



Multi Agency Public Protection Arrangements

HERTFORDSHIRE



Annual Report (2018-19)

Introduction

The MAPPA annual report provides an opportunity to demonstrate operational transparency to the community in Hertfordshire for the management of violent and sexual offenders. The statutory partners: probation, prison and police services continue to work collaboratively with local agencies and authorities to ensure victims of serious crime and the public are safeguarded.

Many MAPPA subjects are released from prison via the parole system which involves the prison and probation providing reports to the parole board to support the assessment of risk and readiness for release. Victim Personal Statements can also be provided to the board and a victim can ask for certain conditions to be set, for example to include an exclusion zone of where the victim lives. Victims of serious and violent crime, who are supported by Probation's Victim Liaison Scheme, may also request a summary of the Parole board decision via their Victim Liaison Officer.

The National roll out of GPS tagging during 2019, available to both courts as a bail and sentencing option and to Probation in managing eligible offenders on release from prison, has provided additional monitoring and assurance to the public and criminal justice agencies. GPS tagging can also facilitate a swifter and safer return for released prisoners to their home address in support of their rehabilitation. We also continue to utilise the phased release facility of Approved Premises for the most complex and dangerous of individuals in supporting their transition from prison whilst subject to licence supervision.

Information sharing is a critical part of the MAPPA process as is sharing all learning between agencies. It is not possible to negate all risk but it is our firm duty to manage the risk posed. We do this by ensuring that we are making defensible decisions and that robust risk management plans are in place in order to protect our communities and ensure the positive rehabilitation of offenders who live here in Hertfordshire.



Neeve Bishop
SMB Chair



Charlie Hall QPM
Chief Constable, Hertfordshire Constabulary



Katie Price
Governor HMP The Mount

What is MAPPA?

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

MAPPA Statistics

MAPPA-eligible offenders on 31 March 2019				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	861	248	-	1109
Level 2	4	3	1	8
Level 3	1	0	0	1
Total	866	251	1	1118

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	14	18	11	43
Level 3	1	0	0	1
Total	15	18	11	44

RSOs cautioned or convicted for breach of notification requirements	31
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RSOs who have had their life time notification revoked on application	3
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	65
SHPO with foreign travel restriction	0
NOs	1

Number of people who became subject to notification requirements following a breach(es) of a Sexual Risk Order (SRO)	0
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Level 2 and 3 offenders returned to custody				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Breach of licence				
Level 2	0	4	0	4
Level 3	0	0	0	0
Total	0	4	0	4
Breach of SOPO				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

Total number of Registered Sexual Offenders per 100,000 population	84
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This figure has been calculated using the Mid-2018 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

MAPPA background

The totals of MAPPA-eligible offenders, broken down by category, reflect the picture on 31 March 2019 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2018 to 31 March 2019.

(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

Lay advisers

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. This is their report on the year 2018 – 2019.

This year has seen a further change to the Lay Advisers. Diane Welsh was appointed and started her role as a Hertfordshire Lay Advisor in June 2019. Slava Budin-Jones is in her last year as a MAPPA Lay Advisor having already served for six years (the maximum term is seven years). Her term ends in April 2020 so recruitment for a replacement will commence in the new year.

Slava, and more recently Diane, have observed MAPPA in Hertfordshire by attending a range of MAPPA meetings throughout the year. This enables them to understand and see MAPPA at the working level and they contribute to discussions with senior managers from the MAPPA agencies that shape how MAPPA is run in Hertfordshire. Lay Advisers are expected to provide a viewpoint that is different from the professionals which includes giving feedback about how we see MAPPA working. This input is provided through membership of the Hertfordshire MAPPA Strategic Management Board, which meets quarterly, and by attending its Executive and Performance & Audit sub-groups.

In general, 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 hard 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. Whilst there has been little change over the years 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.



Lay Advisers: Slava Budin-Jones and Diane Welsh

MAPPA Achievements 2018-19

There is no doubt that the use of ViSOR has increased in Herts and year on year we have improved from the previous financial year. Some elements of the Herts business plan are being delayed because we are reliant on the rollout of the new National Business plan and in particular the national rollout of training for probation offender managers. Training has now commenced after a short delay, and we are now on target to complete this objective by the end of the next financial year.

The Strategic Management Board [SMB] core representatives have been tasked with raising the profile of MAPPA at their respective agency's strategic board. They have been doing this by way of raising the issues at planning and business meetings. It is hoped that all SMB representatives will have an objective on their agency business plan. On the operational level managers who attend MAPPA panels are updated by the meeting chair of areas of success and needs. This is supported by regular refresher training and workshop by the MAPPA office.

The regular auditing of the MAPPA panel, referrals, and delivery, as per national guidance, is undertaken by an independent unit based in the Police business unit. The feedback from this suggests that we are delivering to a very good standard. Further auditing of MAPPA management of disclosure, level 1 management and the completion of MAPPA notification documents continues to highlight areas of good strength and where we could do things differently.

Accommodation is an area of considerable need which is likely to take some time and effort to address. We are making good headway in agreeing a protocol across the multiple housing districts in Herts. Although we have not signed off on the agreement at this stage, a majority of districts are already working to the principles which will greatly contribute to the successful management MAPPA high risk offenders. All districts are currently considering the protocol for sign off.

We have taken great strides forward in Herts to register all MAPPA nominals on ViSOR. However, this objective was reliant on the national rollout of ViSOR training which was delayed due to system's capacity issues. Although, we are more than halfway to training all Herts Offender Manager's and all administrators this is not sufficient resource to achieve our objective. However, we have had significant success in increasing the number of nominals entered onto ViSOR.

We are in the early stages of delivering on the assignment of a police OM to all MAPPA category 2 nominals. Currently a police DI is assigned to attend MAPPA level 2 panel for all category 2 cases. DI's are alerted in advance of all pending cases in sufficient time to research police records and have offending history and intelligence concern ready for MAPPA panel and thereafter address any action from the panel and alert MAPPA team of any updates for ViSOR

MAPPA Objectives for 2019-20

The use of ViSOR is not yet business as usual for probation, YOT or mental health and all these services are lead agency for MAPPA offenders. Consequently, securing access and improving the use of the tool will remain one of our priorities.

SMB is keen to have access to information to assess MAPPA offender's reconviction rate in Herts. We are therefore setting up a system to collect and report numbers of all MAPPA nominal offending to the board.

Accommodation in Hertfordshire is not a straight forward issue. Due in part by the number of Districts involved, which is again multiplied by providers in each. Therefore, the task to reaching any agreement will and has proved difficult. We have not shied away from this and continue to develop accommodation opportunities to support MAPPA offenders in Hertfordshire.

We have been fortunate in Hertfordshire in the recruitment and retention of a full complement of Lay Advisors over the years and it is with this record in mind that we set about timely recruitment to replace our lay advisor coming to the end of their tenure.

It is Hertfordshire's plan to have all ViSOR nominals created on the system and to service these records in line with data management policies. This task involves a number of issues coming together to make it possible and we are addressing these incrementally with notable results.

The work of MAPPA is frequently in the background of the successful management of high risk offenders but is rarely credited with such success. SMB will continue promoting the work of MAPPA at strategic management board level with a view to getting all strategic boards in Herts to have a plan for working with MAPPA.

Hertfordshire MAPPA delivers a number of training events and workshops over the course of the business year and this has proved helpful for refreshing knowledge or introducing new workers to MAPPA. We are planning to build on this success by tailoring training to the needs of DTC [Duty to Co-operate] agencies over the next business year.

To continue the improvement of MAPPA in Herts we are going to deliver the auditing of MAPPA and its various processes by way of a wider pool of agencies participating in the use of the national audit tool. We plan to make auditing more manageable by using the national tool in small bites to focus on specific areas at a time.

Use the info of previous MAPPA thematic inspection to establish operational best practice by way of a yearly compliance check.

We are planning to systematically work through MAPPA Guidance compliance by establishing a read and review group which will be led by Lay Advisors to provide SMB with the lay persons view of Herts general compliance with the newly issued guidance.

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:

Neeve Bishop, NPS Hertfordshire

MAPPA Manager:

Morris Johnson, NPS Hertfordshire

Lay Advisers:

Slava Budin-Jones

Diane Welsh

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