



Policy name: Critical Public Protection Cases- MP notification Scheme Policy Framework

Issue Date: 01 November 2024. **Implementation Date:** 1 November 2024.

Replaces the following documents (e.g. PSIs, PSOs, Custodial Service Specs) which are hereby cancelled: PI 04/2018 - Critical Public Protection Cases, MP notification scheme

Introduces amendments to the following documents: N/A

Action required by:

	HMPPS HQ	x	Governors
x	Public Sector Prisons	x	Heads of Group
x	Contracted Prisons	x	The Probation Service
	Under 18 Young Offender Institutions	x	Other providers of Probation and Community Services
	HMPPS Rehabilitation Contract Services Team		

Mandatory Actions: All groups referenced above must adhere to the Requirements section of this Policy Framework, which contains all mandatory actions.

How will this Policy Framework be audited or monitored?

Provider of Probation Services – compliance is monitored by the CPPC Team, including Head of National Security units for their region and by Head of Probation Delivery Units.

Context: The MP Notification Scheme, introduced by affirmative resolution in Parliament in 2009, was initially seen as the way to ensure that MPs were not taken by surprise to learn of the release of a high-profile person on probation into their constituency – for example, learning of it in the media. It has become the means of providing assurance to the MP that there are robust arrangements in place to manage risk. The notification process is relevant to all CPPC registered cases, and all TaCT, TaCT-connected convicted cases whereby the MP for the constituency they will be residing in have signed the confidentiality agreement.

Resource Impact: The CPPC team transferred to the National Security Division (NSD) when it was created in 2020. The resource impact was a consideration when the NSD roles were established at this time with staff in place to assess applications within the CPPC team, this review has not resulted in a change of resource requirements. The management of CPPC registered cases remains with the Probation Practitioner and the MAPPA L3 arrangements in the relevant area. No extra resource time with people on probation is required but the MAPPA process should incorporate discussions about CPPC registration and relevance into L3 meeting, both pre-release and post-release. Probation Practitioners must keep CPPC informed of the management of CPPC registered cases at significant points in sentence, as they would with other partner agencies and stakeholders.

Contact: CPPC@Justice.gov.uk

Official

Deputy/Group Director sign-off: Sara Robinson, Deputy Director, National Security Division, Probation Service.

Approved by OPS for publication: Helen Judge and Kim Thornden-Edwards, Joint Chairs, Operational Policy Sub-board.

CONTENTS

Section	Title	Page
1	Purpose	4
2	Outcomes	4
3	Requirements	5
4	Constraints	5
5	Guidance	5
5.1	Referral criteria	5
5.2	Referral support/Guidance	5
5.3	Post registration support	5
6	Notifying Ministers	6
7	Operational Instructions	6
7.1	MAPPA responsibilities	6
7.2	PDU head sign off	6
7.3	Timescales	6
7.4	National Security Division Triage	6
7.5	Early Allocation	7
7.6	Funding	7
7.8	Action required on release of CPPC cases	7
7.9	Action required on recall of CPPC cases	7
ANNEX A	Referral form	

1. **Purpose**

The Probation Service (PS) staff should refer all those people on probation who present the highest risk of serious harm, have a significant national or particularly sensitive profile and who, consequently, present particular difficulties with respect to their supervision. In this context high public profile refers to current or potential for sustained national media interest. This could include a sustained profile on social media or similar platforms. Such cases should be considered for referral if the criteria for referral is met, and will then be assessed for registration as Critical Public Protection Cases (CPPCs). The purpose of this framework is to ensure:

- People on probation who meet the criteria are correctly identified, considered for CPPC referral and, when the referral criteria is met, cases are referred in a timely manner;
- The role of the PS Critical Public Protection Casework Team when informing Ministers and MPs about the release of registered CPPCs, is understood and supported through the provision of accurate and comprehensive information;
- the availability and eligibility for additional funding to strengthen local risk management plans is understood, so that the PS make timely applications for funding in appropriate cases;
- Probation Practitioners in the PS and their senior managers are aware of the availability of support and guidance and the opportunity for discussion on the approach to the management of complex cases, linked to the person on probations sustained media presence or significant risk to staff safety;
- that all cases referred into CPPC for registration and are subsequently registered also undergo a pre-triage assessment for consideration of adoption by the National Security Division. This assessment is undertaken by the HoNSU and endorsed by the HoPP;
- That there is no intention for all CPP cases to be adopted by the NSD. In the majority of cases, it is appropriate for the case to remain managed in the PDU. However, the full triage process can be undertaken should the case benefit from consideration of management by the NSD.

2. **Outcomes**

2.1 This Policy Framework outlines and reiterates the arrangements for the management of CPPC cases with the PS. The registration of the case fulfils three main outcomes:

- Provide assurance to Ministers and MPs signed up to the notification scheme of the robust risk management plans in place to manage the person on probations risk.
- Offer the opportunity for advice and support in the management registered cases.
- Provide additional limited financial resource to support the PS contribution to the risk management plan.

2.2 The aim of this Policy Framework is to ensure that:

- the criteria for CPPC referral and registration are understood;
- people on probation who meet the criteria are correctly identified, considered for CPPC referral and, when the criteria for referral is met the referral process is completed in a timely manner;
- the referral information supports the requirement for the collection of equality data through the completion/updating of the Equality Information Form and supports the

Official

equality analysis of the available data by the inclusion of the PS NDelius Case Reference Number (CRN) in the referral information;

- the role of CPPC team, when informing Ministers and MPs about the release of registered CPPCs, is understood and supported by PS Regions by providing accurate and comprehensive information;
- the availability and eligibility for additional funding to strengthen the PS contribution to the local risk management plans is understood, so that PS staff make timely applications for funding in appropriate cases;
- COMs and their senior managers are aware of the availability of support and guidance and the opportunity for discussion on the approach to the management of complex cases. This may be linked to the person on probations high public profile or significant risk to staff safety and can include advice on specific case management approaches regarding licence conditions;
- in exceptional cases the Head of National Security Unit (HoNSU) for the relevant Probation Division may make a direct approach to the relevant Head of Probation Delivery Unit (PDU Head) to discuss a case that may not yet have been referred, to consider if CPPC referral may be appropriate;
- there is effective liaison between those managing CPPC cases and those responsible for delivering any victim contact under the Victim Contact Service (VCS).

3. **Requirements**

Senior Managers/PDU Heads in the PS must ensure their areas are aware of and comply with the actions within this instruction.

Staff with responsibility for offender management, case administration and Multi-Agency Public Protection Arrangements (MAPPA) must be familiar with this Policy Framework. Regional Probation Directors must ensure that all relevant staff are aware of this Policy Framework and that the mandatory actions are followed.

4. **Constraints**

The use and scope of the CPPC registration is constrained to the criteria as set out in this Policy Framework, as such despite the seriousness of some offending and assessed risk of serious harm the case must meet the minimum referral criteria; it is for the HoNSU (as Lead for CPPC in their region) to assess if the case meets the criteria for registration within a national context on a case-by -case basis.

5. **Guidance**

5.1 **Referrals:**

The referral criteria for CPPC consideration is:

- the case is being managed at **MAPPA Level 3** (MAPPA Level 3 Panels should routinely consider whether or not a case meets the criteria for CPPC referral);

And one, or both, of the following applies:

Official

- the person is assessed as presenting a very high risk of serious harm, and therefore the likelihood of a sexual or violent offence is imminent when the person is in the community.
- the person/victim has a high public profile and attracts or is likely to attract significant national media interest.

5.2 It is recognised that PS staff within any given PDU or Region may not routinely face the complex and demanding challenges in the management of people on probation who have a significant media profile. The Heads of National Security Units (HoNSU), lead for CPPC in their region, and will assess referrals/deregistration, assess funding applications as well as offer advice and guidance on the management of CPPC cases through MAPPA attendance where appropriate and requested. The HoNSU for each Probation Region will be available to discuss such cases, in particular to determine if they meet the threshold for CPPC registration. The HoNSU is able to draw on the experience of cases across the region and nationally to assist the PS to manage some of the complexities and may be able to offer strategies and approaches to managing risk that had previously not been considered locally.

5.3 Following registration, guidance can be offered on a case-by-case basis by the CPPC Team which is aimed at assisting PS in the development of a considered, planned approach in relation to the management of the complexities associated with the release of a high-profile person. This approach aims to supplement current probation practices, support Probation Practitioners and their managers, seeking to provide points to consider at key stages of the sentence. Also, to provide assistance for the effective management of these cases on release into the community, however, it must be highlighted that the final decision as to the operational approach to the management of a case rests with the PDU head, responsible for the case, supported by MAPPA.

6. Notifying Ministers

6.1 Once a person on probation is registered as a CPPC case or considered as such for those convicted for terrorist offences, or terrorist connected offences, the CPPC Team will notify Ministers and the constituency MP for the release address of the resettlement plan

6.2 Ministers have given an undertaking to Parliament to notify the constituency MP of the release into their constituency of those people who have been registered by CPPC, provided that the MP has signed up to a confidentiality agreement.

6.3 When Ministers write to a local MP, a copy of the letter is sent to the Chief Constable of the area of residence and to the PS Regional Director, who must ensure that a senior manager or another appropriate person is identified to respond to any resulting queries.

6.4 The CPPC team will maintain an interest in the case throughout the licence period in order to brief Ministers as required and provide reassurance on the management of these cases as requested. The CPPC Team are also available to offer advice regarding ministerial notification. Please contact CPPC@Justice.gov.uk

7. Operational Instructions.

7.1 Every MAPPA Level 3 case must be **considered for suitability** for a referral for CPPC registration. The decision regarding whether to refer should be recorded in the Multi Agency Public Protection Panel (MAPPA) minutes. If a referral is made the L3 MAPPA minutes must accompany every referral.

Official

- 7.2 Where a decision is taken to refer a person on probation for consideration of CPPC registration, the Probation Practitioner (PP) must complete the CPPC Referral Form fully and provide the relevant supporting documentation. Supporting documentation must include the MAPPA L3 Minutes and OASys assessment. The PDU Head or Head of Public Protection (whatever the local arrangements) must indicate their support for the referral on the form. By doing so this is an endorsement of the decision to refer and of the quality of the information provided in the referral. If there is uncertainty regarding the referral process or whether a case meets the criteria, guidance should be sought at the earliest opportunity from the CPPC Team. The completed form and the relevant supporting documentation must then be emailed to CPPC@justice.gov.uk. Relevant consideration of the Power to Detain guidance should also be applied at the earliest opportunity and referenced in the CPPC referral form.
- 7.3 To enable the development of release plans and to put resources in place it is beneficial to all for the referral documentation to be received in a timely manner, ahead of the release date or Parole Board oral hearing. This is particularly the case if additional resourcing is required such as funding. Timeliness is crucial to the referral process as on receipt of the referral documentation the assessor has 15 working days to assess the application. Thereafter the referrer will be notified of the registration decision.
- 7.4 The creation of the National Security Division (NSD) has also provided the opportunity for cases to be considered for allocation to this team where it is assessed, through a triage process, that the case requires the additional resource the NSD team can provide . At the point of consideration for CPPC registration, the relevant assessing HoNSU will also assess if the case is one that could be adopted by the NSD. If the HoNSU and regional Head of Public Protection agree it would be beneficial, the case will undergo triage by the HoNSU and regional HoPPs/PDU heads; as appropriate others may be invited to advise and assist in the triage meeting.
- 7.5 Under the Early Allocation framework, management at L3 MAPPA and identification of the case as a possible CPPC case by the custodial establishment will result in a mandatory early allocation application being made to NSD for assessment 18 months prior to release/PED. NSD will give a CPPC decision 'in principal', this is not formal inclusion on the CPPC scheme but an indication that on the information provided the case appears to meet the criteria. Formal application will have to be made by either the NSD or PDU no later than 6 months prior to release. Please refer to Early Allocation information on equip for further details of this process and who should undertake it. The Early Allocation guidance is owned by the OMiC team and therefore included in this Policy Framework as a point of reference only.
- 7.6 We are aware that risks can present at later stages pre-release but we encourage referrals at the earliest stage or CPPC consideration may not be possible prior to release which may impact the support that can be given to the risk management plan.

8 **Funding**

An application for additional funding for CPPC registered cases is to support the PS contribution to the risk management plan of a registered CPP case. The application for funding and guidance on the function of the CPPC scheme will be sent out with the confirmation of registration notification. Funding should not be the primary aim of application to the CPPC, where PDU resource should be sought:

Official

- if awarded, funding will be for limited time periods or a specific function. The funding cannot be used to meet the responsibilities of other MAPPA partners, such as housing for accommodation deposits/bonds or the Police for surveillance;
- applications must be supported by detailed and itemised costs and, where equipment and modifications to fixtures and fittings in Approved Premises are requested commitments to incur additional costs must not be made before written confirmation is received from the CPPC team that an application for funding has been agreed;
- funding decisions will be reviewed regularly, the frequency of which will be dependent of the specific case details;
- expenditure must not exceed agreed amounts. If further funding is required, this must be sought in advance by contacting the CPPC Team; and
- where the HoNSU refuses an application for funding, an appeal may be made in the first instance to the Probation Director of the National Security Division.

7.8 Action required on release of CPPC cases:

The probation practitioner **must**:

- keep the CPPC Team (mailbox) informed of any changes to the release date;
- inform the CPPC Team of proposed licence conditions and release address in advance of release; and
- confirm with the CPPC Team on the day of release that the person on probation has been released, and whether they have reported to the agreed accommodation;
- ensure that the relevant PS Victim Liaison Unit (VLU) is informed of the release.

7.9 Action required on recall of CPPC cases:

The probation practitioner **must**:

- notify the CPPC Team (mailbox) immediately if the person on probation is recalled to prison;
- ensure CPPC Cases are dealt with under 'emergency recall' arrangements unless there has been prior consultation with the CPPC Team;
- ensure that the CPPC team is informed of any plans for re-release;
- OMs must notify the CPPC Team immediately of any significant changes in registered cases; this applies where a registered CPP case is charged with a further offence, including an SFO; and
- ensure relevant information is passed to the VLO at the earliest opportunity.