

HERTFORDSHIRE



Annual Report (2021-22)



Introduction

Public protection remains our highest priority. During 2021-22 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 2021/22 has continued to be challenging with the amalgamation of the National Probation Service as well as coming out of the pandemic, the effective management of risk has continued for all involved in the Hertfordshire Criminal Justice Services.

Safeguarding the public from violent and sexual crime continues to be one of the highest priorities for agencies working within Hertfordshire. The multi-agency approach MAPPA ensures offenders convicted of such crimes are managed effectively in the community. MAPPA understands the crimes these offenders are responsible for greatly affect the lives of victims, their friends and families and can in turn cause fear in local communities. MAPPA is a partnership, and this report explains how different agencies involved work together, how the arrangements operate in Hertfordshire and what actions are taken to improve their effectiveness.

The Strategic Management Board has concentrated on specific themes throughout the year such as funding, housing and diversity within the management of offenders. This has proved key, enabling us to learn and evolve our practices.

There is a new business plan for 22-24 which focuses on improvements around quality assurance, VISOR and women in MAPPA following on from the new national violence against women and girls strategy.

There has been a welcomed commitment from our DTC partners in Hertfordshire and I would personally like to thank all our partner agencies and individuals who have contributed to MAPPA and young MAPPA over the last year. I would like to extend my personal thanks for the support and advice given to me since taking over the chair role from my colleague, Supt Anna Wright. Working together has provided better outcomes and learning for us all.

The Strategic Management Board is committed to developing and promoting the work of MAPPA, sharing learning and will continue to strive to effectively manage those who pose a risk of harm to our communities.

SOPHIA ADAMS
SMB CHAIR



DCI Sophia Adams
SMB Chair



Charlie Hall QPM
Chief Constable, Hertfordshire Constabulary



Neeve Bishop
Head of Hertfordshire Probation Delivery Unit



Paul Crossey
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, violent and terrorist 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, Department for Work and Pensions and Local Housing and Education Authorities.

Local Strategic Management Boards (SMB) comprising senior representatives from each of the Responsible Authority and DTC agencies are responsible for delivering MAPPA within their respective areas. The Responsible Authority is also required to appoint two Lay Advisers to sit on each MAPPA SMB.

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 more senior oversight and 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** –subject to sex offender notification requirements;
- **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.

A fourth category for terrorist and terrorist risk offenders was introduced by the Police Crime Sentencing and Courts Act 2022 after the period covered by this report.

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 enables 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.

MAPPA and Terrorism

The government published an Independent Review of the MAPPA used to Supervise Terrorist and Terrorism-risk Offenders on 2 September 2020 and published its response on 9 December. Both documents are available at

<https://www.gov.uk/government/publications/multi-agency-public-protection-arrangements-review>.

The report made a number of recommendations, several of which have been implemented via the Counter-Terrorism and Sentencing Act 2021 and the Police, Crime, Sentencing and Courts Act 2022. The Secretary of State has also revised the statutory MAPPA Guidance on terrorist offenders.

The Probation Service, via its National Security Division, has created a specialist dedicated and highly skilled workforce, which provides an enhanced level of management and intervention for the most high-risk, complex and high-profile offenders in the community. This includes the management of terrorist connected and terrorist risk offenders. The NSD and Counter-Terrorism Policing work closely with local SMBs to ensure the robust management of terrorism cases.

All MAPPA reports from England and Wales are published online at: www.gov.uk

MAPPA Statistics

MAPPA-eligible offenders on 31 March 2022

	Category 1: Registered sex offenders	Category 2: Violent offenders	Category 3: Other dangerous offenders	Total
Level 1	831	222	-	1053
Level 2	1	3	1	5
Level 3	0	0	0	0
Total	832	225	1	1058

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	13	11	14	38
Level 3	0	3	0	3
Total	13	14	14	41

RSOs cautioned or convicted for breach of notification requirements	51
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RSOs who have had their life time notification revoked on application	11
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Restrictive orders for Category 1 offenders

SHPOs, SHPOs with foreign travel restriction & NOs imposed by the courts	
SHPO	90
SHPO with foreign travel restriction	0
NOs	3

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	3	5	8
Level 3	0	0	0	0
Total	0	3	5	8
Breach of SOPO				
Level 2	0	-	-	0
Level 3	0	-	-	0
Total	0	-	-	0

Total number of Registered Sexual Offenders per 100,000 population	79
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This figure has been calculated using the 21 March 2021 census population estimate, published by the Office for National Statistics on 28 June 2022, excluding those aged less than ten years of age.

Previously, we have based this figure on the mid-year (30 June) population estimate. As such, the current figure may differ from the corresponding figure based on the mid-2021 estimated resident population, which will be published by the Office for National Statistics later this year.

Explanation commentary on statistical tables

MAPPA background

The totals of MAPPA-eligible offenders, broken down by category, reflect the picture on 31 March 2022 (i.e. they are a snapshot). The rest of the data covers the period 1 April 2021 to 31 March 2022.

(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) Subject to Sex Offender Notification Requirements – 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 and terrorist 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 are not subject to notification requirements. These offenders are assessed and managed by the 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 the offender does not comply with these conditions, the Probation Service will take breach action 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 and/or positive obligations 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 on the balance of probability 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, the National Crime Agency (NCA), British Transport Police (BTP) or the Ministry of Defence Police (MODP), the chief officer/NCA/BTP/MODP 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 individuals convicted of qualifying sexual offences overseas to register with the police, in order to protect the public in the UK from the risks that they pose. The police in England and Wales may issue a notification order directly to an offender who is already in the UK or who is intending to come to the UK who has to notify within three days of receipt. Offenders have a right of appeal against notification.

(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, NCA, BTP or MODP 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.

An SRO may prohibit the person from doing anything described in it, including travel overseas, or place positive obligations upon them. Any prohibition and/or obligation 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.

An 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 an 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 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 individuals 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

MAPPA Achievements 2021–22 (2020-22 plan)

Our aim to improve ViSOR usage across Herts Probation Service continues on a steady upwards incline albeit very slowly. Progress is by and large tied to the National Business Plan and the vetting and training of staff. Needless to say, this has been severely hampered over the past two years by the Covid pandemic and, as a consequence, has had a knock-on effect. Movement of experienced trained ViSOR staff from the Herts cohort has further dented our aspirations to achieve business as usual for ViSOR usage. The reunification of NPS and CRC services has also had its impact in that the number of ViSOR untrained staff, and staff needing to be vetted, has increased significantly. Having said that, we have managed to maintain the number of business-critical staff and deliver refresher training to existing staff. Therefore, all four probation centres in Herts have a trained lead officer. Partnership agencies who are Lead Agencies have access to ViSOR trained staff to update/input and disseminate information.

We have improved the delivery of Quality Assurance for screening, referrals, meeting delivery and attendance. Herts is fortunate in having a dedicated auditing team from the police department to regularly attend meetings and access ViSOR and Delius information to make this process more robust. A quarter of our meetings are audited by this process with a written report for SMB.

There has been significant progress in the review and management of level 1 MAPPA cases across all agencies in Herts. While the bulk of the cases are managed by police and probation, we have concentrated on these two agencies to demonstrate compliance with national good practice guidelines. We have now set up a similar review process for Young Offender Service (YOS) and Mental Health NHS and also the private sector of Mental Health, which has proved very challenging in the past. All police and probation cases are reviewed regularly as per national guidance, or as requested by SMB. While this applies to YOS cases also, in terms of risk, all cases are further considered bimonthly along with cases transitioning to adult services. Mental health cases, both NHS and private sector, are considered on a quarterly basis by a pre-arranged panel.

MAPPA National Guidance updates are considered by a panel chaired by the Lay Advisers and feedback is provided to SMB highlighting good practice and areas for improvement. This will be further developed during the business cycle 2022-24 to consider other areas of MAPPA delivery in Herts and provide a quarterly update to SMB.

Herts MAPPA will continue to embed progress made on the management of level 1 managed cases over the coming business cycle of 2022-24 and push the boundaries for improving in areas of :

Managing domestic violence cases in a more joined-up manner with MARAC

Widen the areas of auditing and quality control of MAPPA delivery

Improve the delivery, quality, and participation of MAPPA by Microsoft Teams

Continue to improve the use of ViSOR and consider ways to be more inclusive with DTC.

Monitor and improve agencies' response to timely MAPPA panel actions.

Ensure equality and diversity issues feature in MAPPA panel delivery as business as usual

Morris Johnson

Mappa Coordinator / Chair

MAPPA Lay Advisers

REPORT FROM LAY ADVISER, NICHOLAS MOSS,

Background

The role of lay advisers in law is to be consulted by the three responsible authorities that comprise MAPPA - police, prisons and probation - as they comply with their statutory duty to **review** the arrangements for which, collectively, they are responsible; **monitor** the effectiveness of the arrangements; and **change** them as necessary. National guidance expands on the lay adviser role by reference to, among other tasks, our challenging professionals and being a critical friend.

I have sought to meet my obligations by anchoring them to the starting point: that MAPPA is a mechanism for maximising the protection of the public of Hertfordshire from individuals responsible for the most serious offending and then posing the question, *How well does it work?*

Since my appointment in September 2021, I have attended nearly 20 initial and follow-up panel case reviews involving the three responsible authorities, plus the duty to cooperate agencies, such as Hertfordshire councils' housing departments. I have attended, also, a number meetings of the MAPPA strategic management board (SMB) and of its executive committee.

Case meetings have given me a valuable picture of some of society's most troubling and damaged people. Through their (mainly) sexual and violent offending they have caused enormous harm to others and, often, to themselves and have been given long prison terms or periods in mental hospital. Before their release they have been assessed as continuing to pose a significant risk but of a nature that can be managed in the community under supervision at the appropriate level through MAPPA.

Each case is different but MAPPA's task is the same. It is to ensure that a bespoke risk management plan is established via one or more of the responsible authorities and relevant duty to cooperate agencies; and to do so in the context of two major challenges. First, because the individuals are at liberty, the plan must operate in circumstances where the controls it can impose to protect the public are limited, which means there is no certainty they will not reoffend. Second, that the plan must offer the individuals opportunities to lead constructive law-abiding lives, an ambition that is in the long-term interests of the wider community as well as in theirs.

My attendance at MAPPA SMB and executive committee meetings has enabled me to familiarise myself with the systems - including minutes, the business plan, the risk register and an action/decisions schedule - that underpin how MAPPA arrangements function and are overseen.

Constructive challenge

Mindful of my original question - *How well does it work?* - and of my exposure to the mechanics of the process, I have attempted to understand the meaning and expectation of MAPPA's *effectiveness* obligation. I am clear that it is not an executive - a *doing* - body where the outcome of its activities might be measurable. It is an *enabling* body, responsible for deciding arrangements (hence its name) that others must carry out. I have asked myself, therefore, how its effectiveness can be defined and assessed?

The MAPPA national key performance indicators (KPIs), which apply throughout England and Wales, acknowledge that they measure inputs and not outputs. The national guidance justifies this approach on the basis that the KPIs deal with what it terms *pre-conditions*, which, if performed well, are critical to operational effectiveness.

There is merit in the argument but, as a lay adviser, I have suggested that there is scope for greater analysis to assess MAPPA's longer-term value and I have proposed how it might be done. In that context I

was pleased to be involved from the end of the reporting year in a review of Hertfordshire MAPPA's governance through the SMB. The work continues in 2022/23.

I am optimistic that the outcome of the review will help to ensure that the MAPPA structure is suited fully to ensuring that the machinery to protect the public of Hertfordshire works as well as possible; and that it will identify with greater precision the outcome of the substantial efforts that MAPPA and the agencies with which it works put into cases.

Support and promotion.

An important component of critical friendship is to express support. The current MAPPA arrangements offer a measure of practical and realistic risk mitigation. As a lay adviser - a member of the public - I am reassured that they exist. I have been highly impressed by the quantity and quality of the work that goes into the MAPPA process to attempt to alleviate the risks posed by these individuals. I am reassured, also, by the commitment and expertise of all those involved: MAPPA staff and the staff of the other agencies.

I have been pleased to liaise with the office of the Police and Crime Commissioner for Hertfordshire to secure positive reference to MAPPA's role in his Community Safety and Criminal Justice plan for the county, published on the last day of the year under review. To a limited extent I have been able also to promote the work of MAPPA among fellow citizens. In the coming year, I look forward to helping MAPPA to explain more widely how it works, clarifying the careful balance to be struck between the risks posed by individuals subject to MAPPA oversight and the measures taken to manage them; and remembering also that the numbers of cases in our county are relatively small.

Finally, I would like to express my sincere appreciation to MAPPA manager, Morris Johnson, of the Probation Service. In addition to his formidable expertise in this highly challenging work, he has gone out of his way to welcome me to the MAPPA fold and to answer my myriad questions with endless patience. His imminent retirement, which falls technically outside the year under review, is unquestionably a great loss to Hertfordshire MAPPA.

I wish him all possible good fortune.



Nicholas Moss OBE
MAPPA Lay Adviser, Hertfordshire



Michelle Witham
MAPPA Lay Adviser, Hertfordshire

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

Responsible Authority:

Hertfordshire Constabulary

Probation Service 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:

Sophia Adams, Hertfordshire Constabulary

MAPPA Manager:

Morris Johnson, HMPPS Hertfordshire

Lay Advisers:

Michelle Witham

Nicholas Moss

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