



Multi Agency Public Protection Arrangements

# HERTFORDSHIRE



## Annual Report 2019-20



# Introduction

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This Annual Report reviews how the three Responsible Agencies (HM Prisons, Police and National Probation Service) have fulfilled their statutory duties under Multi Agency Public Protection Arrangements (MAPPA) and worked with other Duty to Cooperate (DTC) agencies and bodies to protect the public and manage the risk presented by dangerous offenders in our community.

Public protection remains one of our highest priorities. During 2019-20 we have continued to work in collaboration with the criminal justice service and other partnership agencies to protect vulnerable individuals, groups and communities. Whilst we accept that it is impossible to totally eliminate risk, our agencies are, none the less, committed to doing all that is reasonably possible to reduce re-offending, protect others and to learn the harsh lessons where further harm has occurred.

The year 2019/20 has without doubt, been turbulent for all involved in Hertfordshire Criminal Justice Services and has seen some significant changes and challenges in the management of MAPPA cases. We have had our first MAPPA Serious Case Review (SCR) as a result of one of the worst series of offending by a single offender, experienced anywhere in the UK. Rightly, the MAPPA Strategic Management Board (SMB) immediately commissioned a SCR to examine all aspects of the MAPPA management of this case, with the full intention of taking on and implementing improved processes and practices from suggestions that are likely to help us manage such offenders differently in the future. Some of the changes that began in Hertfordshire have been rolled out elsewhere across the National Probation Service England and Wales as recommended good practice.

We have some exceptional challenges in the coming years. The planned national restructure of the National Probation Service has implications for us all. The National Business plan for ViSOR has the ultimate goal of providing a system that will be business as usual for Probation, Police and Prison. Although this re-structure and change provides its own challenge, it has also given us further opportunities for closer working across borders and with partner agencies. If all this was not enough, the end of the year heralded in a pandemic which undoubtedly will have serious implications for our work going forward.

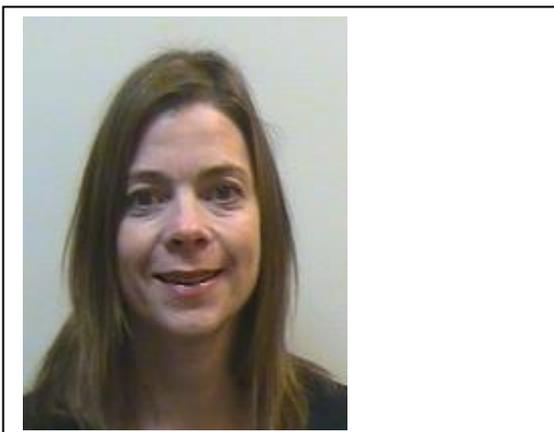
There has been very good commitment from our DTC partners in Hertfordshire and I would personally like to thank all our partner agencies who have contributed to MAPPA and Young MAPPA over the last year. Providing staff and managers for regular meetings is increasingly difficult but through our continued commitment to public protection we are still managing to get the participation of the right organisations/individuals and thus able to achieve some really successful partnership results.

The safe accommodation of serious and high-risk offenders in our communities continues to be our most significant challenge, but on-going discussions with our district councils and other Housing providers who are MAPPA DTC agencies have been progressing constructively and with some very encouraging results.

Finally, welcome to Michelle Witham who has joined us as a Lay Adviser and we hope to be working with Michelle over the next four years. At the same time, we say heartfelt thanks to and goodbye to Slava Budin-

Jones for all her hard work over the past seven years. Unfortunately, we are also saying goodbye to Diane Welch who joined us briefly but had to resign for personal reasons. Their contribution is much valued across all partnerships.

DCI Anna Wright, SMB Chair



# What is MAPPA?

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## MAPPA background

MAPPA (Multi-Agency Public Protection Arrangements) are a set of arrangements to manage the risk posed by the most serious sexual and violent offenders (MAPPA-eligible offenders) under the provisions of sections 325 to 327B of the Criminal Justice Act 2003.

They bring together the Police, Probation and Prison Services in each of the 42 Areas in England and Wales into what is known as the MAPPA Responsible Authority.

A number of other agencies are under a Duty to Co-operate (DTC) with the Responsible Authority. These include Social Services, Health Services, Youth Offending Teams, Jobcentre Plus and Local Housing and Education Authorities.

The Responsible Authority is required to appoint two Lay Advisers to sit on each MAPPA area Strategic Management Board (SMB) alongside senior representatives from each of the Responsible Authority and DTC agencies.

Lay Advisers are members of the public appointed by the Minister with no links to the business of managing MAPPA offenders who act as independent, yet informed, observers; able to pose questions which the professionals closely involved in the work might not think of asking. They also bring to the SMB their understanding and perspective of the local community (where they must reside and have strong links).

## How MAPPA works

MAPPA-eligible offenders are identified and information about them is shared between agencies to inform the risk assessments and risk management plans of those managing or supervising them.

That is as far as MAPPA extend in the majority of cases, but some cases require structured multi-agency management. In such cases there will be regular MAPPA meetings attended by relevant agency practitioners.

There are 3 categories of MAPPA-eligible offender:

- **Category 1** - registered sexual offenders;
- **Category 2** – mainly violent offenders sentenced to 12 months or more imprisonment or a hospital order; and
- **Category 3** – offenders who do not qualify under categories 1 or 2 but who currently pose a risk of serious harm.

There are three levels of management to ensure that resources are focused where they are most needed; generally those presenting the higher risks of serious harm.

- **Level 1** is where the offender is managed by the lead agency with information exchange and multi-agency support as required but without formal MAPPA meetings;
- **Level 2** is where formal MAPPA meetings are required to manage the offender.
- **Level 3** is where risk management plans require the attendance and commitment of resources at a senior level at MAPPA meetings.

MAPPA are supported by ViSOR. This is a national IT system to assist in the management of offenders who pose a serious risk of harm to the public. The use of ViSOR increases the ability to share intelligence across organisations and enable the safe transfer of key information when high risk offenders move, enhancing public protection measures. ViSOR allows staff from the Police, Probation and Prison Services to work on the same IT system for the first time, improving the quality and timeliness of risk assessments and interventions to prevent offending.

All MAPPA reports from England and Wales are published online at: [www.gov.uk](http://www.gov.uk)

# MAPPA Statistics

<b>MAPPA-eligible offenders on 31 March 2020</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	789	219	-	1008
Level 2	2	2	2	6
Level 3	0	1	0	1
Total	791	222	2	1015

<b>MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total)</b>				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	23	17	13	53
Level 3	1	1	0	2
Total	24	18	13	55

<b>RSOs cautioned or convicted for breach of notification requirements</b>	57
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<b>RSOs who have had their life time notification revoked on application</b>	1
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<b>Restrictive orders for Category 1 offenders</b>	
<b>SHPOs, SHPOs with foreign travel restriction &amp; NOs imposed by the courts</b>	
SHPO	64
SHPO with foreign travel restriction	0
NOs	1

<b>Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)</b>	0
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<b>Level 2 and 3 offenders returned to custody</b>				
	<b>Category 1: Registered sex offenders</b>	<b>Category 2: Violent offenders</b>	<b>Category 3: Other dangerous offenders</b>	<b>Total</b>
<b>Breach of licence</b>				
Level 2	5	5	2	12
Level 3	0	0	0	0
Total	5	5	2	12
<b>Breach of SOPO</b>				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

<b>Total number of Registered Sexual Offenders per 100,000 population</b>	<b>76</b>
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This figure has been calculated using the Mid-2019 Population Estimates: Single year of age and sex for Police Areas in England and Wales; estimated resident population, published by the Office for National Statistics, excluding those aged less than ten years of age.

# Explanation commentary on statistical tables

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## MAPPA background

The totals of MAPPA-eligible offenders, broken down by category, reflect the picture on 31 March 2020 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2019 to 31 March 2020.

**(a) MAPPA-eligible offenders** – there are a number of offenders defined in law as eligible for MAPPA management, because they have committed specified sexual and violent offences or they currently pose a risk of serious harm, although the majority are actually managed at Level 1 without formal MAPPA meetings. These figures only include those MAPPA eligible offenders living in the community. They do not include those in prison or detained under the Mental Health Act.

**(b) Registered Sexual Offenders (RSOs)** – those who are required to notify the police of their name, address and other personal details and to notify of any subsequent changes (this is known as the “notification requirement.”) These offenders are assessed and managed by the police. They may also be managed by probation or health services if they are subject to licence or a hospital order. Failure to comply with the notification requirement is a criminal offence that carries a maximum penalty of 5 years’ imprisonment.

**(c) Violent Offenders** – this category includes violent offenders sentenced to imprisonment or detention for 12 months or more, or detained under a hospital order. It also includes a small number of sexual offenders who do not qualify for registration. These offenders are assessed and managed by the National Probation Service, Youth Offending Team or Mental Health Services.

**(d) Other Dangerous Offenders** – offenders who do not qualify under the other two MAPPA-eligible categories, but who currently pose a risk of serious harm which requires management via MAPPA

meetings. These offenders are assessed and managed by whichever agency has the primary responsibility for them.

**(e) Breach of licence** – offenders released into the community following a period of imprisonment will be subject to a licence with conditions (under probation supervision). If these conditions are not complied with, breach action will be taken and the offender may be recalled to prison.

**(f) Sexual Harm Prevention Order (SHPO) (including any additional foreign travel restriction).** Sexual Harm Prevention Orders (SHPOs) and interim SHPOs replaced Sexual Offence Prevention Orders. They are intended to protect the public from offenders convicted of a sexual or violent offence who pose a risk of sexual harm to the public by placing restrictions on their behaviour. They require the offender to notify their details to the police (as set out in Part 2 of the 2003 Act) for the duration of the order.

The court must be satisfied that an order is necessary to protect the public (or any particular members of the public) in the UK, or children or vulnerable adults (or any particular children or vulnerable adults) abroad, from sexual harm from the offender. In the case of an order made on a free standing application by a chief officer or the National Crime Agency (NCA), the chief officer/NCA must be able to show that the offender has acted in such a way since their conviction as to make the order necessary.

The minimum duration for a full order is five years. The lower age limit is 10, which is the age of criminal responsibility, but where the defendant is under the age of 18 an application for an order should only be considered exceptionally.

**(g) Notification Order** – this requires sexual offenders who have been convicted overseas to register with the police, in order to protect the public in the UK from the risks that they pose. The police may apply to the court

for a notification order in relation to offenders who are already in the UK or are intending to come to the UK.

**(h) Sexual Risk Order (including any additional foreign travel restriction)**

The Sexual Risk Order (SRO) replaced the Risk of Sexual Harm Order (RoSHO) and may be made in relation to a person without a conviction for a sexual or violent offence (or any other offence), but who poses a risk of sexual harm.

The SRO may be made at the magistrates' court on application by the police or NCA where an individual has committed an act of a sexual nature and the court is satisfied that the person poses a risk of harm to the public in the UK or children or vulnerable adults overseas.

A SRO may prohibit the person from doing anything described in it, including travel overseas. Any prohibition must be necessary to protect the public in the UK from sexual harm or, in relation to foreign travel, protecting children or vulnerable adults from sexual harm.

An individual subject to an SRO is required to notify the police of their name and home address within three days of the order being made and also to notify any changes to this information within three days.

A SRO can last for a minimum of two years and has no maximum duration, with the exception of any foreign travel restrictions which, if applicable, last for a maximum of five years (but may be renewed).

The criminal standard of proof continues to apply. The person concerned is able to appeal against the making of the order and the police or the person concerned are able to apply for the order to be varied, renewed or discharged.

A breach of a SRO is a criminal offence punishable by a maximum of five years' imprisonment. Where an individual breaches their SRO, they will become subject to full notification requirements.

Individuals made subject of a SRO are now recorded on VISOR as a Potentially Dangerous Person (PDP).

**(i) Lifetime notification requirements revoked on application**

A legal challenge in 2010 and a corresponding legislative response means there is now a mechanism in place that allows qualifying sex offenders to apply for a review of their notification requirements. Persons do not come off the register automatically. Qualifying offenders may submit an application to the police to review their indefinite notification requirements. The police review the application and decide whether to revoke the notification requirements. This decision is made at the rank of Superintendent. Those who continue to pose a significant risk will remain on the register for life, if necessary.

Individuals will only become eligible to seek a review once they have been subject to indefinite notification requirements for a period of at least 15 years for adults and 8 years for juveniles. This applied from 1 September 2012 for adult offenders.

# Local page

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## MAPPA Achievements 2019-20

- Delivered audit of our MAPPA managed cases, to ensure adherence to MAPPA Guidance. Lead by Herts.Police audit team, these audits have highlighted good practice and areas for improvement.
- Effective multi-agency working and information sharing, robust risk assessment and risk management plans.
- Continued improvement around the chairing of MAPPA meetings, to hold all agencies accountable and to share in the scrutiny of assessment and Risk Management Plans, to mitigate and address the risk to the public, known victims and potential victims.
- Coordinated training plan and refresher, to address knowledge around MAPPA for all agencies involved in MAPPA panel decisions.
- Victim considerations remain at the heart of discussions and decision making at MAPPA meetings.
- We continue to grapple with the ever-present issue of offender accommodation to ensure appropriate housing is sourced for high risk offenders on re-entering the community upon release, despite the mounting difficulty and stretched resources that are available. Given these considerable difficulties and the fact that Hertfordshire does not have an Approved Premises in the county, local housing providers have done an excellent job.
- Continued to ensure that, all MAPPA offenders are assessed and where needed have access to treatment programmes, and the support of Offender Personality Disorder (OPD) pathway programme. Our psychological service for highly complex and challenging offenders, provides much needed support to community offender management groups with individual formulation plans of work to meet the needs of this complex group of high risk offenders.

With the help of our Lay Advisers we have continued to develop local MAPPA practice in adherence to revised MAPPA National Guidance, so that MAPPA eligible offenders are effectively managed throughout their sentence and when released into the community subject to MAPPA scrutiny of their management.

### Lay Adviser Report

Appointed by the Secretary of State, the Lay Advisers' role is voluntary to provide independent scrutiny and review of the effectiveness of MAPPA in protecting the public. I was formally appointed as Hertfordshire MAPPA Lay Advisor in October 2020. My professional background is as mostly working at a strategic level in adult health and social care for the past 30 years, and I hope this experience will support my role and responsibilities as a Lay Advisor. I am excited about my new role and look forward to engaging in the work of MAPPA where I intend to bring my lay and professional knowledge to all the duties. In this role I will be attending a significant number of Level 2 & 3 MAPPA meetings each quarter. I will also be regularly attending the Strategic Management Board meetings and other subgroup meeting as appropriate. I look forward to contributing to the review of Herts MAPPA and its` adherence to National Guidance and to participate in the range of audits in place and planned of the team`s core work.



Michelle Witham, Lay Adviser

## **MAPPA Membership**

MAPPA'S membership comprises statutory agencies and partners drawn from other dedicated services in the public sector

### **Statutory Agencies:**

Hertfordshire Constabulary

NPS Hertfordshire

HM Prison Service

### **Additional Agencies:**

Children's Services

Hertfordshire County Council

Health and Community Services, Hertfordshire County Council

Hertfordshire Youth Justice

Hertfordshire Partnership NHS Foundation Trust (Mental Health)

Safeguarding Board

Local Housing Authorities

Serco

Jobcentre Plus

Home Office Immigration Enforcement

### **MAPPA SMB Chair:**

Anna Wright, Hertfordshire Constabulary

### **MAPPA Manager:**

Morris Johnson, NPS Hertfordshire

### **Lay Advisers:**

Michelle Witham

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National  
Probation  
Service

