criminal offence. DAPOs target high-risk repeat and serial perpetrators especially those who have been able to evade criminal sanctions, e.g. because their victim-survivors have faced significant barriers in accessing the criminal justice system. As with SPOs, DAPOs are intended not only to protect known victim-survivors but also to address underlying causes of offending and so also to prevent future harm to others. According to our interviews with key stakeholders in their implementation, DAPOs will also involve the piloting of an innovative independent triage process, through which an expert panel will match perpetrators with appropriate interventions according to evidence on what works with specific typologies and the individual's risk and vulnerabilities. DAPOs are intended to complement existing structures such as MAPPA and could, for example, feed into referrals to the DRIVE Project or other perpetrator programmes or support expanded use of measures such as electronic monitoring. In 2024 DAPO pilots are set to begin in 3 force areas in England and Wales and will last 2 years.¹⁹ Anticipated numbers of DAPOs in the pilot years are in the low thousands. Aspirations for DAPOs to become a widespread and effective means of

¹⁸ See the Suzy Lamplugh Trust 2022 Super Complaint on the Police Response to Stalking. At: <https://www.suzylamplugh.org/Handlers/Download.ashx?IDMF=cf3fdc8b-f958-4cc0-9fc7-9ce6de3e9137>

¹⁹ At the time of writing participating forces were reported as being London and Manchester, with the third to be confirmed.

reducing the risk posed by DA offenders whose conviction is hard to secure are significant across the DA sector.

Non-Statutory Multi-Agency Approaches and Interventions

Multi-Agency Tasking and Coordination (MATAC) aims to identify the most harmful and serial DA abusers and provide multi-agency interventions (supporting, diverting, preventing, enforcing) to prevent re-offending. MATACs are coordinated by police but involve a range of other partner agencies. Periodic meetings inform an action plan for each perpetrator. The overall aims are to change offender behaviour, reduce re-offending, prevent harm to victim-survivors. Depending on a perpetrator's individual risk profile, interventions might include:

- a referral to a DA prevention programme
- support with living arrangements via housing providers
- referrals to health regarding physical or mental health conditions
- drug & alcohol support
- social and financial support
- any other support to offer stability to their lives

Victim-survivors are supported alongside but separately. Police forces can decide how they want to design and run MATACs and what the criteria for selection of the relevant cohort will be.

Evidence from pilots suggests MATAC is effective in reducing reoffending amongst its cohort. Evaluations in two force areas found that domestic abuse-related offending for the MATAC cohort was reduced by 65% and 80% respectively.²⁰ At the time of writing, MATACs have only been adopted in two of the 43 force areas in England and Wales. According to our interviews, barriers to wider adoption include a lack of funding and a

²⁰ Davies, P. and Biddle, P. (2017). Domestic Abuse Serial Perpetrator Interventions. Multi Agency Tasking and Co-ordination (MATAC): Tackling perpetrators of domestic abuse. Evaluation – Final Report. At: <https://www.n8prp.org.uk/wp-content/uploads/sites/315/2021/10/MATAC-N8-presentation-final-11-June-2017.pdf>; Wigan Council, in iNetwork blog, at: <https://i-network.org.uk/multi-agency-task-and-co-ordination-group-matac/>

reluctance from partner agencies fatigued by the volume of cases they already deal with through other multi-agency forums.

Domestic Abuse Perpetrator Panels (DAPPs) are multi-agency meetings that co-occur or align with victim-focused Multi-Agency Risk Assessment Conferences (MARAC) and aim to address high risk DA perpetration. Terms of reference for these panels differ between police force areas, but perpetrators are usually referred to DAPPs according to their 'Recency, Frequency, Gravity' score. Most DAPPs address perpetration through 'tactical problem-solving', enforcement and disruption, but some also offer support with desistance and behaviour change, including through referrals to the DRIVE programme (see below).²¹ One evaluation of a DAPP reported 'a significant reduction in the mean number of domestic abuse incidents in the 12 months after referral'.²²

The DRIVE project is a programme of intervention with high-risk, high-harm and/or serial perpetrators, implementing a whole-system approach using intensive case management alongside a coordinated multi-agency response. DRIVE works closely with victim services, the police, probation, children's social services, housing, substance misuse and mental health teams to reduce risk and increase victim-survivor safety. The approach combines disruption, support and behaviour change interventions alongside crucial protective work by victim services.

In 2020 an academic evaluation of the DRIVE Project -the largest and arguably most rigorous evaluation of a perpetrator intervention ever carried out in the UK- found significant benefits including reductions of 82% in physical abuse; 88% in sexual abuse; 75% in harassment and stalking behaviours; and 73% in jealous and controlling behaviours.²³ The DRIVE Project is resource-intensive because the engagement with a

²¹ Cambridgeshire offers an example of the former (see https://cccdasv.eschools.co.uk/storage/secure_download/ZWkyNmx0SVB0ZFB2SGpvU0lubjZWdz09) while Hertfordshire takes the latter approach (see <https://www.herefordshiresafeguardingboards.org.uk/wp-content/uploads/2023/07/Stacey-Walmsley-Domestic-Abuse-Perpetrator-Panel-Presentation-05.07.2023.pptx>)

²² Erol, R. and Scurlock-Evans, L. (2022) Partnership working in action: Findings from the evaluation of the Worcestershire Domestic Abuse Perpetrator Panel.

²³ Hester et al (2020) 'Evaluation of the Drive Project – A Three-year Pilot to Address High-risk, High-harm Perpetrators of Domestic Abuse'. At: http://driveproject.org.uk/wp-content/uploads/2020/02/Executive-Summary_Final2020.pdf

perpetrator is sustained and in-depth. It is only appropriate for a relatively small proportion of the DA perpetrator cohort. At the time of writing, it is being delivered in only 7 of the 43 police forces in England and Wales.

Drive is not the only case management model being delivered currently. In South London for instance the 'Prevent and Change' programme is being delivered across a consortium of boroughs, offering perpetrator-focused intervention and support.²⁴ However, it has not as yet been properly evaluated.

The Multi-Agency Stalking Intervention Programme (MASIP) draws expertise from agencies including specialist stalking advocates, the police, NHS psychologists, and probation, to address the fixation and obsession that characterises stalking offending as well as coordinating support around the victim-survivor to create an integrated response. Under MASIP, agencies work together in an embedded co-located way and coordinated interventions happen across the whole system from safety planning with the victim-survivor, to investigation strategies informed by the typology and specific risk of the perpetrator, to criminal justice management via licence conditions and protective orders. National Health Service-based therapeutic interventions with perpetrators are also used where appropriate.

A 2020 academic evaluation of the London MASIP pilot found a 18-28% reduction in the reoffending rate after direct intervention within 18 months of completing the programme. A cost-benefit analysis found a cost saving ratio to the state between 1:2 and 1:82. This means that for every £1 spent by the state a saving of between £2 and £82.40 was made.²⁵ At the time of writing it is not clear which police force areas still run a MASIP or which have developed similar but distinct provision. Notably, the MET Police's London MASIP was expanded into what is now known as 'S-TAC' (Stalking Threat Assessment Centre). Within S-TAC, Op Griffin involves multi-agency collaboration with the probation service and NHS

²⁴ For an overview of Prevent and Change see: <https://www.lambeth.gov.uk/community-safety-anti-social-behaviour/violence-against-women-girls-vawg/information-practitioners/prevent-change-pac-panel>

²⁵ Tompson, L. et al. (2020) MASIP evaluation final report. At: <https://discovery.ucl.ac.uk/id/eprint/10097009/1/MASIP%20evaluation%20final%20report%20v2.6.pdf>

to manage the risk posed by the most serious and high-risk perpetrators, supported by a standalone database to enable better case management.²⁶

Statutory Management of DA and Stalking Offenders:

Multi-Agency Public Protection Arrangements (MAPPA) are a complex set of national arrangements or processes established by police, prison service, probation and involving other statutory agencies, to assess and manage the risk posed by offenders assessed as posing a serious risk of harm to the public. MAPPA information sharing is supported by ViSOR²⁷ which is a case-management data system holding details of MAPPA-managed offenders and which enables data sharing between agencies. MAPPA arrangements are statutory in the sense that partner agencies have a legal duty to cooperate in specified ways to manage offenders according to standards set out in guidance. This sets MAPPA apart from the multi-agency initiatives discussed above which are discretionary and often shaped by individual forces to fit with existing structures and practices. MAPPA is used for violent and serious offenders, ‘registered’ sex offenders or terrorist offenders who have a criminal conviction or a caution for a specified offence or who are considered to present a serious risk to the public.

Under the latest legislative proposals for a register, ‘registered’ DA and stalking perpetrators would be managed under MAPPA arrangements. For this reason, it is important to understand how MAPPA works in all its complexity. Appendix II to this report outlines MAPPA arrangements and shows where proposals for a register for DA and stalking offenders would fit within their structure.

Most MAPPA-managed offenders are not subject to the kind of intensive intervention provided by MASIP, MATAC or DRIVE as most are managed at risk Level 1, which does not necessarily involve multi-agency work. However, for those offenders assessed as being at ‘Level 3’, e.g. those whose risk is most complex requiring active involvement of multiple

²⁶ See the 2024 MOPAC Stalking Review: <https://www.london.gov.uk/media/106265/download?attachment>

²⁷ Originally an acronym for Violent and Sex Offenders Register, ViSOR is now a standalone title for the system after recognition that its use of the term ‘register’ was a misnomer and not descriptive of its actual function or design.

agencies, MAPPA is generally considered effective in reducing reoffending and especially addressing risk.²⁸ Research analysing data from 2022 found that the one-year MAPPA proven reoffending rate was 12.2% compared to a national overall rate of between 30.0% and 31.3% over a similar time frame, and that there was a significant drop in ‘crime harm’ inflicted by individual offenders after registration by MAPPA.²⁹ As with MATAC and to some extent DAPPs, MAPPA works best when agencies genuinely collaborative to address the specific risks and needs of a particular offender, and when disruption and enforcement activities are combined with active support for desistance and behaviour change.

According to several reviews, inspections and studies, MAPPA is not being used enough or effectively enough to manage the DA and stalking risks posed by offenders.³⁰ Many offenders who are already being managed under MAPPA pose a serious risk of DA or stalking. This is not surprising given that evidence shows consistently that DA perpetrators are more likely to have convictions for non-DA related offences than for DA-related offences, and that there is a link between sexual violence, stalking and DA. But evidence suggests that prison and probation officers, specialist sex offender managers, and integrated offender managers (IOM) more broadly, lack awareness and training in identifying risk and preventing harm of DA.³¹ Training of these core professionals also does not provide the stalking expertise required for the management of stalkers depending on their typology and individual needs.³² A 2023 inspection of the probation service’s response

²⁸ MoJ research from 2015 by Bryant et al ‘Reoffending Analysis of MAPPA Eligible Offenders’ at: <https://assets.publishing.service.gov.uk/media/5a7ff796ed915d74e33f7a8b/reoffending-analysis-of-mappa-eligible-offenders.pdf>

²⁹ Lundrigan et al. (2023) National MAPPA Research. Proven Reoffending Report. At: <https://mappa.justice.gov.uk/MAPPA/view?objectID=166387045#:~:text=Proven%20reoffending%20rates%20varied%20between,those%20managed%20under%20Category%203>

³⁰ This was highlighted in a number of recent reviews including the Joint Inspection of MAPPA (2022) at: <https://www.gov.uk/government/publications/a-joint-thematic-inspection-of-multi-agency-public-protection-arrangements> the National MAPPA Research (2023) at: <https://www.aru.ac.uk/international-policing-and-public-protection-research-institute/research/national-mappa-research>; the Thematic Inspection of Probation’s Response to Domestic Abuse and the Protection of Victims (2023) at: <https://www.gov.uk/government/publications/a-thematic-inspection-of-work-undertaken-and-progress-made-by-the-probation-service-to-reduce-the-incidence-of-domestic-abuse-and-protect-victims> the independent Review of the Police-led Sex Offender Management (2023) at: <https://www.gov.uk/government/publications/independent-review-of-police-led-sex-offender-management>

³¹ College of Policing Background Paper. (2021) Annex A. Management of Serial and Potentially Dangerous Perpetrators of Domestic Abuse and Stalking.

³² Suzy Lamplugh Trust, 2022. Briefing shared with authors.

to the risk of DA found that only 28 percent of the cases they inspected had a sufficient assessment of the risks of further domestic abuse, and only 23 percent had been reviewed adequately to consider significant changes in the case, a state of affairs which they declared was ‘unacceptable and leaving far too many potential victims at risk’. They also found that 45 percent of those offenders who should have had access to behaviour change programmes did not. Despite previous inspections making recommendations for improvements in this area, the inspection found that ‘little appears to have improved in practice, and in some respects, things have deteriorated’ (p.2).

Evidence also shows that high-risk DA and stalking offenders are often not being managed under MAPPA in the first place. In 2021, following pressure from campaigners for a register, the Home Office issued new statutory MAPPA guidance requiring agencies to consider all eligible domestic abuse and stalking related offenders for management under MAPPA.³³ In 2022 a Joint Inspection of MAPPA found that, of the 40 offenders identified by police forces as posing the highest risk against women and girls across England and Wales in 2021, only 3 were being managed under MAPPA.³⁴ Similarly, an analysis of domestic abuse homicide figures for 2020-2022 found that only 6% of offenders were actively managed by police or probation under MAPPA, IOM (Integrated offender management) or DRIVE.³⁵

It is not obvious from the evidence whether the gaps identified in either of these studies are explained by the fact that those perpetrators did not meet the criteria for MAPPA management, or whether MAPPA was in fact being underutilized in cases in which it could have added value. Both hypotheses are likely to be true to some extent. The former is supported by the fact that many high-risk DA and stalking offenders do not have convictions or cautions and so would not meet the legal criteria for management under MAPPA. But the latter has also been lent support by the 2023 National MAPPA Research study: the

³³ Crimes of coercive control and stalking were also included in the list of offences eligible for MAPPA management under Category 2, which is only for those offenders sentenced to 12 months or more.

³⁴ Joint Inspection of MAPPA, 2022. At: <https://www.gov.uk/government/publications/a-joint-thematic-inspection-of-multi-agency-public-protection-arrangements>

³⁵ Vulnerability Knowledge and Practice Programme (VKPP) Domestic Homicides and Suspected Victim Suicides 2020-2023 Year 3 Report, Finding 15. At: https://www.vkpp.org.uk/assets/Files/Domestic-Homicides-and-Suspected-Victim-Suicides-2021-2022/Domestic-Homicides-and-Suspected-Victim-Suicides-Year-3-Report_FINAL.pdf

research team reviewed a sample of rejected referrals and found that that 87% of those they considered should have been accepted for MAPPA management but were not, were DA offenders. It is also worth pointing out that inclusion under MAPPA does not result in active case management and interventions for those not already subject to probation supervision unless an offender is assessed as posing risk at Level 2 or Level 3. The vast majority of MAPPA offenders are at Level 1, which implies single agency management by police or probation only.

A potential indicator of improvements in MAPPA management of DA and stalking perpetrators is provided by the figures from the latest annual report from MAPPA. It shows that the number of offenders managed under Category 3 has risen by 37% between 2022-23 and 57% in the 5 years since the MAPPA Guidance was updated to emphasise the importance of bringing domestic abuse perpetrators into MAPPA management.³⁶ Practitioner participants in our interviews reported anecdotally that this rise is linked to an increase in MAPPA management of offenders have a history of DA in particular.

More general challenges for MAPPA include unsustainable caseloads for offender managers, leading to systematic and pervasive under-management and lack of information sharing around offenders whose MAPPA risk level means statutory multi-agency collaboration is not legally mandated.³⁷ ViSOR is soon due to be replaced by a newer cloud-based system (MAPPS) with improved access and functionalities including push notifications and links into other criminal justice data systems (depending on future funding commitments). At the time of writing, however, ViSOR does not offer the kind of instant access and sharing capabilities across agencies and police force boundaries that the public would expect from a 'register'. Many offenders do not have a ViSOR profile at all, and ViSOR is poorly used by probation officers in particular: of the 67 probation practitioners interviewed for the 2022 Joint Inspection of MAPPA, none reported using ViSOR directly (p.33). Beyond probation, poor use by police was also identified in a 2024 inspection of the

³⁶ The total number of offenders managed under Category 3 over the course of a year reached a low of 931 in 2017/18, before the MAPPA Guidance was updated in 2018 to emphasise bringing domestic abuse perpetrators into MAPPA under Category 3. See [MAPPA Annual Report 2023.pdf \(publishing.service.gov.uk\)](#)

³⁷ See footnote 26 above for a link to the Independent Reviewer's 2023 report.

MET Police's management of registered sex offenders.³⁸ There is an expectation that the introduction of MAPPS will address some of these issues.

Many thoughtful recommendations for improvements to the way DA and stalking offenders are managed under MAPPA have been made in the inspections and reports cited above. We need not repeat them here. For present purposes, it is sufficient to note that there is significant potential for MAPPA to be used much more effectively to manage the risk from the kind of perpetration that current proposals for a register seek to address.

³⁸ HMICFRS 2023-2025 PEEL inspection of the MET Police. At:
<https://hmicfrs.justiceinspectorates.gov.uk/peel-reports/metropolitan-2023-25/>

What does the available evidence tell us about the effectiveness of registers?

International practice

Guam's 'Family Violence Registry' was introduced by an Act in 2011.³⁹ It is a publicly accessible government-hosted website listing the personal details, address, photograph, offending history, sentencing and licence conditions of relevant offenders. Criteria for registration are: two or more convictions for family violence (including stalking) or one conviction for family violence where a weapon or sexual violence were used. A registered offender can petition to be removed from the register if their offense is expunged or if 10 years have passed since conviction without further offences. According to the Guam government,

"The goal of the Family Violence Registry is to ensure the public's safety, provide a greater sense of security to the community, and enhance the community's awareness by making the information readily available in a central database system that is accessible to the public at no cost. This website will provide the public with a foreknowledge of the offender's criminal history records on family, domestic or dating violence, and/or stalking, and in some circumstances, criminal sexual conduct and aggravated assault convictions. This information will ensure the public's protection from repeat offenses, and the prevention of further victimization."

There appears to have been no evaluation or cost-benefit analysis of the registry nor any research examining its effectiveness.⁴⁰ Our efforts to gather information about how it is resourced did not produce results. It is therefore difficult to draw any conclusions about its

³⁹ The Guam Family Violence Registry Act 2011 can be found at:

https://www.guamlegislature.com/Bills_Introduced_31st/Bill%20No.%20B195-31%20%28COR%29.pdf

⁴⁰ We approached civil servants in the family violence team as well as the Guam Coalition Against Sexual Assault and Family Violence but did not receive any responses to our requests for information or meetings.

potential as a crime-prevention tool. Research on public sex offender registries discussed below suggests they are not effective in reducing reoffending or risk.

Several US States have considered proposals for legislation to introduce registers similar to that operated in Guam, but to our knowledge none have yet been successful.⁴¹ In the Australian State of Victoria police first proposed a family violence register in 2015, but this never materialised. In 2024 a Family Violence Command Assistant Commissioner reiterated those calls, re-opening a local debate.⁴² At a national level, in 2021, an Australian Parliamentary Committee recommended that a study be undertaken to explore the potential for a publicly accessible DA perpetrator register.⁴³ However, to our knowledge no substantive policy moves to create a register have yet been made in Australia.

A publicly available registry is unlikely to be suitable for England and Wales. It was considered and rejected as an option by the Association of Chief Police Officers in 2009. Current proposals for a register in England and Wales do not themselves envision a public listing of offenders. And publicity would almost certainly violate data protection laws and the right to privacy.

Spain’s “Comprehensive Monitoring System in Cases of Gender Violence” (VioGén), was introduced by the Ministry of the Interior in 2007 as a tool for responding to male-to-female DA.⁴⁴ It is a combined database, case management system, and algorithmic risk assessment tool resourced directly by central government. It contains all information

⁴¹ According to a 2012 study, between 2006-12 legislatures in New York, California, Virginia, Illinois, Nevada, Texas, and others ‘either rejected a bill related to creating a domestic violence database or registry, or rejected the issue generally without a related bill’ (Setliffe, A. [2011]. ‘Family Violence Databases and Registries’ *Texas Law Review* 90: 199). Our online search identified many more recent unsuccessful campaigns and petitions to introduce perpetrator registers at state level in the USA. We also consulted a US-wide network of domestic abuse practitioners working with perpetrators -the Aquila Working Group (<https://www.biscmi.org/aquila/>)- to ask if registers exist in the US and the responses we received suggest they do not, yet.

⁴² Reported in ABC news on 24 April 2024: <https://www.abc.net.au/news/2024-04-26/family-violence-lauren-callaway-victoria-police/103772224>

⁴³ Australian Government House of Representatives Standing Committee on Social Policy and Legal Affairs, 2021 ‘Inquiry into Family, Domestic and Sexual Violence’. At: https://www.aph.gov.au/Parliamentary_Business/Committees/House/Social_Policy_and_Legal_Affairs/Family_violence/Report

⁴⁴ It is currently in use in all Spanish regions apart from Catalunya and the Basque country.

gathered and generated by police relating to gender-based DA incidents, victims and perpetrators, as well as information on sentencing, civil orders, and licence conditions.

As well as providing a platform for data sharing and for algorithmic and forensic risk assessments, it supports the active management of risk by enabling warnings, alerts, and alarms through automated push notifications. VioGén is also a rich source of data about typologies of DA and trends in police-recorded incidents. Authorised access at differing levels is provided to more than 30,000 diverse criminal justice professionals as well as forensic psychologists, Ministry of Justice practitioners, DA practitioners, social services and medical professionals amongst others -though police alone can register new cases.⁴⁵ In 2022 there were 673,912 cases recorded on the system of which just under 70,000 required active police monitoring.⁴⁶

A suspect or perpetrator of DA is entered into the system whenever an incident is recorded or a crime reported. In early versions of the system perpetrators could ask for their data to be removed if they met certain conditions. But this right to appeal for removal was recently curtailed on the ground that the tool is preventive not punitive. Further, the authorities asserted a legal right to hold the data for as long as it continues to have preventive value to police and other practitioners with a duty to protect victims and reduce harm.

VioGén's dynamic risk assessment tool, which stands out in international practice in terms of its sophistication, generates separate assessments for victims and perpetrators on the basis of 37 indicators. Its algorithm has received scientific validation and appears to be effective in assessing risk of recidivism.⁴⁷ However, concerns have also been raised that

⁴⁵ For a good overview of the system and its origins, authored by some of the academics/civil servants involved in VioGén's development, see González-Álvarez, J.L., López-Ossorio, J.J., Urruela, C. & Rodríguez-Díaz, M. (2018). 'Integral Monitoring System in Cases of Gender Violence'. VioGén System. *Behavior & Law Journal*, 4(1), 29-40.

⁴⁶ Spanish Ministry of the Interior: <http://www.interior.gob.es/web/servicios-al-ciudadano/violencia-contra-la-mujer/sistema-viogen>

⁴⁷ For a brief overview of the policy see the following summary by an EU Commission unit: <https://joinup.ec.europa.eu/collection/public-sector-tech-watch/viogen-50-discovering-spains-risk-assessment-system-gender-based-violence>. For a scientific analysis of the validity of the updated risk assessment methodology see Sanchez et al (2021) at: <https://www.sciencedirect.com/science/article/pii/S0950705121008480>.

criminal justice practitioners defer to its assessments too readily, and that the algorithms have not been made available for public scrutiny.⁴⁸

While much attention has been paid to VioGén's risk assessment capability, much less is known about the impact on safety and offending of VioGén's risk management and data sharing functionalities, i.e. those aspects most closely resembling a 'register'. In Feb 2024 the Spanish Government published a Directive introducing a disclosure scheme which would provide victims of gender-based DA with information about their partner's criminal history from the VioGén database.⁴⁹ According to two civil servants leading the VioGén programme in Spain's Ministry of the Interior, who we interviewed for this study, implementation and evaluation plans for the new disclosure scheme have yet to be established.

Clear advantages of the Spanish approach include its consolidation and centralisation of detailed information about DA; its support of proactive case management through push notifications; and its accessibility to a variety of relevant agencies beyond policing, not to mention its dynamic risk assessment. Introducing a similar system in England and Wales would require strong and permissive information sharing protocols between agencies and services, significant upfront investment and training, and robust ongoing technical support. The fact that VioGén is focused on male to female gender-based violence and therefore does not address violence or abuse between same-sex partners or perpetrated by women towards men means its scope is more limited than any proposal considered until now in the UK. It also departs from UK-based proposals for a register in that it does not address stalking offending unless that takes place in the context of an intimate partner relationship.

⁴⁸ See, for example, a 2020 article by the NGO Algorithm Watch <https://algorithmwatch.org/en/viogen-algorithm-gender-violence/>

⁴⁹ The directive can be found here: <https://asipol.es/instruccion-1-2023-de-la-secretaria-de-estado-de-seguridad-por-la-que-desarrolla-la-obligacion-de-comunicacion-a-la-victima-de-los-antecedentes-del-agresor-en-los-denominados-casos-de-agres/>

Sex Offender Registries as a model for a register of domestic abuse and stalking offenders

Current proposals for a register in England and Wales would expand UK's existing processes for managing 'registered' sex offenders to cover serious and serial DA and stalking offenders. Sex offender registries exist in many different countries around the world, including Anglophone jurisdictions such as the UK, US, Canada, New Zealand, Australia and South Africa, as well as Japan, South Korea, Argentina and India. Some are publicly accessible registries, many function solely as information repositories, while others are case management and information-sharing platforms for police and other criminal justice practitioners.

With respect to publicly available registers, research suggests that publicising an offender's sexual offending history alongside their personal details (e.g. home address, place of work) is not an effective method of preventing crime or reoffending. Multiple empirical studies have shown that public notification neither deters offending nor prevents reoffending, nor indeed does it correlate with a reduction in the incidence of reported sexual offences.⁵⁰ On the contrary, two studies from the USA found a positive relationship between public notification and reoffending, supporting the conclusion that 'the punitive aspects of [public] notification laws may create perverse effects'⁵¹ and that, 'as one's status as a registrant is made known to the public, resulting hostile attitudes can predict an individual's likelihood to reoffend'.⁵² With respect to requirements to notify police alone of changes to circumstances for sex offenders, there is no evidence demonstrating that notification alone deters or prevents offending. In contrast -and of particular pertinence to this study- there *is* strong evidence that when registered sex offenders are managed by multiple agencies working together to actively address risk, this is successful in reducing reoffending. In other words, it

⁵⁰ See Logan and Prescott (2021) *Sex Offender Registration and Community Notification Laws: an Empirical Evaluation*. Cambridge University Press; Lasher and McGrath (2012). The Impact of Community Notification on Sex Offender Reintegration: A Quantitative Review of the Research Literature. *International Journal of Offender Therapy and Comparative Criminology*, 56(1), 6-28.

⁵¹ Prescott and Rockoff (2011) Do Sex Offender Registration and Notification Laws Affect Criminal Behavior? *The Journal of Law & Economics*, 54(1), 161-206

⁵² Hamilton and Fairfax-Columbo (2023). Predicting recidivism: Psychosocial collateral consequences among registered offenders. *Journal of Sexual Aggression*, 29(1), 160-176

is the quality of offender management and not the notification requirement that appears to make a difference to reoffending for registered sex offenders.

What do the current proposals for a domestic abuse and stalkers register entail?

Proposals for a register in England and Wales do not call for a new, standalone database like Spain's VioGén system.⁵³ Rather, they extend the application of processes and legal structures currently used to manage the risk posed by sex offenders, terrorist offenders,

⁵³ The wording of the latest proposals (May 2024) is as follows:

132: After Clause 47 [of the Victims and Prisoners Bill 2024] insert the following new Clause—

"Licence conditions for serial and serious harm domestic abuse and stalking perpetrators under Multi-Agency Public Protection Arrangements(1) A condition of the release and licence of serial and serious harm domestic abuse and stalking perpetrators is that they must be included in the Multi-Agency Public Protection Arrangements.(2) The Criminal Justice Act 2003 is amended as follows.

(3) In section 325 (arrangements for assessing etc risk posed by certain offenders)—(a) in subsection (1), after "“relevant sexual or violent offender” has the meaning given by section 327;” insert "“relevant domestic abuse or stalking perpetrator” has the meaning given in section 327ZA;”;(b) after subsection (2)(a) insert—“(aza) relevant domestic abuse or stalking perpetrators.”.(4) After section 327 (Section 325: interpretation) insert—“327ZA Interpretation of relevant domestic abuse or stalking perpetrator(1) For the purposes of section 325, a person (“P”) is a “relevant domestic abuse or stalking perpetrator” if P has been convicted of a specified offence or an associate offence and meets either the condition in subsection (2)(a) or the condition in subsection (2)(b).(2) For the purposes of subsection (1), the conditions are—(a) P is a relevant serial offender, or(b) a risk of serious harm assessment has identified P as presenting a high or very high risk of serious harm.(3) An offence is a “specified offence” for the purposes of this section if it is a specified domestic abuse offence or a specified stalking offence.(4) In this section—“relevant serial offender” means a person convicted on more than one occasion for the same specified offence, or a person convicted of more than one specified offence; “specified domestic abuse offence” means an offence where it is alleged that the behaviour of the accused amounted to domestic abuse within the meaning defined in section 1 of the Domestic Abuse Act 2021; “specified stalking offence” means an offence contrary to section 2A or section 4A of the Protection from Harassment Act 1997.(5) Within 12 months of the day on which the Victims and Prisoners Act 2024 is passed the Secretary of State must commission a review into the operation of the provisions of this section.”"

133: After Clause 47, insert the following new Clause—

"Relevant domestic abuse or stalking perpetrators' register(1) A condition of the release and licence of serial and serious harm domestic abuse and stalking perpetrators is that they are subject to notification requirements in accordance with this section.(2) The Sexual Offences Act 2003 is amended as follows.(3) In section 80 (persons becoming subject to notification requirements), after subsection (1)(a) insert—“(aa) they are a relevant domestic abuse or stalking perpetrator”.(4) After section 80, insert the following new Clause—“80A Interpretation of relevant domestic abuse or stalking perpetrator(1) A “relevant domestic abuse or stalking perpetrator” under section 80 means a person (P) who has been convicted of a specified offence or an associate offence and meets either condition in subsection (2)(a) or subsection (2)(b).(2) For the purposes of subsection (1), the conditions are—(a) P is a relevant serial offender, or(b) a risk of serious harm assessment has identified P as presenting a high or very high risk of serious harm.(3) An offence is a “specified offence” for the purposes of this section if it is a specified domestic abuse offence or a specified stalking offence.(4) In this section—“relevant serial offender” means a person convicted on more than one occasion for the same specified offence, or a person convicted of more than one specified offence; “specified domestic abuse offence” means an offence where it is alleged that the behaviour of the accused amounted to domestic abuse within the meaning defined in section 1 of the Domestic Abuse Act 2021; “specified stalking offence” means an offence contrary to section 2A or section 4A of the Protection from Harassment Act 1997.(5) Within 12 months of the day on which the Victims and Prisoners Act 2024 is passed the Secretary of State must commission a review into the operation of the provisions of section 80 of this Act.”"

and other violent offenders, to the management of 'serial and serious harm domestic abuse and stalking offenders'. In practice this means the following:

A) As a condition of licence or upon release from prison a qualifying offender would:

have their details entered on a national data system accessible by prisons, police and probation services. As noted above, that system is called ViSOR but it is soon to be replaced with a new improved system called MAPPS (Multi-Agency Public Protection System) with additional functionalities.

Specific categories of information that would be recorded for qualifying offenders include:

- criminal histories
- behavioural and descriptive traits
- modus operandi
- photographs
- risk assessment
- risk management plans⁵⁴

B) be subject to legal requirements to notify police of the following information and any changes to that information:

- name and any aliases including online names
- date of birth
- national insurance number
- main address and any addresses at which they may reside for more than 7 days in 12 months, or location weekly if there is no main residence
- all foreign travel (within no less than 24hrs before departure)
- bank accounts including joint accounts, and credit card details (changes must be notified within 3 days)
- passports or other identity documents

⁵⁴ ViSOR Standards, 2020. Prepared by the Visor National User Group.

- if living (staying for a period of at least 12 hrs) in a household with a child under the age of 18.⁵⁵

Breach of a notification requirement would be a criminal offence and could lead to a caution. Police would be obliged to monitor a person's compliance with notification requirements. Police would visit an offender's home at least once and subsequent frequency is determined by the individual risk management plan.

- C) be subject to 'Multi-Agency Public Protection Arrangements'. This means there would be active risk-management and information sharing about an offender by police, potentially prison and probation services and, if necessary, other professionals including drug and alcohol services, mental health services, etc.

These new requirements would be imposed on all individuals who meet one or both of the following criteria:

- Have been convicted of a specified domestic abuse or stalking offence more than once (repeat and serial offenders)
- Have been both convicted of a specified offence and assessed as presenting a high or very high risk of serious harm.

The potential impact of these proposals is considered below.

⁵⁵ For a useful and clear overview of notification requirements as they currently apply to sex offenders, see Home Officer Guidance on Part 2 of the Sexual Offences Act (updated 2023). At: <https://www.gov.uk/government/publications/guidance-on-part-2-of-the-sexual-offences-act-2003>

Key factors for decision-makers to consider

Definitional issues

Putting a person on a 'register' entails labelling them formally, therefore any register must be underpinned by definitions that are legally robust. The current proposals define the relevant category for registration as 'serial and serious harm' or 'high risk domestic abuse or stalking offenders', but as the following table explains, no such categories yet exist in the law. Were the proposals to be introduced, clear definitions and consistent and robust methods for identifying and categorising the relevant cohort would need to accompany the legislation.

| Type of offender | Definitions |
|-------------------|---|
| Serious offenders | 'Serious offenders' are not a recognised legal category, but 'serious' offences are. ⁵⁶ They include coercive control and other potentially domestic abuse or stalking-related crimes such as grievous bodily harm, robbery, rape, and murder. |

⁵⁶ In, for example, the Serious Crime Act 2007 and Criminal Justice Bill 2023.

| Type of offender | Definitions |
|--|--|
| Serial domestic abuse offenders | <p>The proposals for a register define serial as:</p> <p><i>‘a person convicted on more than one occasion for the same specified domestic abuse or stalking offence, or a person convicted of more than one specified domestic abuse or stalking offence’.</i></p> <p>This definition combines or conflates what is normally understood as repeat domestic abuse offending (offending against the same person more than once) with serial offending (offending against more than one person). It does not specify a time period within which a second offence must occur.</p> <p>It also departs from the National Police Chief’s Council’s definition in a number of ways. The NPCC defines a ‘serial’ perpetrator of domestic abuse as:</p> <p><i>‘someone who is reported (to the police) to have committed or threatened domestic abuse against two or more victims who are or were intimate partners or family members of the perpetrator in the last rolling 3-year period.’</i></p> <p>The proposal would create a category that is both broader and narrower than the NPCC’s: broader because offenders would meet the criteria for registration even if they offend against a single victim-survivor only; narrower because a conviction and sentence (rather than merely a reported crime) would be a necessary criterion for inclusion in the category of ‘serial’.</p> |

| Type of offender | Definitions |
|---|---|
| High-risk domestic abuse offenders | <p>There is no national or authoritative definition of ‘high risk’ in relation to domestic abuse or stalking offenders. For the purposes of ‘serious risk of harm’ assessments used by prison officers for all kinds of offending, high risk is defined as: ‘a risk which is life threatening and/or traumatic, and from which recovery, whether physical or psychological can be expected to be difficult or impossible’, but it remains a subjective category not underpinned by an objective legal process.⁵⁷</p> <p>High risk cases of domestic abuse as determined by the DASH victim risk assessment are heard at a MARAC, so in theory one could argue that every perpetrator involved in a MARAC case is by definition high risk. But, as noted above, most police forces use a variation on the ‘Frequency, Recency, Gravity’ formula recommended by the College of Policing to identify priority perpetrators, though they often use different cut off points to determine cohorts according to capacity, or enhance the formula with added risk factors. As described above, some forces also use bespoke approaches to identifying those at highest risk of killing or seriously injuring a person.</p> <p>A coherent and consistent approach to defining ‘high risk’ in the context of the register would avoid inconsistent responses to perpetrators and victim-survivors. But it may still not provide a sound legal basis for registration given the subjective nature of assessment of risk.</p> |

⁵⁷ The Home Office Guidance on Risk of Serious Harm can be found here: https://assets.publishing.service.gov.uk/media/652cf8c9697260000dccb834/Risk_of_Serious_Harm_Guidance_v3.pdf

| Type of offender | Definitions |
|-------------------------------------|--|
| High risk stalking offenders | As with DA, there is no authoritative definition of high-risk stalking offenders. However, assessments used by MASIP judge risk on the basis of four factors: likelihood of serious violence, persistence, recurrence, and psycho-social damage to self by the perpetrator. As above, a consistent approach would avoid legal challenge and inconsistent practice. |

| Type of offender | Definitions |
|--|--|
| Specified domestic abuse offences | <p>The current proposals for a register stipulate that:</p> <p><i>“a specified domestic abuse offence” means an offence where it is alleged that the behaviour of the accused amounted to domestic abuse within the meaning defined in section 1 of the Domestic Abuse Act 2021”.</i></p> <p>With the exception of ‘coercive and controlling behaviour’ there is no offence of ‘domestic abuse’ in the Domestic Abuse Act 2021. Domestic abuse can involve a wide range of offences, including criminal damage, public order offences, violent and sexual offences, fraud and false imprisonment amongst others.</p> <p>Any legislation introducing a register would therefore need to be accompanied by a clear and legally robust account of what amounts to a ‘domestic abuse-related offence’. It should also specify from whom the ‘allegation’ would need to come to qualify as authoritative. Legal challenges may arise if a person subject to registration contests the assertion that their offending amounted to domestic abuse.</p> <p>The Crown Prosecution Service does have an established process for identifying and counting domestic-abuse related prosecutions.⁵⁸ However, this is currently used for recording and statistical purposes rather than as a basis for the imposition of restrictions on individuals’ rights. It could be explored as a potential basis for defining such offences in legislation establishing a register, but a legal ruling of some kind would likely still be required.</p> |

| Type of offender | Definitions |
|------------------------------------|--|
| Specified stalking offences | <p>The current proposals stipulate that a: “<i>specified stalking offence</i>” means an offence contrary to section 2A or section 4A of the <i>Protection from Harassment Act 1997</i>.</p> <p>Unlike with domestic abuse, stalking offences are defined in the law, and therefore the criteria for inclusion on the register are clear.</p> |

Criteria for and parameters of registration and removal

The wording of the latest proposals imply that registration would apply only to those DA and Stalking offenders who are ‘released on licence’, meaning only those who have served a prison sentence. This means the register would apply only to a tiny minority of DA and stalking perpetrators. Only 4.4% of DA perpetrators and 1.7% of stalking offenders have convictions for their abusive behaviour, and only a fraction of those ever serve prison sentences.⁵⁹ Under existing arrangements for the release and licence of prisoners, this latter cohort would already be subject to serious harm assessments, probation supervision, and licence conditions including potential notification requirements- a fact which would

⁵⁸ The Office of National Statistics states that: ‘CPS domestic abuse data are dependent upon lawyers and administrative staff correctly identifying applicable cases and flagging the case on the Case Management System (CMS). These data are accurate only to the extent that flags have been correctly applied. For CPS data, a domestic abuse flag may be applied at the beginning of a case, or later in the prosecution process if a domestic abuse relationship becomes apparent.’ At: [How domestic abuse data are captured through the criminal justice system - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/crimeandjustice/articles/howdomesticabusedataarecapturedthroughthecriminaljusticesystem/1)

⁵⁹ The 4.4% figure is given on p.27 of the National Policing Statement 2024 For Violence Against Women and Girls (VAWG), at: <https://cdn.prgloo.com/media/034ed60aa6564c1fbdcfb03fd8e6a210.pdf>. The 1.7% figure is cited in data for the year ending March 2023, shared with us by the Suzy Lamplugh Trust and based on criminal justice system quarterly statistics.

appear to negate the need for new legislation. Only very few victim-survivors would be additionally protected by a register of such very limited scope.

It is often assumed -and indeed frequently implied in public debate- that registration would apply far more broadly than this and that registration would apply to *any* DA or stalking offender who has a caution or conviction and meets the criteria for 'high risk' and/or 'serial' domestic abuse or stalking perpetrator. If this were the case, registration would apply to a far higher number of high-risk perpetrators. However, it would also introduce legal challenges due to the definitional issues mentioned above, and in particular the lack of sound legal grounding for designation as a 'domestic abuse offender' or as a 'high risk' offender. Those challenges would not apply if registration were limited to offenders who already meet the criteria for licence conditions.

Policymakers considering a register would need to think about how to resolve this tension between responding to risk and operating within legal constraints. One possibility that might be considered would be the introduction of court orders authorising registration. Another might be new legislation to establish DA offences. Such a move would potentially enable better identification of DA offenders and their tracking through the criminal justice system. Similar considerations apply to the designation 'high risk'.

Aside from legal considerations, criteria for inclusion in a register of domestic abuse offenders would need to specify clearly the kinds of DA that fall within the scope of registration. The latest proposals defer to the Domestic Abuse Act 2021. This defines DA broadly to include various types of family abuse including sibling abuse, honour-based abuse and child to parent abuse, as well as intimate partner abuse. Policymakers would need to consider whether registration would be appropriate for all of these kinds of abuse equally, or whether it should apply to some only.⁶⁰

⁶⁰ Prevalence of child to parent abuse is significant but the needs and vulnerabilities of victims and children using abuse are distinct from those involved in intimate partner violence. See Brennan et al. (2022). 'Comprehensive needs assessment of Child/Adolescent to Parent Violence and Abuse in London'. Mayor of London Office for Policing and Crime / Violence Reduction Unit.

Age thresholds would also need to be specified. In line with the definition of DA under the 2021 Act, offenders who are under 16 years old would not meet the criteria for inclusion on the register. This would create an inconsistency with stalking offenders, who would be liable for registration from the age of criminal responsibility (which is currently 10).

It would also be important to clarify whether historic or spent convictions would count towards the criteria for registration. People with historic convictions of a relevant nature who are only now categorised as a 'high risk domestic abuse or stalking offender' would, on some interpretations of the proposals, qualify for registration. Applying the criteria retrospectively may create an obligation for registered offenders in respect of a law which did not exist at the time of conviction. This may create a conflict with the principle that people have a right to know the legal consequences of their actions in advance of acting, and that laws should not impose penalties retrospectively. Related to this, consideration would need to be given to the parameters of ongoing registration of people whose risk level fluctuates.

Clear criteria for being de-registered or for having notification requirements removed would also need to be specified. Current rules for registration of sex offenders impose different durations depending on the nature of the criminal justice sanction and the length of sentence. The latest proposals for a register appear to repurpose these in their exact form for DA and stalking offenders, which may not be appropriate to the risk posed.

Impact on resources

Estimates of 1-year costs of the latest proposals for a register for DA and stalking offenders who have received custodial sentences.

Tables 1 and 2 below present our estimates for the increases in the population of MAPPA and the staffing resources required to manage the risk posed by those additional offenders. Our estimates are for 1 year of operation of a register only, taking 2023 as year zero. We anticipate that these numbers would rise each year as new offences are committed. Wherever possible we have used data from 2023 or the most recent available figures. Our estimates are based on the most reliable figures we could find, but they are speculative and

constitute at best a ballpark for policymakers to have in mind. For this reason, we provide conservative and generous estimates rather than attempting to settle on a single figure.

Table 1. Estimated of increases in the population of MAPPA following the introduction of a register for DA and stalking offenders who have received custodial sentences

| Type of offenders | Estimate |
|---|----------|
| <p>Domestic abuse offenders receiving custodial sentence</p> <p>Based on:</p> <p>CPS convictions year ending 2023 (39,198)</p> <p>Scotland national statistics percentage of convictions resulting in custodial sentence 2022 (16%)</p> | 6272 |
| <p>Stalking offenders receiving custodial sentence</p> <p>Based on government criminal justice figures provided by the Suzy Lamplugh Trust:</p> <p>Stalking convictions receiving a custodial sentence in 2023 (597)</p> | 597 |
| New cohort of registrants, Year 1 | 6869 |

Explanation and justification of estimates

In 2023 the Crown Prosecution Service (CPS) recorded 51,288 domestic-abuse related prosecutions of which 39,198 resulted in convictions. As rates of custodial sentences for DA convictions are not recorded for England and Wales, we used official statistics from a 2024 Scottish government report. According to that report 16% of DA convictions resulted in a custodial sentence in 2021-2022.⁶¹

The stalking statistics we use were provided to us by the Suzy Lamplugh Trust and drawn from quarterly criminal justice figures from England and Wales.

It is important to note that an unknown proportion of the estimated new registrants would already be managed under MAPPA arrangements- though it is unlikely that many would be subject to notification requirements as these are discretionary and would only last as long as the licence. We have no evidence base from which to generate estimates for those figures.

Table 2. Estimated staffing costs to meet offender management and victim contact needs of proposed register in the first year.

| Staffing costs | Conservative estimates | Generous estimates |
|--|-------------------------------|---------------------------|
| Staff costs for Offender Managers/Probation Officers | £5,233,103 | £7,114,675 |
| Staff costs for Victim Liaison Officers | £3,406,850 | £4,137,925 |
| TOTAL | £8,639,953 | £11,252,600 |

⁶¹ Domestic abuse: statistics recorded by the police in Scotland, 2022-23. At: <https://www.gov.scot/publications/domestic-abuse-statistics-recorded-police-scotland-2022-23/pages/5/>

Explanation and justification of estimates

Staff costs are relatively easier and more reliably estimated than costs to the public purse in the form of crime prevention. A register would incur staff costs for probation and police, though the distribution of workload between these professionals is difficult to estimate. The estimates provide a useful indication of the minimal immediate costs in terms of offender managers and victim liaison officers associated with the new cohort a register would generate, though of course some of these would conceivably be met by redeploying existing staff.

Staff costs for Offender Managers/Probation Officers

Registered offenders under the new proposals would need to be managed by offender managers (OM) or probation officers. 2021 guidance for the Probation service states that 50 – 60 cases per officer is the maximum number that can be managed well.⁶² The new probation tiering system suggests caseloads will be mixed in terms of risk level going forward, but we could not find evidence of how this is expected to translate into numbers.⁶³ We looked at starting salary ranges for offender managers and used a salary costs calculator to add national insurance and pension costs⁶⁴. We then used our estimate of new registrants (in Table 1 above), the lowest starting salary for an offender manager, and a

⁶²This figure does not distinguish between risk level. We have heard anecdotal reports that the number of recommended cases per officer would be lower for high-risk offenders, but we have not been able to find evidence in documentation of any such recommendation. The figure of 50-60 should therefore be considered likely generous in itself. According to a 2021 inspection, 'consensus among staff and senior managers that between 50 and 60 cases is the maximum number that can be managed well', at: <https://www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2021/03/Caseloads-and-Workloads-RAB-LL-designed-RM-amends-Mar-21.pdf>. Indeed, the same report also notes that for officers managing higher-risk offenders, the average caseload has been 30-38. Further, it has been reported to us that a 2023 Mayor's Office for Policing and Crime (MOPAC) Evidence and Insights Report (not shared with us) found that for police risk managers the 1:50 ratio was felt by police officers to be too high, and that it had led to high levels of outstanding visits and risk assessments.

⁶³ HMPPS Target Operating Model:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1061047/MOJ7350_HMPPS_Probation_Reform_Programme_TOM_Accessible_English_LR.pdf

⁶⁴ Salary of OM - £33,915 - £39,036

https://www.northeastjobs.org.uk/job/Management_of_Sexual_Offenders_and_Violent_Offenders_MOSOVO_Manager_Ref_24_015_/258514.

projected 60 cases per manager to generate the conservative estimate of staff costs, and the highest starting salary and 50 cases per manager to generate the generous estimate.

Though our estimates are for probation rather than police, we would not expect to see much divergence from them if the new cohort were managed by police officers. The MET Police's Operation Jigsaw manages registered sex offenders in London. The recommended caseload for Jigsaw officers, who are generally at constable rank, is lower but comparable to that of probation officers, at <50 offenders per officer.⁶⁵ Salaries for police constables are also comparable to those of offender managers in the probation service, though some police offender managers are likely to be more senior.

⁶⁵ MET police authority force management statement 2023: 'Jigsaw teams manage cases on a ratio of 1:38 which is below the 1:50 that is required nationally, with 1:10 for high risk and 1:6 for very high risk.' (p.105). At: https://www.met.police.uk/SysSiteAssets/foi-media/metropolitan-police/disclosure_2023/december_2023/force-management-statement-2023.pdf

| Estimates | New cohort numbers as estimated above | Cases per worker | Annual cost per worker | Full cost for 1 year |
|---|--|-------------------------|---|-----------------------------|
| Conservative 1 year estimate for number of staff required for offender management | 6869 | 60 | £45,710.61 (Minimum annual salary of £33,915 plus additional hiring costs) | £5,233,103 |
| Generous 1 year estimate for number of staff required for offender management | 6869 | 50 | £51,788.29 (Maximum annual salary of £39,036 plus additional hiring costs) | £7,114,675 |

Staff costs for Victim Liaison Officers

Victims whose perpetrators are managed under MAPPA (Categories 1 and 2) have a right to receive information about their case and the risk posed to them, and to make representations via a Victim Liaison Officer (see Appendix II of this report for a more detailed description of rights under the Victim Contact Scheme). Longitudinal research from a large dataset of DA offenders in one force area in 2022 found a mean number of victims

per perpetrator of 2.⁶⁶ In the absence of distinct figures for non-DA stalking, we use this as a basis to estimate the new VLO caseload were a register to be introduced. The Probation Service recommends a caseload of not more than 180 victims per VLO,⁶⁷ so we multiplied the number of estimated new registrants by 2 and then divided by 180 to reach an estimated number of VLOs. We then looked at starting salary ranges for VLOs and used a salary costs calculator to add national insurance and pension costs.⁶⁸

| Estimates | New cohort numbers as estimated above | Number of linked victim-survivors | Cases per worker | Annual cost per worker | Full cost for 1 year |
|--|--|--|-------------------------|--|-----------------------------|
| Conservative 1 year estimate for number of staff required for victim contact | 6869 | 13,738 | 180 | £44,637.72 (Minimum annual salary of £33k plus additional hiring costs) | £3,406,850 |
| Generous 1 year estimate for number of staff required for victim contact | 6869 | 13,738 | 180 | £54,216.51 (Maximum annual salary of £41k plus additional hiring costs) | £4,137,925 |

⁶⁶ Hadjimatheou et al, 2024. 'Using unsupervised machine learning to find profiles of domestic abuse perpetrators'. *Policing: A Journal of Policy and Practice* (forthcoming)

⁶⁷ See: <https://hmicfrs.justiceinspectorates.gov.uk/publication-html/meeting-the-needs-of-victims-in-the-criminal-justice-system/>

⁶⁸ Salary of VLO - £33,011 - £41,082 - <https://justicejobs.tal.net/vx/mobile-0/appcentre-1/brand-13/candidate/so/pm/1/pl/3/opp/87495-87495-Victim-Liaison-Officer/en-GB#:~:text=The%20key%20roles%20of%20the,to%20victims%20and%20their%20families>

Our estimates do not include costs to the justice system of prosecuting breaches of notification requirements, costs to the prison system of sentences imposed in response to breaches, or costs to other agencies of collaborative intervention. Nevertheless, from these modest estimations we can see that a register would bring significant resource implications of between £8.6m and £11.2m in the first year alone for the criminal justice system. To justify the costs in terms of harm prevented there would need to be approximately 205 - 267 fewer victims of DA a year, according to the government's 2019 estimate of the costs associated with a single victim of DA.⁶⁹

Estimates of 1-year costs for a register for all 'serial and high risk' convicted DA and stalking offenders.

Though the latest legislative proposals for a register only apply to offenders who have received a custodial sentence, public debate about a register often assumes that it would apply more broadly than this. Many would also hope for a register that enabled better tracking and monitoring of all high-risk convicted offenders. For this reason, and for comparison with the proposals above, we also estimate the impact on resources of a broader register that would apply to all DA and stalking perpetrators who receive one or more convictions and/or who are assessed as 'high risk'. These are the key secondary criteria for registration specified in the proposals.

⁷⁷ Number of victims calculated using costs for a single victim of domestic abuse being estimated at £34,015 in the 'The Economic and Social Costs of domestic abuse' report. This figure has been adjusted to reflect inflation estimating the cost in 2024 to rise to £42,221.01.
At: <https://www.gov.uk/government/publications/the-economic-and-social-costs-of-domestic-abuse>

Table 3. Estimated increases in the population of MAPPA following the introduction of a register for all 'serial and high risk' convicted DA and stalking offenders

| Offenders | Generous estimate | Conservative estimate |
|--|-------------------|-----------------------|
| <p>'High-risk and repeat' domestic abuse offenders</p> <p>Extrapolation from available MATAC referral numbers in Wigan (2023, generous) & Northumbria (2017, conservative)</p> | 11,334 | 5,418 |
| <p>Serial domestic abuse offenders</p> <p>CPS convictions year ending 2023 (39,198)</p> <p>Based on Scotland national statistics on DA reconvictions 2022-2023, (10.4%)</p> | 4077 | 4077 |
| <p>High-risk stalking offenders</p> <p>Extrapolation from MASIP pilot evaluation 2018 – 2019</p> | 6,799 | 6,756 |
| <p>Serial stalking offenders</p> <p>Based on:</p> <p>Stalking convictions year ending 2023 (1955)</p> <p>CPS sample indicting % of stalking which is DA (74-84)</p> | 122 | 34 |

| Offenders | Generous estimate | Conservative estimate |
|--|-------------------|-----------------------|
| Stalking reoffending rates in Netherlands study (11 – 24%) | | |
| New cohort of registrants, Year 1 for all those with convictions | 22,332 | 16,285 |

Explanation and justification of estimates

High risk domestic abuse and stalking offenders. While the latest proposals for a register reference ‘assessments of serious harm’ (which are typically made by probation and prison staff for offenders on licence or prior to release), there are no figures for rates of assessments for DA or stalking offenders. For this reason we used data on numbers of high-risk perpetrators as reported in evaluations and pilots of MATAC and MASIP in specific areas and extrapolated this to the population as a whole. MATAC and MASIP seek to focus on high-risk high-harm perpetrators, are selective in their cohorts, and are recognised as good practice in this field. The numbers referred annually to MATAC and MASIP are a tiny fraction of high-risk cases heard at victim-focused Multi-Agency Risk Assessment Conferences (around 108,000 in 2023).⁷⁰ But MARAC relies on a victim risk assessment (DASH) to identify high-risk cases, rather than an assessment of the risk posed by a perpetrator. The proposals for a register apply only to ‘perpetrators assessed as high risk of harm’, for this reason we chose to base projections on MATAC and MASIP. However, it is important to note that the number of perpetrators managed under MATAC

⁷⁰ According to Safelives data. cases are not equivalent to individuals because 32% are repeat cases: <https://safelives.org.uk/wp-content/uploads/Marac-data-Q2-2023.pdf>

and MASIP may have been determined as much by individual force capacity to manage perpetrators, as by any objective threshold of risk.⁷¹

Serial domestic abuse and stalking offenders. There are no official or otherwise reliable statistics on rates of reconviction in the context of DA or stalking in England and Wales. Rough estimates can be made by drawing on conviction rates, which are official statistics, and then looking at research and statistics from elsewhere examining repeat conviction rates in the relevant cohorts more generally. In 2023 the Crown Prosecution Service (CPS) recorded 51,288 domestic-abuse related prosecutions of which 39,198 resulted in convictions. Research shows that between 50 – 80 percent of those convicted of domestic abuse ‘reoffend’, but reoffending tends to be defined broadly to include any further incident recorded by police. Under current proposals for a register, the criteria for eligible ‘serial’ offenders is reconviction only.⁷² Available evidence on reconviction or ‘proven re-offending’ rates is much patchier and less reliable than data on reoffending. We used official statistics from a 2024 Scottish government report on reconviction rates, which gave a 1-year reconviction rate for DA offenders of 10.4% in 2021-2022.⁷³ Similar rates (23-34% reconviction over two years) were also reported in a 2015 evaluation of a probation service

⁷¹ A further resource on DAPPs confirmed the range estimated above. An evaluation of DAPPs in Cambridgeshire and Peterborough (where the criteria used was the ‘Recency, Frequency, Gravity’ score as well as professional judgement) found that 141 perpetrators were identified in one year. Using population figures to estimate numbers for England and Wales suggests that following this model would result in 9739 perpetrators being identified, which falls squarely within the range of our estimated figures from MATAC. See: ‘An Evaluation of the Cambridgeshire and Peterborough Domestic Abuse Perpetrator Panel’ shared with the authors by Simon Kerss.

⁷² A 2004 report from London found that around 50% of domestic abuse offenders reoffend. But this research was done at a time when prosecuting domestic abuse was significantly more challenging and therefore probably less frequently achieved than we would expect to find today (see footnote 62 for a link to the report). A systematic review from 2019 found reoffending rates of between 50-80% (See: Hulme S, Morgan A & Boxall H. [2019]. Domestic violence offenders, prior offending and reoffending in Australia. *Trends & issues in crime and criminal justice* no. 580). In 2023 the Home Office reported that 83% of domestic abuse offenders reoffend within 6 months, though there is no explanation of how this was calculated or whether ‘reoffending’ refers to reported incidents or convictions alone. See <https://www.gov.uk/government/news/stalkers-and-domestic-abusers-to-be-targeted-as-millions-invested-in-new-intervention-projects>

⁷³ Reconviction Rates in Scotland: 2020-21 Offender Cohort. At: <https://www.gov.scot/binaries/content/documents/govscot/publications/statistics/2024/07/reconviction-rates-scotland-2020-21-offender-cohort/documents/reconviction-rates-scotland-2020-21-cohort/reconviction-rates-scotland-2020-21-cohort/govscot%3Adocument/reconviction-rates-scotland-2020-21-cohort.pdf>

intervention for DA offenders in England and Wales.⁷⁴ Our estimations provide a 1-year snapshot only, but it is worth noting that these latter figures suggest a substantial year-on-year rise in the population of serial or repeat DA offenders at least in the short term.

Reconviction rates for stalking are more difficult to estimate reliably because there is very little data available. We started with data on convictions for stalking in 2023.⁷⁵ From this figure we subtracted the number of cases likely to have been flagged by the CPS as DA (74-84% according to a CPS sample from 2019)⁷⁶ as including them would have risked double counting them as both DA convictions and stalking convictions. We then consulted research on reoffending rates for stalking. The most relevant and reliable study we found, from the Netherlands in 2011, shows that between 11% and 24% of people convicted for stalking receive a further conviction from a court within the next 5 years.⁷⁷ We used this range together with CPS figures on the range in DA/stalking overlap, to provide low and high estimates.

We cannot be sure what proportion of these offenders would already be managed under MAPPA but we are confident that the number would be very low. Evidence from multiple reviews and inspections is clear that referrals to MAPPA for domestic abuse-related and stalking-related offences even for people with previous convictions are infrequent. When made, they are often rejected on the basis that they do not reach thresholds of

⁷⁴ Bloomfield and Dixon (2015) An outcome evaluation of the Integrated Domestic Abuse Programme (IDAP) and Community Domestic Violence Programme (CDVP). At: <https://assets.publishing.service.gov.uk/media/5a74969f40f0b616bcb17b3d/outcome-evaluation-idap-cdvp.pdf>

⁷⁵ As shared with us by the Suzy Lamplugh Trust and as reported in this news article: <https://news.sky.com/story/barriers-for-stalking-orders-lowered-as-minister-says-there-is-more-we-must-do-13120381>. We could not find the data through the CPS. In their response to an FOI request in July 2024 the CPS stated that they do not hold the data on stalking convictions. They direct the requester to an MoJ dataset which does not appear to hold that data either. For the FOI request see: <https://www.beta.ons.gov.uk/aboutus/transparencyandgovernance/freedomofinformationfoi/stalkingagerangeandconvictionrate>

⁷⁶ CPS news. 'Stalking analysis reveals domestic abuse link'. At: <https://www.cps.gov.uk/cps/news/stalking-analysis-reveals-domestic-abuse-link>

⁷⁷ Malsch et al. (2011) Are Stalkers Recidivists? Repeated Offending by Convicted Stalkers. *Violence and Victims* 26(1). At: https://www.researchgate.net/publication/51509345_Are_Stalkers_Recidivists_Repeated_Offending_by_Convicted_Stalkers

‘seriousness’ used by MAPPA to assess eligibility.⁷⁸ For these reasons, we discount that figure from our estimations.

Table 4. Estimated staffing costs to meet offender management and victim contact needs of proposed register in the first year.

| Costs | Generous estimates | Conservative estimates |
|--|---------------------------|-------------------------------|
| Staff costs for Offender Managers/Probation Officers | £23,149,366 | £12,387,575 |
| Staff costs for Victim Liaison Officers | £13,445,694 | £8,079,427 |
| TOTAL | £36,595,060 | £20,467,002 |

⁷⁸ This latter point was made by several of our participants including police who expressed some frustration that their attempts to refer offenders they considered to be dangerous were being rejected MAPPA officers because the offence was not deemed serious enough to meet the MAPPA threshold. Similar observations were made by Lundrigan and Mann in the National MAPPA Research 2023. Efforts by the Home Office to encourage MAPPA officers to accept domestic-abuse related referrals through the publication of new guidance have not yet delivered a step-change in practice.

Explanation and justification of estimates

Staff costs for Offender Managers/Probation Officers

We used our conservative estimate of new registrants (in Table 3 above), the lowest starting salary for an offender manager, and a projected 60 cases per manager to generate the conservative estimate of staff costs, and the generous estimate of new registrants combined with the highest starting salary and 50 cases per manager to generate the generous estimate.

| | New cohort numbers as estimated above | Cases per worker | Annual cost per worker | Full cost for 1 year |
|---|--|-------------------------|---|-----------------------------|
| Conservative 1 year estimate for number of staff required for offender management | 16,285 | 60 | £45,710.61 (Minimum annual salary of £33,915 plus additional hiring costs) | £12,387,575.31 |
| Generous 1 year estimate for number of staff required for offender management | 22,332 | 50 | £51,788.29 (Maximum annual salary of £39,036 plus additional hiring costs) | £23,149,365.63 |

Staff costs for Victim Liaison Officers

| Definition | New cohort numbers as estimated above | Number of linked victim-survivors | Cases per worker | Annual cost per worker | Full cost for 1 year |
|--|---------------------------------------|-----------------------------------|------------------|--|----------------------|
| Conservative 1 year estimate for number of staff required for victim contact | 16,285 | 32,570 | 180 | £44,637.72 (Minimum annual salary of £33k plus additional hiring costs) | £8,079,427.32 |
| Generous 1 year estimate for number of staff required for victim contact | 22,332 | 44,664 | 180 | £54,216.51 (Maximum salary of £41k plus additional hiring costs) | £13,445,694.48 |

To justify the costs in terms of harm prevented there would need to be approximately 485 – 867 fewer victims of DA a year, according to the government’s 2019 estimate of the costs associated with a single victim of DA.⁷⁹

Scope of information included in notification requirements

The latest proposals for a register impose notification requirements that mirror those already in place for registered sex offenders. But risk factors, deterrents and disruptive and protective measures differ for different types of crime of abuse. If the current proposals are to be deemed necessary and proportionate under the law, the notification requirements would need to be appropriate to the nature of the risk and demonstrably so.

In her 2022 proposals for a Scottish register for domestic abuse offenders, MSP Pam Ghosal suggested the following as a list of potential new notification requirements:⁸⁰

- full name, address, date of birth, passport details, credit card and bank account details, and National Insurance number and any changes to these
- a new relationship with a new partner
- being in or entering into a relationship with a previous partner
- forms of commitment to a new partner such as opening a joint bank account, signing a lease on a property, buying a property.

⁷⁷ Number of victims calculated using costs for a single victim of domestic abuse being estimated at £34,015 in the ‘The Economic and Social Costs of domestic abuse’ report. This figure has been adjusted to reflect inflation estimating the cost in 2024 to rise to £42,221.01.

At: <https://www.gov.uk/government/publications/the-economic-and-social-costs-of-domestic-abuse>

Elsewhere it has been proposed that notification requirements should include telephone numbers, email addresses, online dating profiles and any incidents of being banned from an online dating site.

Under current proposals for a register, the same set of notification requirements would apply automatically to people whose convictions implicate them in DA or stalking, irrespective of the type of abuse they have been involved in. Yet notification requirements designed for serial intimate partner offenders may not be protective, disruptive, or deterring in cases of serious and repeat child to parent offending, honour-based abuse or indeed stalking. Policymakers would therefore need to consider whether there is good reason to standardise notification requirement across abuse types, or whether notification requirements should be tailored to the specific kind of abuse. In his 2023 report, the Independent Reviewer of the Police-led Management of Sex Offenders invited policymakers to consider whether police should have discretion to tailor notification requirements to the specific offender. That question also arises for any potential register of domestic abuse and stalking offenders.

Scope of information recorded on ViSOR/MAPPS

Registers and licence conditions typically record information about a person that can then be used to track them and monitor and record their risk. The data collected for risk management usually goes beyond information provided in fulfilment of notification requirements.

Policymakers introducing a register would need to consider what additional information it would be necessary and proportionate to collect for DA and stalking offenders. Non-exhaustive options include:

- a physical description
- a photograph
- the offender's vehicle description and registration
- a criminal history of the offender including civil orders
- Modus operandi/typology

- results of any risk assessment of the offender
- if they've previously been on a perpetrator programme and results
- vulnerabilities- mental health, drug and alcohol.
- children
- the geographic area in which the crime was committed
- any licencing conditions
- whether the offender was a minor or adult at the time the offence was committed
- fingerprints
- DNA
- age, sex, and nature of relationship with any victim(s)
- location and telephone number of the officer responsible for supervising the offender

Safety and rights of victim-survivors

Introducing a DA and stalkers register may have an impact on risk and victim safety. For example, offending may escalate before or as a result of registration if offenders blame a partner or victim-survivor for their conviction or for their designation as 'high-risk'.

Policymakers would therefore need to consider whether and what kind of risk assessment and safeguarding should accompany registration.

Currently, victim-survivors of Category 1 and 2 offenders under MAPPA have some rights to be informed about their perpetrator's circumstances. The extent to which a register should be accompanied by statutory or discretionary duties to inform them (of e.g. changes to notification requirements when these impact on their safety and/or on the safety of children), as well as potential conflicts or trade-offs with the rights to privacy and rehabilitation of offenders, would also need to be considered.

Policymakers would also need to consider how processes can be designed to avoid the inadvertent registration of victim-survivors of DA and/or stalking, who may have been misidentified as perpetrators or who have received convictions for acts of violent resistance or self-defence. Research shows that women are three times as likely to be arrested for

domestic abuse incidents than men⁸¹ and can suffer greater punishments through the criminal justice system. Women using violent resistance or self-defence are more likely to use a weapon and weapon-use is an aggravating factor in criminal sentencing. There is evidence that police find it difficult to identify the primary perpetrator in domestic abuse incidents⁸² and sometimes make erroneous recording decisions in this respect, for example by recording as ‘mutually violent’ relationships in which female uses of violence are in fact defensive and retaliatory against a systematically abusive partner.⁸³ Research has also found that officers have taken at face value men’s claims to be subject to violence from a female partner when these are in fact malicious allegations deployed as a tactic of abuse against a woman.⁸⁴

Potential link with the Domestic Violence Disclosure Scheme

The Domestic Violence Disclosure Scheme allows members of the public to request and receive otherwise confidential information about their partner’s criminal history and allows police to share such information proactively to protect potential victim-survivors. In public discussion and media reports on a register, it is frequently assumed that registration would immediately trigger a proactive disclosure (known as a Right to Know disclosure) under the DVDS. Equally, some members of the public and commentators appear to assume that citizens would have a right to ask whether a person is on the register, or even to ‘check the

⁸¹ Hester, M. (2013) ‘Who Does What to Whom? Gender and Domestic Violence Perpetrators in English Police Records’, *European Journal of Criminology*, 10(5): 623–637;

⁸² Barlow, C. et al., (2023) Who is the Victim? Identifying Victims and Perpetrators in Cases of Coercive Control. Available at: <http://138.253.13.50/media/livacuk/sociology-social-policy-and-criminology/2-research/Who-is-the-Victim-Report.pdf>

⁸³ Hester (2013 see footnote 51 above for full reference); Christie, C. et al. (2022) ‘The CARA (Cautioning and Relationship Abuse) Service Theory of Change, Impact Evaluation and Economic Benefits Study Report [Preprint]’

⁸⁴ Robinson, A.L. and Rowlands, J. (2006) The Dyn Project: Supporting Men Experiencing Domestic Abuse Final Evaluation Report. At: <https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=07cc9a76bc37bbea7181cea62255d75824455905>

register' themselves, but none of the recent legislative proposals for a register extend to such rights.⁸⁵

Policymakers would need to consider whether registration would trigger an automatic or discretionary Right to Know disclosure and how this might link or be integrated with the Victim Contact Scheme under MAPPA. Consideration should also be given to whether people at risk would be informed of changes to circumstances notified by a registered offender such as a change of name or address.

The management of registered DA and stalking offenders

Management of Registered Sex Offenders is a specialist practice and management of sexual offenders and violent offenders (MOSOVO) officers receive in-depth and specialist training in their role. The aim of that role is to identify and assess risk and then to reduce it through promoting desistance, monitoring and investigating offenders and liaising with others to prevent harm.

Proposals for a register would imply similar provision of specialist offender management for DA and stalking offenders. While there are overlaps, DA offending and stalking are different in important ways from sex offending. New training would be required at the very least. Policymakers would therefore need to consider what new roles would need to be created and how would they be accredited, trained and funded to meet the requirements of a very substantial new cohort.

⁸⁵ As MSP Pam Gosal notes in her 2023 summary of responses to her public consultation on a Domestic Abuse register for Scotland 'It was considered that by being able to check the register, individuals would be able to make informed decisions when entering into relationships' (p.6).

Human rights of registered offenders

Individuals subject to registration would have a legal right to be informed that they are now a registered offender. They would also have a right to be informed of the full implications that registration entails for them.

Policymakers would need to consider whether individuals should have the right to appeal their inclusion in the register, or to apply to be removed from the register, and under what circumstances. Any legislation introducing a register should specify the nature of any rights to information and appeal.

Consideration should also be given to the question of whether and how individuals should have the opportunity to demonstrate that their risk has been minimised to a degree that it is no longer necessary for them to be subject to notification requirements. Further, it should be considered whether to allow for desistance or rehabilitation targets for offenders, which if met would prompt removal from the register.

Potential benefits and risks of a register

This section provides an overview of the potential benefits of a register and the potential risks according to the full range of voices engaged in this debate, to provide readers with an understanding of what is at stake. The arguments have been organised into four themes or categories: Impacts on the System; Impacts on Perpetrators; Impacts on Victim-Survivors and Children; and Political, Cultural and Symbolic Impacts.

Most of the points and arguments presented in this section were articulated by participants in our interviews. Some were drawn from documents shared with us or identified in our literature review including transcripts of parliamentary debates.

The main message from those who support a register is that it would be an important -even pivotal- step towards taking DA and stalking seriously and targeting the most harmful perpetrators. The main concerns from those sceptical about a register (who represent the significant majority of participants to this study) relate to the detail of the specific proposals in question, and to a perceived need to take measures to address longstanding systemic inadequacies first, which could by itself mark a step change in responses to DA and stalking, and without which a register would potentially fail. Supporters and sceptics alike were unanimous in their support for better funding of proven specialist multi-agency work to target high risk perpetrators proactively to hold them to account and change their behaviour

| Impacts on the system | Potential benefits of a register | Risks posed by a register |
|--|--|---|
| Resourcing the management of serial and high risk perpetrators | Legislating for a register would create a statutory framework that could in turn serve as a platform for better resourcing and prioritising the management of serious and serial perpetrators. In this way a register could act as a 'building block' towards better resourcing. | The register would have significant resource implications, especially for police and probation. As two recent independent inspections have found, agencies are already overstretched and working over capacity. Introducing a register would risk 'breaking' the MAPPA system, unless the legislation is accompanied by clear commitments to resource the register adequately and provide appropriate training. ⁸⁶ |

⁸⁶ In his 2023 report, the Independent Reviewer of the Police Management of Registered Sex Offenders argued that 'if change is not made, it is clear to me that the volume and complexity [of MAPPA cases] will overwhelm, with the inevitable consequence that the ability to manage and control the most dangerous will be compromised, putting the public at risk of future serious victimisation'. Paragraphs 45-59 of that report make a sustained case against the introduction of a register for domestic abuse and stalking offenders. Link to report in footnote 26 above.

| Impacts on the system | Potential benefits of a register | Risks posed by a register |
|-----------------------|----------------------------------|--|
| | | <p>Unless a register is properly resourced and rendered coherent and continuous with interventions for non-registered offenders, resources would likely be diverted away from effective work with dangerous perpetrators who do not meet the criteria for registration, creating new gaps and new risks, allowing some harm to escalate unchecked. Police would likely respond to their new statutory duties by redeploying specialist domestic abuse officers away from their current work protecting victim-survivors and disrupting perpetrators. It may become more difficult to persuade already fatigued partner agencies to engage in MASIP or MATACs, even though these are examples of proven good practice in the management of risk posed by priority high-risk stalking and DA perpetrators.</p> |

| Impacts on the system | Potential benefits of a register | Risks posed by a register |
|--|---|---|
| | | <p>MAPPA already faces challenges in responding effectively to DA and stalking risk, and the system is overwhelmed with the constant rise in MAPPA cohort numbers. The priority should be to dedicate funding and resources to resolve these well-known issues, rather than amplifying them by further burdening the system.</p> <p>A significant expansion in breaches of notification requirements will further burden the courts and prisons which are already struggling with backlogs and overcrowding respectively.</p> |
| Tracking, monitoring, and management of risk | Notification requirements would allow police and other agencies to better identify relevant changes in circumstances and address any risks. Mandatory monitoring through statutory visits to registered offenders would enable police to identify risk factors and address them. Recording of addresses would | <p>Notification requirements are not in themselves a proxy for good risk management. Failure to notify is not always an indication of increased risk.</p> <p>Unless notification requirements are tailored to an offender's risk profile and discretionary, there is a</p> |

| Impacts on the system | Potential benefits of a register | Risks posed by a register |
|--|---|--|
| | <p>facilitate arrests when breaches or other offences occur. Notification of online aliases would allow police to conduct surveillance of cyber stalkers and other online abuse.</p> | <p>danger that imposing them could overwhelm the system with redundant information and bureaucracy, outweighing any benefits. The greater the complexity of notification, the harder it is to police.</p> <p>Notification makes sense for sex offenders and terrorist offenders because it enables police to find potential suspects in an area when a new crime occurs and the identity of the suspect is unknown. Domestic abuse offenders are already known to their victim-survivors so notification does not facilitate criminal investigation in the same way.</p> |
| <p>Achieving consistency in the police response to</p> | <p>A national register would result in uniform thresholds and greater consistency in how perpetrators are risk assessed and managed. This would address the current inconsistencies in police responses to domestic abuse and stalking perpetration, ensure that perpetrators receive a consistent response</p> | <p>Inconsistencies will persist under the current proposals because police would still have broad discretion to define and assess risk, to monitor changes in an offender's circumstances, and to respond to changes in risk including breaches of requirements. The same applies to how police deal</p> |

| Impacts on the system | Potential benefits of a register | Risks posed by a register |
|---|---|--|
| serial and high-risk perpetrators | across force boundaries, and provide victim-survivors with clear expectations about what the authorities are obliged to do to protect them. | with victim-survivors, e.g. through use of the Domestic Violence Disclosure Scheme to proactively warn people of the risk their ex/partner poses. |
| Information sharing and multi-agency working to support risk management | Relevant agencies having knowledge of which perpetrators are registered could result in a more joined up, multi-agency approach where information is shared effectively, appropriately and in a timely manner. It would also ensure that information on eligible offenders is recorded on one database (ViSOR/MAPPS), whereas now it is not obligatory for Level 1 cases to be recorded on ViSOR. | <p>Because registration is not a reliable indicator of being a serious threat, knowledge of who is registered does not equate to knowing who presents the highest risk of harm.</p> <p>As inspections have found, information sharing is hampered by poor utilisation of and access to ViSOR by MAPPA agencies.⁸⁷</p> |

⁸⁷ Joint Inspection of MAPPA 2022: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/07/A-joint-thematic-inspection-of-Multi-Agency-Public-Protection-Arrangements.pdf>

| Impacts on the system | Potential benefits of a register | Risks posed by a register |
|-----------------------|---|---|
| | <p>Because MAPPA creates a statutory duty to engage in multi-agency risk assessment, the introduction of the register would encourage agencies to work better together to address the risk posed by DA and stalking perpetrators.</p> | <p>Only those MAPPA cases managed at Levels 2 and 3 are required to be supported by multi-agency meetings, but most new DA and stalking registrants would likely be managed at Level 1. The 2022 Joint Inspection of MAPPA found that adequate information sharing for Level 1 cases only occurred in about 50% of cases (p.36).</p> <p>Introducing a register would do nothing to improve these existing problems.</p> |

| Impacts on perpetrators | Potential benefits of a register | Risks posed by a register |
|-------------------------|---|---|
| Accountability | <p>Imposing notification requirements would shift some of the practical burden of risk management and monitoring to perpetrators themselves and would increase accountability for harm by making perpetrators answerable for any breach.</p> <p>The register would remove the need for police, victim-survivors, and the courts to apply for multiple non-molestation or restraining orders for the same offender each time they are reported by a new victim-survivor. Notification requirements potentially</p> | <p>Notification requirements would only achieve better accountability if perpetrators in fact comply and if they are held legally responsible when they do not. But evidence suggests that perpetrators are not currently being held accountable for breaches of existing domestic abuse or stalking orders.⁸⁸ The introduction of a register would potentially worsen the situation by further stretching resources which in turn risks fuelling a sense of impunity and untouchability amongst perpetrators.</p> |

⁸⁸ A 2022 BBC report analysed MoJ figures for prosecutions of breaches of DVPOs and found that rates were poor and had fallen by 40% in the 5 years to 2021. See: <https://www.bbc.co.uk/news/uk-england-62726384>. In evidence supporting their 2022 super-complaint against police, stalking charity the Suzy Lamplugh Trust argued that there is an inefficient response by police following the breach of a Stalking Protection Order and refusal to treat repeated breaches as a separate offence of stalking rather than mere breach of an order (p.25-7). At: <https://www.suzylamplugh.org/Handlers/Download.ashx?IDMF=cf3fdc8b-f958-4cc0-9fc7-9ce6de3e9137>. This echoed a previous HMICFRS inspection which found police were too slow to respond to breaches. See HMICFRS (2021) The Police response to violence against women and girls, p.12. At: <https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/police-response-to-violence-againstwomen-and-girls-final-inspection-report.pdf>

| Impacts on perpetrators | Potential benefits of a register | Risks posed by a register |
|---|---|--|
| | <p>protect current <i>and</i> future victim-survivors by making police aware of a new relationship so they can proactively safeguard the potential victim-survivor.</p> <p>Restraining orders and non-molestation orders apply to a named victim-survivor only and so potentially displace risk rather than address its causes.</p> | |
| Deterrence | <p>A register could act as a deterrent because registration is stigmatising and notification requirements are a significant interference with liberty.</p> | <p>The prospect of registration may lead perpetrators to escalate control and threats to victim-survivors and children to prevent them reporting their abuse or to induce them to drop legal proceedings.</p> |
| Support for desistance and rehabilitation | <p>A register may create new opportunities for intervention with previously hard-to-reach offenders by making them subject to legally binding notification requirements whose breach is a criminal offence.</p> <p>This potential benefit increases if registration provides greater access to support and rehabilitation</p> | <p>The register might be used as a tool with which to ‘naming and shame’ offenders, which risks hindering effective engagement with them.</p> <p>Staff who currently manage registered sex offenders (MOSOVO officers) are not trained or qualified to work with DA or stalking cases. They lack</p> |

| Impacts on perpetrators | Potential benefits of a register | Risks posed by a register |
|--------------------------------|---|--|
| | interventions, such as perpetrator programmes, housing support, or drug and alcohol services. | understanding of what works in terms of rehabilitation, desistance, disruption and how perpetrators might try to manipulate the system. Therefore, additional training and/or recruitment efforts would be required. |

| Impacts on perpetrators | Potential benefits of a register | Risks posed by a register |
|--------------------------------|---|--|
| Perpetrators' human rights | Registration is a proportionate response to the risk posed by serious and serial perpetration of stalking and domestic abuse. The legality of MAPPA arrangements has been tried and tested over the last two decades and is robust. | <p>MAPPA and notification requirements are robust because they have a sound basis in legally defined offence and sentence categories. Proposals for a register would base registration on the comparatively weak grounding of motivation/nature of the relationship/subjectively defined risk level. There is therefore a real risk that registration will violate the rights of offenders if:</p> <p>Notification requirements cannot be shown to be proportionate to the specific risk posed.</p> <p>Registration is imposed on the basis of historic or spent convictions.</p> <p>Offenders contest formal labelling as 'high-risk'.</p> <p>Offenders remain on the register indefinitely or beyond the end of any sentences or licence</p> |

| | | |
|--|--|---|
| | | conditions or completion of any behaviour change programmes |
|--|--|---|

| Impacts on victim-survivors and children | Potential benefits of a register | Risks posed by a register |
|---|---|---|
| Sense of security | A register could provide reassurance and a sense of security for those at risk. Victim-survivors will know that their abuser is being monitored, and that police are expected to notify them of changes that affect their safety. | <p>The proposals do not clarify whether victims would be informed that their perpetrator has been registered, but it is likely that victim-survivors will want to know. This would require giving Probation expanded statutory disclosure powers which they currently do not have save in limited circumstances.</p> <p>There is a risk that victim-survivors will assume erroneously that a perpetrator's being registered automatically brings with it active risk management (beyond mere monitoring of notification). Further, there is a risk that victim-survivors will assume that perpetrators who do not meet the threshold for a register do not pose significant risk.</p> |

| Impacts on victim-survivors and children | Potential benefits of a register | Risks posed by a register |
|--|--|---|
| Collecting and sharing protective information with victims | Notification requirements would enable police and probation to proactively provide information to new and ex-partners or others who remain at risk. An ex-partner may benefit from knowing where the offender is now living, for example, in order to avoid that area. A new partner may benefit from a Right to Know disclosure from police providing information about their partner's criminal history and propensity to abuse. | <p>Unless sufficient resources are provided to support adequate victim liaison, there is a risk that a register will provide victim-survivors with false reassurance that they will be informed if risks to them change. In fact, significant increases to the workload of Victim Liaison Officers would reduce the quality of service to victim-survivors, increasing the gap between expectations and reality.</p> <p>A 2023 inspection by HMICFRS⁸⁹ found that 13 of the 22 victim liaison officers interviewed had a workload of between 200 and 300 cases. Although</p> |

⁸⁹ Full text at: <https://hmicfrs.justiceinspectorates.gov.uk/publication-html/meeting-the-needs-of-victims-in-the-criminal-justice-system/>

| Impacts on victim-survivors and children | Potential benefits of a register | Risks posed by a register |
|--|--|---|
| | | <p>there was an ambition to reduce these case numbers to a more manageable 180, the Probation Service 'had no understanding of whether this figure was appropriate'.</p> |
| Victim-survivor safety | <p>Better tracking, monitoring and management of the risk posed by serial and serious perpetrators will reduce offending. Better sharing of information with victim-survivors will improve their ability to stay safe.</p> | <p>As mentioned above, the prospect of registration may incentivise perpetrators to escalate control and threats to victims and children to prevent them reporting their abuse or to induce them to drop legal proceedings.</p> <p>There is also a risk that victim-survivors may not disclose further incidents due to fear that registration will prompt retaliation by a perpetrator, or because</p> |

| Impacts on victim-survivors and children | Potential benefits of a register | Risks posed by a register |
|---|--|--|
| | | <p>they do not want the perpetrator to suffer the consequences of registration.</p> <p>As above, if a register results in Victim Liaison Officers being overwhelmed with new cases, information sharing with victim-survivors will not be sufficient to be protective.</p> |
| Human rights of victim-survivors | A register will protect human rights of victim-survivors by ensuring serious and serial perpetrators who pose a threat to them are managed more effectively. | There is a risk that victim-survivors, especially females, who use violent resistance against their abuser or are subject to malicious counter-allegations may find themselves unjustly convicted and placed on the register. |

| Political, symbolic, and cultural impacts | Potential benefits of a register | Risks posed by a register |
|--|--|---|
| The register's symbolic value | A register would constitute an official recognition that domestic abuse and stalking are as unacceptable and as serious as sexual offending and terrorism. This, in turn, would send a message to the whole of society that domestic abuse and stalking must be resisted and punished appropriately, and that perpetration should never be minimised, dismissed or normalised. | <p>Proposals for a register sound intuitive and appealing. But taking domestic abuse and stalking seriously means adopting policies and practices that are evidence-based, genuinely protective and which hold perpetrators accountable. If a register does not do this, then its symbolic value risks becoming merely tokenistic.</p> <p>There is a risk that the proposals would create a significant gap between expectations and capacity to deliver that would ultimately undermine trust and legitimacy in the system. The register would add a significant layer of new process onto a system that is already overburdened, under-resourced, and poorly served by existing digital infrastructure. Unless the problems with the current system are</p> |

| Political, symbolic, and cultural impacts | Potential benefits of a register | Risks posed by a register |
|--|---|---|
| | | addressed first -especially the problem of bringing DA and stalking offenders to justice in the first place- a new register would set services up to fail. |
| The register and culture shift | <p>Having a register for domestic abuse perpetrators could result in a much-needed culture shift around how domestic abuse and stalking are viewed and dealt with in the criminal justice system. Specifically, it could:</p> <p>Focus minds on the problem of serial and serious domestic abuse and stalking.</p> <p>Shift the focus of the criminal justice system away from victim-survivors and towards those causing the</p> | The current proposals would likely result primarily in the expansion of a bureaucratic processes (monitoring of notification requirements), and this alone would not achieve a change in culture. |

| Political, symbolic, and cultural impacts | Potential benefits of a register | Risks posed by a register |
|--|---|----------------------------------|
| | <p>harm, through the imposition of notification requirements.</p> <p>Make criminal justice practitioners more accountable for their responses to DA and stalking, through the imposition of new statutory obligations to monitor and manage risk.</p> <p>As repeated inspections and reviews show, there is still a strong and pervasive cultural resistance in the criminal justice system to treating DA and stalking</p> | |

| Political, symbolic, and cultural impacts | Potential benefits of a register | Risks posed by a register |
|--|--|----------------------------------|
| | as serious crimes. ⁹⁰ Mere guidance and encouragement will not be sufficient to correct this, as recent history clearly demonstrates. Genuine culture change requires a shift in the law and the creation of statutory duties with attendant targets and inspections to hold practitioners accountable. | |

⁹⁰ See HMICFRS inspections from 2014, 2015 and 2021.

Conclusion

It is important to acknowledge the improvements to existing practice that the campaign for a register has already achieved. Debates in parliament about a register have been followed by changes to the law to include stalking and coercive control offences amongst the list of serious crimes which can trigger risk management under Category 2 of MAPPA. They have also prompted the Ministry of Justice to issue new guidance for MAPPA practitioners, which appears to have resulted in a significant increase in the number of DA and stalking offenders being managed under Category 3. These are significant achievements. However, the significant majority of those we spoke to and consulted for this study did not support the current proposals for a register, and it seems evident that a register alone is unlikely to bring significant improvements in the criminal justice system's response to high risk and serial DA and stalking perpetrators.

Supporters of a register and sceptics alike agree that holding perpetrators to account and protecting current and future victim-survivors requires culture change across the criminal justice system to take domestic abuse and stalking more seriously, alongside better resourcing, training and collaborative multi-agency working to proactively reduce risk, supported by rigorous risk assessment and effective digital infrastructure at a national level. Achieving these changes should now be the government's priority and a strategic plan for doing so should be urgently developed.

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Appendix I.

Timeline of key policy developments and recommendations around a register for DA and Stalking offenders

| Date | Policy Development |
|------------|--|
| March 2004 | MET police report 'Getting Away With It' recommends that high-risk perpetrators of domestic abuse should be recorded on ViSOR and managed under Multi Agency Public Protection Arrangements (MAPPA) ⁹¹ |
| Aug 2009 | The Association of Chief Police Officers (ACPO) recommends the introduction of a domestic abuse offender register. The report, which explores options for addressing serial perpetration of domestic abuse, links proposals for a register to proposals for a new 'Right to Know' whereby members of the public can request and receive information from police about their partner's criminal history of domestic abuse. The register would require '(following conviction and at the request of the Crown) certain serial domestic abuse offenders to notify police of any change in name, address, to facilitate tracking and the disclosure of information to potential victims'. ACPO's Right to Know proposal is successful, resulting in the introduction of the world's first Domestic Violence Disclosure Scheme. Proposals for a register are not taken forward. |

⁹¹ 'Getting away with it': A Strategic Overview of Domestic Violence Sexual Assault and 'Serious' Incident Analysis. Metropolitan Police, (2004). At: https://webarchive.nationalarchives.gov.uk/ukgwa/+/http://www.met.police.uk/csu/pdfs/Strat.Over_V3nonMPS1.pdf

| Date | Policy Development |
|----------|--|
| 2012 | The All Party Parliamentary Stalking Law Reform Inquiry report recommends a register for serial stalkers. |
| Aug 2017 | The London Assembly recommends the introduction of a domestic abuse offender register. The report 'Domestic Abuse in London' urges the Mayor and MOPAC to lobby the government for legislative change to require offenders of domestic abuse-related crime to notify any change of name or address with their local police force, in order to allow the police to maintain up-to-date information about serious perpetrators and reduce crime. |
| Mar 2018 | The Mayor of London's Violence Against Women and Girls Strategy includes a recommendation for a domestic abuse register. ⁹² |
| Oct 2018 | The Home Affairs Select Committee recommends the introduction of a national register of serial stalkers and domestic violence perpetrators, 'as a matter of urgency, and for individuals places on the register to be managed through MAPPA as are registered sex offenders'. ⁹³ |

⁹² https://www.london.gov.uk/sites/default/files/vawg_strategy_2018-21.pdf

⁹³ <https://committees.parliament.uk/work/3151/domestic-abuse-inquiry/news/100489/committee-urge-government-to-widen-forthcoming-bill-on-domestic-abuse/>

| Date | Policy Development |
|-----------|--|
| Jan 2019 | The London Assembly publishes a report proposing that the Government should introduce a domestic abusers register as part of the forthcoming Domestic Abuse Bill. The report also recommends that the Mayor of London should lobby for a register, and that the National Police Chief's Council should commission a study into the costs and benefits of a proposed register. |
| June 2020 | The House of Commons debates proposals for a domestic abuse and stalkers register. Proposed changes to Clause 12 and Clause 49 of the Criminal Justice Act would create a new bespoke register or database containing name, home address, National Insurance number and offending history of all those convicted of a DA offence, alongside a requirement to notify authorities of changes to circumstances including the start of a new relationship. ⁹⁴ |

⁹⁴ Proposal brought by MP Liz Saville-Roberts of Plaid Cymru. “(1) The Secretary of State must arrange for the creation of a register containing the name, home address and national insurance number of any person (P) convicted of an offence that constitutes domestic abuse as defined in section 1 of this Act. (2) Each police force in England and Wales shall be responsible for ensuring that the register is kept to date with all relevant offences committed in the police force's area. (3) Each police force in England and Wales shall be responsible for ensuring that P notifies relevant police forces within 14 days if they commence a new sexual or romantic relationship. (4) A failure to notify the police in the circumstances set out in subsection (3) shall be an offence liable on conviction to a term of imprisonment not exceeding 12 months. (5) The relevant police force shall have the right to inform any person involved in a relationship with P of P's convictions for an offence that amounts to domestic abuse as defined in section 1 of this Act.”—

| Date | Policy Development |
|----------|--|
| 2021 | The College of Policing recommends against the introduction of a domestic abuse and stalkers register in their <i>Background Paper on the Management of Serial and Potentially Dangerous Perpetrators of Domestic Abuse and Stalking</i> . A register is rejected on the ground that implementing the 'Recency Frequency Gravity Victimisation' algorithm to identify high-priority perpetrators, improving intelligence sharing, and ensuring that there are focused interventions with those identified as a priority should preclude the need for registration. |
| Apr 2021 | The House of Commons rejects legislative proposals for a register. Proposals take the form of an amendment 42 to the Domestic Abuse Bill, introducing a new category of 'serial domestic abuse or stalking offenders' for mandatory management under MAPPA and inclusion on the ViSOR case management data system. ⁹⁵ |

This new clause would require that any person convicted of any offence that amounts to domestic abuse as defined in clause 1 must have their details recorded on a domestic abuse register to ensure that all the perpetrator's subsequent partners have full access to information regarding their domestic abuse offences.

⁹⁵ Lords Amendment 42 would amend the Criminal Justice Act 2003, which provides for the establishment of Multi-Agency Public Protection Arrangements ("MAPPA"), to make arrangements for serial domestic abuse or stalking perpetrators to be registered on ViSOR (the Dangerous Persons Database) and be subjected to supervision, monitoring and management through MAPPA.

| Date | Policy Development |
|----------|---|
| Apr 2021 | Parliament approves the Domestic Abuse Bill creating Domestic Abuse Prevention Orders. DAPOs can be imposed by family, civil or magistrate's courts and include requirements to notify authorities of changes to name and address, as well as a wide range of other possible positive or negative requirements. At the time of writing in Summer 2024, these orders are still in a very initial phase of pilot. |

| Date | Policy Development |
|----------|---|
| Nov 2021 | <p>The Home Office publishes new MAPPA Guidance to improve the management of serious domestic abuse and stalking offenders. The Guidance instructs police, probation and prison staff to utilise mechanisms and powers under MAPPA to better manage the risk posed by domestic abuse and stalking offenders. Notably, the guidance reminds relevant practitioners that people with cautions or convictions for new criminal offences of Stalking and Coercive Control, or subject to new DA prevention orders should be considered for management under MAPPA, and that better use should be made of discretionary category (C3) for domestic abuse offenders.</p> <p>The Guidance also states that coercive control offenders convicted of an offence under s.76 of the Serious Crime Act 2015 (Controlling or Coercive Behaviour in an Intimate or Family Relationship) or s.2A of the Protection from Harassment Act 1997 (Stalking), or breaches of civil orders (such as restraining orders or Domestic Abuse Prevention Orders) should always be considered for referral to MAPPA Category 3 by the lead agency and any offender convicted of an offence listed in Schedule 15 of the Criminal Justice Act 2003 that has a domestic abuse element but does not meet the eligibility criteria for Category 1 or 2 (e.g. because of the sentence they received) should be considered for Category 3. Offenders convicted of non-DA or non-violent offences but whose behaviour indicates a risk of causing serious harm through DA should also be considered for management under C3.</p> |

| Date | Policy Development |
|-----------|---|
| 2022 | The government publishes its 'Tackling DA Plan' including a commitment to consider a register. ⁹⁶ |
| Jul 2022 | A Joint Inspection of MAPPA finds that high-risk perpetrators of domestic abuse are not being considered for management under MAPPA and recommends improvements. Reiterating the 2021 Home Office Guidance, specific recommendations are that Category 3 referrals are made to manage individuals who present a high risk of domestic abuse 'where formal multi-agency management and oversight through MAPPA would add value to the risk management plan'. |
| Sept 2022 | The Labour Party's Steve Reed MP announces plans for a Domestic Abuse Register that would introduce a new crime category of serial domestic abuse and stalking offenders and impose notification requirements on individuals included in that category. |

⁹⁶ Specifically, a commitment to consider the following:

- a) Requiring the most dangerous domestic abusers to report certain matters to the police, such as when they start new relationships, open a bank account with a partner, or change address.
- b) Exploring the most effective multi-agency forums for sharing information and creating plans which target perpetrators in order to protect victims and their children. These could also help us better understand patterns of behaviour, including whether the harm and severity of abuse escalates over time.
- c) Looking into ways to formally label these offenders as 'domestic abusers' so they are more easily identifiable.

| Date | Policy Development |
|--------------|---|
| Aug-Nov 2022 | Member of Scottish Parliament Pam Gosal conducts a public consultation on a proposed 'Domestic Abuse Prevention Bill' for Scotland, including a statutory register for people convicted of domestic abuse-related offences, and an obligation for police to proactively disclose the fact of registration to their partners. |
| Feb 2023 | The Home Secretary announces plans to legislate to improve the management of Coercive and Controlling Behaviour and Stalking offenders under MAPPA. Legislative changes mean eligible Coercive and Controlling Behaviour offences are included under Sch.15 and therefore mandate risk management under MAPPA and inclusion on ViSOR. ⁹⁷ |
| March 2023 | The Labour Party publishes its 'Making Britain's Streets Safe' mission statement, committing to introduce a domestic abuse register 'to track offenders and help protect victims'. |

⁹⁷ See parliamentary statement: <https://questions-statements.parliament.uk/written-statements/detail/2023-02-20/hlws554>

| Date | Policy Development |
|----------|---|
| Apr 2023 | The Independent Reviewer of the Management of Sex Offenders- advises against a register for domestic abuse and stalking offenders. Specifically, the report recommends against ‘making DA offenders subject to sex offender-style registration or notification requirements’ but advocates in favour of ‘much better use of MAPPA category 3 for managing high-risk domestic abuse perpetrators’. ⁹⁸ |
| Apr 2023 | The National MAPPA Research ‘Process Effectiveness’ Report recommends better use of MAPPA Category 3 for domestic abuse perpetrators. The report finds that Category 3 is being under-utilised to manage high risk domestic abuse perpetrators and recommends introduction of Level 1 management to that category to encourage greater acceptance of referrals of domestic abuse offenders. |
| Jul 2023 | Her Majesty’s Inspectorate of Probation publishes a thematic inspection of work undertaken, and progress made, by the Probation Service to reduce the incidence of domestic abuse and protect victims. Significant gaps remain and in some areas the situation has deteriorated. |

⁹⁸ <https://www.gov.uk/government/publications/independent-review-of-police-led-sex-offender-management/independent-review-into-the-police-led-management-of-registered-sex-offenders-in-the-community-executive-summary-accessible-version>

| Date | Policy Development |
|-------------|---|
| Feb 2024 | The House of Lords debates and rejects legislative proposals to create a register. Proposals introduce a new statutory definition of ‘serial domestic abuse and stalking offenders’ and to amend the Sexual Offences Act to impose notification requirements and manage under MAPPA all serial or high-risk domestic abuse and stalking offenders). For full proposals see above. |
| 21 May 2024 | The House of Lords debates and approves legislative proposals for a register previously put forward in Feb 2024 |
| 23 May 2024 | Government rejects proposals approved by the House of Lords, introducing instead an amendment ‘in lieu’ which will ‘ensure that those convicted of controlling or coercive behaviour who are sentenced to at least 12 months’ imprisonment will be automatically subject to management under multi-agency public protection arrangements, or MAPPA’. |

Appendix II

MAPPA and ViSOR Overview

Every person managed under MAPPA is classified and managed under one of the following four categories, outlined below.

| Category | Criteria | Management | Termination of status |
|--|---|--|---|
| Category 1 - Registered Sexual Offenders (RSO) Note: these offenders are often referred to as being on the 'Sex Offenders' Register' Registered Domestic abuse and stalking offenders would be managed in the same way as this category according | Offenders who have been: convicted of cautioned for found to be under a disability and to have done the act charged, or found not guilty by reason of insanity for an offence listed in Schedule 3 of the Sexual Offences Act (SOA) 2003. Legislation: https://www.legislation.gov.uk/ukpga/2003/42/schedule/3 | Management: Management for these offenders can take place at Levels 1, 2, and 3. On ViSOR: All Category 1 nominals should be on ViSOR. Notification requirements: Offenders are required to comply with the notification requirements set out in Part 2 of the SOA 2003. Agency involvement: The police will have statutory responsibilities to manage the notification requirements of | Once the period of notification / registration expires, the offender will no longer be actively managed under MAPPA. In the most serious cases, offenders could be subject to lifetime notification requirements. |

| Category | Criteria | Management | Termination of status |
|--|----------|---|-----------------------|
| to legislative proposals tabled in Feb and March 2024. | | <p>offenders in Category 1. They will also act as lead agency once offenders are no longer subject to statutory supervision by National Probation Services (NPS).</p> <p>Legislation:</p> <p>https://www.gov.uk/government/publications/guidance-on-part-2-of-the-sexual-offences-act-2003/guidance-on-part-2-of-the-sexual-offences-act-2003-accessible-version</p> <p>Breach of notification:</p> <p>An offender commits a criminal offence if they fail to meet the notification requirements without reasonable excuse, or if they knowingly provide false information.</p> <p>All actual or suspected breaches should be recorded by staff on</p> | |

| Category | Criteria | Management | Termination of status |
|---|--|---|---|
| | | <p>local and national systems (for example PNC and ViSOR) and distribute this information as appropriate.</p> <p>An urgent multi-agency public protection (MAPP) meeting may be required in some cases. The decision to call for this meeting is taken by the relevant detective inspector or senior probation officer, depending on which agency is leading.</p> | |
| Category 2 - Violent Offenders and Other Sexual Offenders | <p>Offenders convicted (or found to be under a disability and to have done the act charged, or found not guilty by reason of insanity) of:</p> <p>murder</p> <p>offence specified under Part 1 or Part 2 of Schedule 15^[1] or Section 327 (4A) of the Criminal Justice Act 2003 (CJA 2003)</p> <p><u>and</u></p> | <p>Management:</p> <p>Management for these offenders can take place at Levels 1, 2, and 3.</p> <p>On ViSOR:</p> <p>Those who are managed at Levels 2 and 3 should have a ViSOR record. There is an expectation that those managed at Level 1 will have a</p> | <p>When the offender's licence expires, they are discharged from the hospital or guardianship order or when the Community Treatment Order expires. If an offender is on licence for a consecutive or concurrent sentence, they will</p> |

| Category | Criteria | Management | Termination of status |
|--|--|---|--|
| | <p>they have received one of the sentences:</p> <p>imprisonment for a term of 12 months or more (including indeterminate sentences).</p> <p>detention in youth detention accommodation for a term of 12 months or more</p> <p>Suspended sentences with a term of 12 months or more</p> <p>a hospital order (with or without restrictions) or guardianship order under the Mental Health Act 1983 (MHA 1983).</p> <p>Legislation:</p> <p>https://www.legislation.gov.uk/ukpga/2003/44/schedule/15/2015-07-31</p> <p>https://www.legislation.gov.uk/ukpga/2003/44/section/327</p> | <p>ViSOR record, although this has not been fully implemented.</p> | <p>remain subject to MAPPA until the whole sentence has expired. An offender does not remain automatically subject to MAPPA due to Post Sentence Supervision requirements.</p> |
| Category 3 - Other Dangerous Offenders | <p>Offenders who do not meet the criteria for Categories 1, 2 or 4 but who have committed an offence that indicates that that they are capable of causing serious harm and require multi-agency management.</p> | <p>Management:</p> <p>Management for these offenders can take place at Levels 2 and 3.</p> <p>On ViSOR:</p> | <p>When a Level 2 or 3 MAPPA meeting decides that the risk of harm has been reduced sufficiently or that the case no longer requires active</p> |

| Category | Criteria | Management | Termination of status |
|----------|--|---|---------------------------------|
| | <p>The offence does not have to be one specified in Sch.15 of the CJA 2003, does not have sentence requirements, and may have been committed abroad.</p> <p>The Responsible Authority must establish that the person has one of the following:</p> <p>a conviction for any offence (current or historic, within the UK or abroad)</p> <p>received a formal caution (adult or young person) or reprimand/warning (young person) for any offence</p> <p>been found not guilty of any offence by reason of insanity</p> <p>been found to be under a disability (unfit to stand trial) and to have done any act charged against them;</p> <p><u>and</u></p> <p>the offence for which they received one of the disposals above indicates that the person may be capable of causing serious harm to the public</p> <p>Note - all domestic abuse perpetrators not managed under Category 1, 2 or 4 should be</p> | <p>All C3 offenders should have a ViSOR record.</p> <p>Note - Offenders should not be registered as Category 3 unless a multi-agency approach at Level 2 or 3 is necessary to manage the risks they present.</p> | <p>multi-agency management.</p> |

| Category | Criteria | Management | Termination of status |
|---|--|------------|-----------------------|
| | <p>considered for Category 3 management. This should include those convicted under:</p> <p>s.76 of the Serious Crime Act 2015 (Controlling or Coercive Behaviour in an Intimate or Family Relationship).</p> <p>s.2A of the Protection from Harassment Act 1997 (Stalking)</p> <p>s.4A of the Protection from Harassment Act 1997 (Stalking Involving Fear of Violence or Serious Alarm or Distress) and were sentenced to less than 12 months</p> <p>Any agency can refer a case for consideration under Category 3 but it is the MAPPA Coordination unit (on behalf of the Responsible Authority) that determine whether the offender meets the criteria.</p> | | |
| Category 4 - Terrorist or Terrorist Risk Offenders | | | |

Management

All MAPPA offenders must be managed by the lead agency in the relevant MAPPA area. For information on how levels are managed see Chapter 7 of the 2023 MAPPA Guidance. [7. Levels of Management \(updated 2023\) - Multi-Agency Public Protection Arrangements - MAPPA \(justice.gov.uk\)](#)

Termination of MAPPA management – all categories

When a person is no longer managed within MAPPA (e.g. because the requirement to notify as a Registered Sexual Offender has expired, or Category 2 MAPPA offender is no longer under supervision and not managed under Level 2 or 3) the ViSOR record must be archived by the CPC or other designated person.

A closing Risk Management Plan should be created by the Manager and approved by the Supervisor. The Risk Management Plan will detail the facts that the person is no longer under any statutory supervision/active management, that all risks have been reviewed and are not considered significant and that under the circumstances there are no other concerns that would require the individual to be the subject of further management.

When prompted by the system, the Central Point of Contact of the holding agency area should review the record 2 years following archiving and then every subsequent 10 years from the archive date to ensure relevance and accuracy.

All Category 1, 2 and 4 offenders managed at Level 2 or 3 who are coming to the end of their notification requirements or period of licence must be reviewed and considered for registration as a Category 3 or discretionary Category 4 offender. 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.

ViSOR record

Offenders' previous risk assessment reports will be accessible as will their complete descriptive detail including their behavioural traits, modus operandi, an activity log and a full photographic library.

Contains joint risk assessments and risk management plans from MAPPA Responsible Authority agencies

Has a secure link to PNC - access to an offender's full criminal record held on the PNC's Names database

All individuals identified as MAPPA eligible⁹⁹, along with nominals identified by police forces as being potentially dangerous persons, qualify for inclusion on the ViSOR database.

Victim Contact¹⁰⁰

The Probation Service has a statutory duty under the Domestic Violence, Crime and Victims Act 2004 (DVCVA 2004) to contact the victims of offenders convicted of a specified violent or sexual offence who are sentenced to 12 months or more imprisonment. Even where victims do not meet the threshold, offender managers should find out if a victim has contact with a Victim Liaison Officer, especially if they are at risk from the offender as in many DA cases. VLOs working in Probation Service Divisions will provide information to victims about the criminal justice process, what the offender's sentence means, information on tariffs, appeals, parole eligibility, release (including release on temporary licence and, on a case-by-case basis, escorted or unescorted leave), conditional discharge, and recalls. The Victim Contact Scheme (VCS) is an information-giving service that also allows victims to feed in views about certain decisions about how an offender is managed. It helps represent the perspective of victims when cases are discussed at multiagency meetings and when offenders are being considered for parole, release from prison on licence, or discharge from hospital. Victims under the VCS have a right to make representations about licence conditions, including release on temporary licence, via their VLO. The Probation Service also operates the Victim Notification Scheme. This ensures that victims of certain stalking and harassment offences, where the current offence or sentence length is not covered by the statutory VCS, are notified of an offender's release from custody and are able to request licence conditions.

⁹⁹The agencies required to identify MAPPA offenders are: Probation, Police, Prison Service, Youth Offending Teams (YOT), Mental Health Services, Ministry of Defence

¹⁰⁰ See Victim Contact Policy Framework (2021) at: <https://assets.publishing.service.gov.uk/media/6579eb6d254aaa000d050cbb/victim-contact-scheme-policy-framework.pdf>

HM Prisons and Probation Service Domestic Abuse Policy Framework¹⁰¹

This 2022 Policy Framework published by the Ministry of Justice sets out the arrangements for working with people whose convictions or behaviours include domestic abuse and stalking in the context of domestic abuse.

Referring domestic abuse perpetrators to Level 2 or 3 MAPPA – Probation Practitioners are required to assess all individuals with evidence of serial domestic abuse or stalking for management at Level 2 or 3 including those that do not meet the MAPPA criteria for Category 1, 2 or 4.

When considering whether and which licence conditions to impose, probation practitioners use the following framework: [Licence conditions Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/licence-conditions-policy-framework)

At Court:

- use Effective Proposal Framework (EPF) to inform recommendations for sentence and propose an accredited programme (e.g. BBR) for all individuals assessed as eligible and suitable. Consider sentence length in making such proposals to ensure there is sufficient time to complete proposed interventions;
- where an individual is not suitable or eligible for an accredited programme, recommend a Rehabilitation Activity Requirement (RAR) to ensure that rehabilitative interventions for domestic abuse are undertaken, alongside other interventions deemed necessary.

¹⁰¹ Full text at: <https://assets.publishing.service.gov.uk/media/6332b20d8fa8f51d2669fa72/domestic-abuse-pf.pdf>

See this link for information on planning for release:

<https://assets.publishing.service.gov.uk/media/63458e47d3bf7f6187759710/resettlement-and-pre-release-planning-guidance.pdf>