



Multi Agency Public Protection Arrangements

HERTFORDSHIRE



Annual Report (2020 -21)



Introduction

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 within our community.

Public protection remains our highest priority. During 2020-21 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 eradicate risk, our agencies are, none the less, committed to doing all that is possible to reduce re-offending, protect others and to learn the lessons where further harm has occurred.

The year 2020/21 has continued to be challenging for all involved in Hertfordshire Criminal Justice Services with the prolonged impact of the pandemic on all of those managing MAPPA processes and cases.

We have continued to strive to learn from our first ever MAPPA Discretionary Serious Case Review (DSCR) from 2020 by robustly managing a dedicated action plan within the MAPPA Strategic Management Board (SMB) which has concentrated on implementing improved processes and practices from the recommendations made by the independent panel that was commissioned to write it. Some of these changes that began in Hertfordshire have been rolled out elsewhere across the National Probation Service England and Wales as recommended good practice.

The planned national restructure of the National Probation Service has begun to be implemented and as this continues there will be implications for all in the management of offenders. 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 has challenges it will provide further opportunities for closer working across borders and with partner agencies.

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 particularly with the added challenges of the pandemic on all agencies. The continued commitment to public protection ensures that we are still managing to get the participation of the right organizations/individuals and thus able to achieve really successful partnership working and outcomes.

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. Additionally, to assist with this, SMB was able to secure £10,000 funding after a successful bid which will be utilized for additional Buddi Tags and bespoke safety precautions for those offenders with arson convictions.

Finally, I will be stepping down as the Chair of the SMB at the end of 2021. It has been an absolute pleasure to be involved in such an important area of work and alongside so many partnerships working hard to ensure the greatest protection to the public of Hertfordshire.



DCI Anna Wright, 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 involving the higher risks of serious harm.

- **Level 1** involves ordinary agency management (i.e. managed by the lead agency with no formal MAPPA 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 is 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 2021				
	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	812	226	-	1038
Level 2	3	1	0	4
Level 3	0	0	0	0
Total	815	227	0	1042

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	10	19	17	46
Level 3	3	4	1	8
Total	13	23	18	54

RSOs cautioned or convicted for breach of notification requirements	45
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RSOs who have had their life time notification revoked on application	2
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Restrictive orders for Category 1 offenders	
SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	60
SHPO with foreign travel restriction	0
NOs	0

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	2	5	2	9
Level 3	1	0	1	2
Total	3	5	3	11
Breach of SOPO				
Level 2	1	-	-	1
Level 3	0	-	-	0
Total	1	-	-	1

Total number of Registered Sexual Offenders per 100,000 population	78
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This figure has been calculated using the Mid-2020 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 2018 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2017 to 31 March 2018.

(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 breach their SRO, they will become subject to full notification requirements. Individuals made subject of an 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.

MAPPA Achievements 2020–21 (2020-22 plan)

Hertfordshire's business cycle is in line with Responsible Authority National Steering Group [RANGS] national MAPPA business plan which is now delivered on a 2-year cycle. Thus, we are but halfway on delivering on our plans for 2020-22, however we have made considerable progress on our objective for this period.

It is worth noting that on top of our own business objectives for 2020-22 Hertfordshire MAPPA also had a number of actions as part of a major Discretionary Serious Case Review [DSCR] that was commissioned by Strategic Management Board [SMB]. As a result, we have been very busy reviewing business as usual practices and making changes to achieve overall best practice in all aspects of Herts MAPPA delivery.

A 12-point action plan which includes:

- Reminding Lead Agencies of the importance of timely referrals to MAPPA Level 2/3 meetings, in accordance with MAPPA Guidance, and to re-refer back to level 2/3 as per action or suggestion from the panel when cases are deregistered.
- Revisit the management of level 1 cases and remind Lead Agencies of their responsibility to manage all such cases as per National Guidance or as agreed by SMB and to have system in place to regularly audit compliance.
- Improve the attendance and participation of Lead Agencies and Duty To Cooperate [DTC] agencies by giving notice and regular reminders to check and prepare for attendance at Level 2/3 panel meetings, and to further encourage all participating agencies to play an active part in checking and scrutinizing Risk Assessment and Risk Management Plans [RMP].
- MAPPA Chairs will ensure that an up-to date and agreed RMP is in place prior to any decision to deregister from level 2/3 management and to have in place a process to audit such actions being carried out at a reasonable period. Make sure a level 1 review meeting date has been set when cases are deregistered from level 2/3 management.
- MAPPA Chairs to be encouraged to escalate concerns when there are perceived blockages to the implementation of MAPPA Actions and Risk Management Plans.
- The Strategic Management Board to regularly review the consideration of Diversity within the MAPPA processes and meetings.
- MAPPA Chairs will distribute to all attendees a list of the agreed Actions within 24 hours of all MAPPA Level 2 and Level 3 meetings.
- To continue to improve VISOR usage across Herts responsible authority and DTC agencies such as YOT and Mental Health as BAU (business as usual) System.
- Quality Assurance Review and improve the content and format of the MAPPA Quality Assurance Tool
- Implement outcome as directed by the RANSG
- Consult with local areas and relevant agencies (including police) on management at Level 1
- Develop strategies to publicize the work of MAPPA across all agencies likely to be involved in risk management of offenders in Herts.
- Collate themes from panel meeting and feedback to SMB to create a yearly report for partner. Share lessons learned locally and from other MAPPA areas.

Progress is being made in the areas that have been highlighted, or put forward for doing differently, in our plan to improve the delivery of MAPPA in Herts. While the plan was to achieve our objectives over a two-year period, we have made significant progress in areas such as

MAPPA level 1 management of cases. This has had a knock-on effect for improving recording on ViSOR and using the system across agencies. The vetting of staff, to complete the delivery of training for all staff who will have ViSOR access, has had to be re-evaluated because of the numbers likely to be involved as a result of the planned coming together of NPS and CRC. However, a core group of managers and staff have been vetted and trained from the legacy NPS staff.

Significant progress has also been made in respect of the management of MAPPA mental health cases in Herts by improving communication with the large number of private providers locally.

The issues of MAPPA offender accommodation continue to be a major challenge, and this appears to be the case more widely than Hertfordshire. We have taken some steps to help resolve matters locally with considerable help from our local housing providers but despite our efforts progress on this is slow.

Despite the significant disruption caused by the Covid pandemic, we continue to deliver MAPPA panels and our general commitment to our business plan for the improvement of MAPPA delivery in Herts. The Microsoft Teams platform has been a significant contributory factor in this and by default has become central to the delivery of MAPPA panel meetings. The overall improvement to attendance of DTC agencies and wider participation of individuals involved in managing our cases during lockdown has added to risk management.

I am optimistic about fully achieving the objectives we have set ourselves to improve the delivery of MAPPA in Herts for 2020-22 and very satisfied with progress thus far.

Local page

Lay Adviser:

Since my appointment in October 2020 as a Lay Advisor to Hertfordshire MAPPA, I have regularly attended both the MAPPA Executive Board meeting as well as the Strategic Management Board. Throughout this time at both these forums there has been good attendance and representation from the Responsible Authority agencies and Duty to Cooperate agencies which has allowed for open and effective discussion about the work of MAPPA, including the identification of areas of good practice as well as areas of challenge. Diversity and Inclusion is an area that has been identified where SMB would like to do some more work in both, setting out principles of good practice in relation to the MAPPA process, and also to create a means by which we are able to audit these areas and identify where improvements may be needed. To this end a working group has been set up to complete this work, and I look forward to working with members of the group to develop this further. Since October I have also been able to attend several Level 2 and 3 MAPPA meetings and have provided feedback to both the MAPPA Manager and SMB with my observations for consideration.

We continue to work remotely, which in the main has worked well although there are always IT challenges! I would however suggest that the platform for delivering MAPPA panel with the aid of IT appears to be the future and the advantages does outweigh the disadvantages. I look forward to the year ahead and continuing in my work as a Lay Advisor.



Michelle Witham

MAPPA Membership

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

Responsible Authority:

Hertfordshire Constabulary

NPS Hertfordshire

HM Prison Service

Duty to Co-Operate 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

Job Centre Plus

Home Office Immigration Enforcement

MAPPA SMB Chair:

Anna Wright, Hertfordshire Constabulary

MAPPA Manager:

Morris Johnson, NPS Hertfordshire

Lay Advisers:

Michelle Witham

To be appointed



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