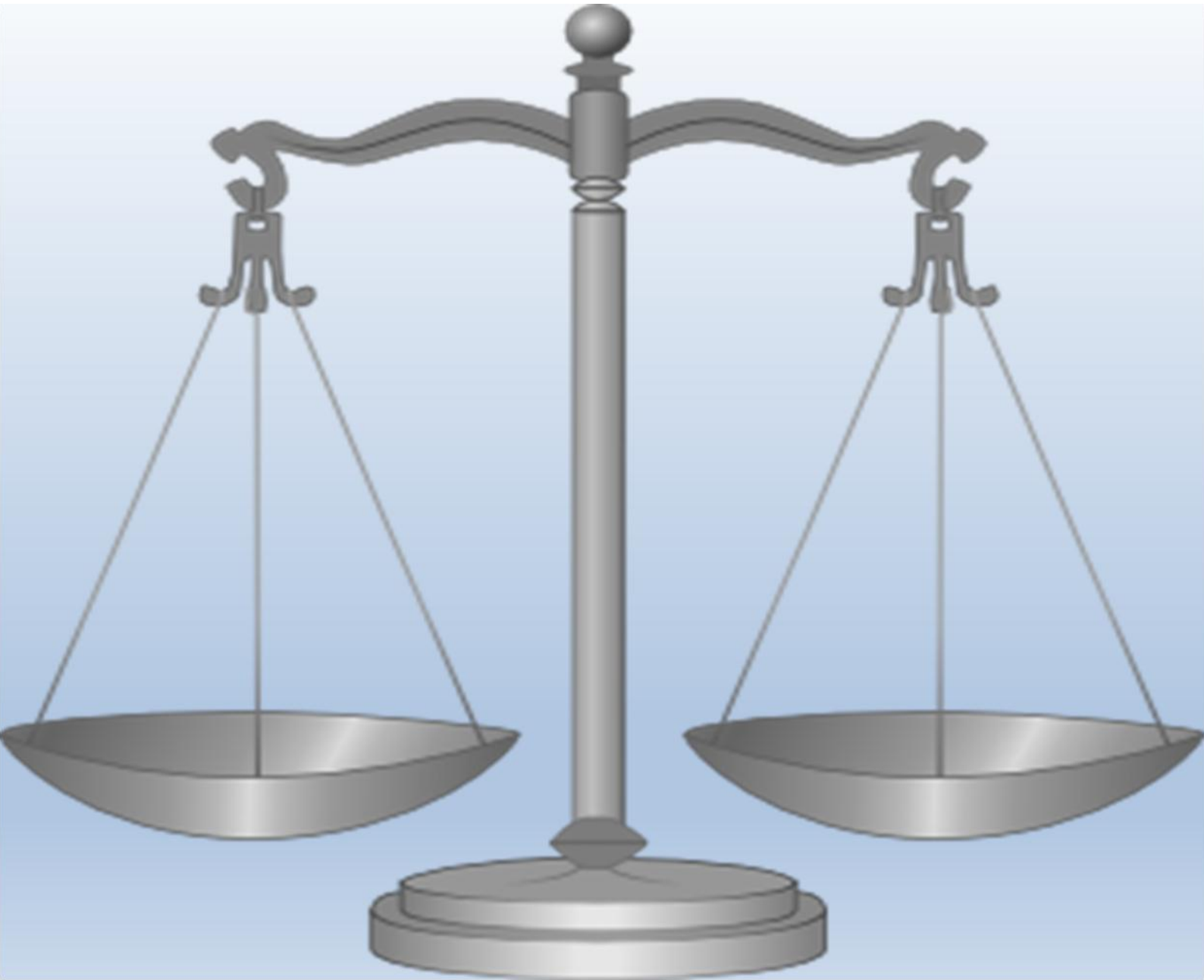




# HERTFORDSHIRE



## Annual Report 2016-17



# Introduction

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Her Majesty's Prison and Probation Service, Hertfordshire, (HMPPS) continues to strive for excellence in managing high risk and sex offenders living within the community.

Our on-going commitment to partnership working has led to the effective delivery of MAPPA arrangements during 2016 to 2017 against a back drop of operational challenges.

We supervise MAPPA eligible offenders through positive collaboration with both our statutory and non-statutory partners. Hertfordshire NPS continues to deliver specialised sex offender interventions and has recently started to introduce the new treatment programmes 'Horizon' and 'Kaizen'. Polygraph testing compliments the supervision of sex offenders supported by robust packages of desistance focused interventions designed to reduce risk of harm and re-offending.

Accommodating offenders is always a challenge and whilst an increase in Approved Premises bed spaces nationally is welcomed, the 'move-on' options from these short term placements remain limited. We are working with our Local Criminal Justice Board and focusing on this issue within our Strategic Management Group to address this gap.

The increased use of telephone conferencing has helped to manage the number of level 2 and 3 cases, whilst GPS tagging as a licence condition under a current MOJ pilot, has enabled us to more effectively manage offenders who would otherwise be recalled to prison or indeed detained in custody for longer than is necessary.

The wider roll out of VISOR access, a secure national database which allows confidential information to be exchanged between the MAPPA Responsible Authorities will improve communication across key agencies moving forward.

We would like to thank all our partner agencies who contribute to MAPPA and Young MAPPA. Finally we would also like to thank the MAPPA Strategic Board members for their commitment and valued oversight and our Lay advisors and MAPPA staff who continue to provide an excellent service in support of MAPPA delivery.



Neeve Bishop  
SMB chair



Charlie Hall  
Herts Chief Constable



Kevin Leggett  
Governor, HMP The Mount

# 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 involving the higher risks of serious harm.

- **Level 1** involves ordinary agency management (i.e. managed by the lead agency with no MAPPA formal meetings);
- **Level 2** is where the active involvement of more than one agency is required to manage the offender.
- **Level 3** is where risk management plans require the attendance and commitment of resources at a senior level.

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

## MAPPA Statistical Tables 2016-17

These are Official Statistics to which you have early access as allowed under the code of practice for official statistics. As such they must not be circulated further. Release into the public domain or any public comment on these statistics (including implications of content such as favourable or unfavourable) prior to publication undermines the integrity of official statistics.

The code of practice for official statistics states that areas must "ensure that no indication of the substance of a statistical report is made public, or given to the media or any other party not recorded as eligible for access before publication. Report to the National Statistician immediately any accidental or wrongful release, and investigate the circumstances" (paragraph 8, protocol 2).

For the complete code of practice, please see:

<http://www.statisticsauthority.gov.uk/assessment/code-of-practice/index.html>

**The date of publication is 26 October 2017 at 9:30 am.**

Area: Hertfordshire

### MAPPA-eligible offenders on 31 March 2017

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	793	218	-	1011
Level 2	5	3	1	9
Level 3	0	0	0	0
Total	798	221	1	1020

### MAPPA-eligible offenders in Levels 2 and 3 by category (yearly total)

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	25	18	5	48
Level 3	0	2	0	2
Total	25	20	5	50

RSOs cautioned or convicted for breach of notification requirements	33
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### Restrictive orders for Category 1 offenders

#### SHPOs & NOs imposed by the courts

SHPOs	158
SHPOs with Foreign Travel Restriction	0
NOs	4

## Level 2 and 3 offenders returned to custody

### Breach of licence

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	1	5	3	9
Level 3	0	0	0	0
Total	1	5	3	9

### Breach of SOPO/SHPO

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

**Total number of Registered Sexual Offenders per 100,000 population**

78

This figure has been calculated using the mid-2016 estimated resident population, published by the Office for National Statistics on 22 June 2017, excluding those aged less than ten years of age.

### Notification Requirements

RSOs having had lifetime notification requirements revoked on application	4
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People subject to notification requirements for breach of an SRO	0
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# 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 2017 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2016 to 31 March 2017.

**(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 under ordinary agency (Level 1) arrangements rather than via 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.”) 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.

**(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.

**(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. It requires 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 done 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.

Individuals subject to indefinite notification 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 applies from 1 September 2012 for adult offenders.

On 21 April 2010, in the case of *R (on the application of F and Angus Aubrey Thompson) v Secretary of State for the Home Department [2010] UKSC 17*, the Supreme Court upheld an earlier decision of the Court of Appeal and made a declaration of incompatibility under s. 4 of the Human Rights Act 1998 in respect of notification requirements for an indefinite period under section 82 of the Sexual Offences Act 2003.

This has been remedied by virtue of the Sexual Offences Act 2003 (Remedial) Order 2012 which has introduced the opportunity for offenders subject to indefinite notification to seek a review; this was enacted on 30th July 2012.

Persons will not come off the register automatically. Qualifying offenders will be required to submit an application to the police seeking a review of their indefinite notification requirements. This will only be once they have completed a minimum period of time subject to the notification requirements (15 years from the point of first notification following release from custody for the index offence for adults and 8 years for juveniles).

Those who continue to pose a significant risk will remain on the register for life, if necessary. In the event that an offender is subject to a Sexual Offences Prevention Order (SOPO)/Sexual Harm Prevention Order (SHPO) the order must be discharged under section 108 of the Sexual Offences Act 2003 prior to an application for a review of their indefinite notification requirements.

For more information, see the Home Office section of the gov.uk website:

<https://www.gov.uk/government/publications/sexual-offences-act-2003-remedial-order-2012>



# Local page

## **MAPPA Achievements 2016-17**

The MAPPA board has agreed a common process to manage MAPPA Serious Case Reviews in ways which are compatible with our partners' approach.

Throughout the year, the Senior Management Board has successfully focused on improving its understanding of partner agencies key priorities and how MAPPA eligible offenders interact with them. By doing this the SMB has been able to identify opportunities to improve practice.

The board has continued to develop accommodation opportunities to support MAPPA offenders in Hertfordshire whilst working with police to assign all Category 2 MAPPA offender, a police offender manager.

Whilst reviewing and updating current systems for MAPPA level 1 offender management, the board has overseen the delivery of 2 MAPPA orientation training for all 'duty to co-operate'(DTC) and other interested agencies.

## **MAPPA Objectives for 2017-18**

MAPPA Quality Assurance framework to focus on enhancing the quality of MAPPA delivery.

Improve information sharing with all DTC agencies by updating ISA document.

Improving use of ViSOR in HMPPS

Develop protocol for working with IOM MAPPA offenders across NPS and CRC

Develop programme to disseminate MAPPA guidance update and changes to DTC quarterly.

Improve links and raise MAPPA profile with other Strategic panels in Herts

Programme to evaluating MAPPA Guidance Delivery in Herts

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## Lay Advisors

The public is represented on the MAPPA Strategic Management Board by two lay members. These 'lay advisers' ensure that a wider community perspective is considered when discussions are held and decisions made at the highest level.

The two lay advisors continue to be Melanie Wellford–Carroll who started in the role last year and Miroslava Budin-Jones who agreed to continue for a second and final term of three years.

Having attended a number of MAPPA meetings as observers, we believe MAPPA works effectively in Hertfordshire through the meetings that bring together the professionals across the agencies. Between them they manage any risk by identifying them, sharing information and agreeing their joint approach to it. This process is only possible through the co-ordination and support work of MAPPA manager Morris Johnson and his small team.

Hertfordshire continues to lack approved premises to accommodate MAPPA cases leading to a reliance on neighbouring areas for this facility. Various options continue to be investigated and along with this and the on-going support of the current providers, we are hopeful that we can continue to manage this risk appropriately.

The serious public safety issues managed through the MAPPA arrangements mean that MAPPA agencies must continue to prioritise resources to support their commitment to it. The MAPPA agencies appear to manage to strike a balance between their financial and time constraints to provide adequate support to MAPPA. We continue to monitor this closely to ensure that it does not become an issue

## 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  
UK Border Agency

### MAPPA Chair:

Neeve Bishop, NPS Hertfordshire

### MAPPA Manager:

Morris Johnson, NPS Hertfordshire

### Lay Advisers:

Slava Budin-Jones  
Melanie Welford-Carroll

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[www.gov.uk](http://www.gov.uk)

