

Developing MAPPA: Multi-Agency Public Protection Arrangements

Tim Bryan and William Payne explain why MAPPA deserves a higher profile and greater public support.

“*The multi-agency public protection arrangements represent a real step forward. The co-operation between the police and probation service has been outstanding in some cases. I have been very impressed by what I have seen.*” Hilary Benn, Minister for Prisons and Probation.

This endorsement of the multi-agency public protection arrangements (the MAPPA) highlights their significance which the modest public and professional profile they have assumed belies. The lack of general awareness about the MAPPA is indicated in the frequent, erroneous reference to them as the MAPPPs: the MAPPPs (the multi-agency public protection panels) are but one part (albeit, a key part) of the broader arrangements. This low profile is indicative of a lack of awareness generally about the criminal justice system, in which the public and the media have a largely reactive and sensationalist interest. Moreover, the MAPPA are a complex set of arrangements – assessing and managing risk is rarely simple – and this complexity defies simple, banner-headline description. This is not special pleading: the MAPPA represent the biggest step forward in public protection in the last 15 years. They have achieved this by tackling a major obstacle to effective practice: the lack of truly co-operative inter-agency working.

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The substantial progress being made in this important arena of public protection is reflected in the practical, day-to-day working arrangements which underpin ‘multi-agency’ working. Commonly police and probation officers are based together in offices and approach the supervision of offenders and the enforcement of court orders as a genuine partnership. This is not to say that the MAPPA are uniformly established throughout England and Wales – we still have some way to go to achieve consistency across all Areas, as the Joint Inspectorate report on *Safeguarding Children (Home Office 2003)*, pointed out – but much progress has been made and further development is in the pipeline. Both the Criminal Justice Bill and the Sexual Offences Bill will give significant impetus to this development. The former incorporates the Prison Service within the joint police and probation ‘Responsible Authority’ – the dynamic core of the MAPPA. The Bill will also require a number of agencies, including health, housing, social services, education and youth offending teams, to co-operate with the Responsible Authority in assessing and managing the risks posed by sexual and violent offenders. This ‘duty to co-operate’ builds upon existing good practice and will formalise and enable the active involvement of non-criminal justice agencies. The Bill’s provision to empower the Secretary of State to appoint two ‘lay advisers’ to each Area will strengthen the sense of public

accountability and community involvement in public protection. The remit of the lay advisers will be defined by reference to the reviewing and monitoring rather than the operational decision-making functions of the MAPPA. The Sexual Offences Bill will rationalise sex offender legislation and tighten up aspects such as sex offender registration requirements as well as introduce new provisions to deal with offending connected with the internet.

Background to MAPPA

Since April 2001, Sections 67 & 68 of the *Criminal Justice & Court Services Act 2000* have required the police and probation services (acting jointly as the Responsible Authority) in each of the 42 areas of England and Wales to:

- establish arrangements for assessing and managing the risk of serious harm posed by certain MAPPA offenders;
- review these arrangements and monitor their effectiveness; and
- prepare and publish an annual report on the discharge of these arrangements within the local area.

Together these functions form the totality of the MAPPA. The operational focus is sharpest on the first of these functions which distinguish these categories of MAPPA offender: sex offenders who are required to register; other sex offenders and violent offenders; any other offenders who, by nature of the offences which they have committed (wherever committed) present a risk of serious harm to the public. The definitions are deliberately wide in order that risk, which cannot always be inferred from the gravity of an offender’s conviction or the length of their sentence, can be identified, rigorously assessed and robustly managed.

Given the general lack of awareness about public protection, the annual reports have assumed a great importance. Preparations for the publication of the annual reports last year attempted to engage local media and community interests in the very real achievement of the MAPPA. The first annual reports were published during the summer of 2002. They began to explain the nature of the arrangements and many gave practical examples of how the coordinated assessment and management of offenders between different agencies had helped minimise re-offending behaviour or lead to enforcement action being taken for breach of licence conditions or related orders. They also detailed which other agencies were engaged in these public protection arrangements and challengingly published for the first time the

number of relevant offenders considered within MAPPA. The table below contains the totals across England & Wales for 2001/2.

Category of Offenders	Numbers of Offenders
Registered sex offenders	18,513
Violent and other sex offenders	27,477
Other potentially dangerous offenders	1,219
TOTAL	47,209

However significant the impact of the MAPPA legislation, it would be wrong to think that it represented a 'big-bang'. Much of the success of the arrangements was based upon the legislative and organisational frameworks that were already in existence in both agencies. Statutes such as the *Criminal Justice Act 1991*, the *Sex Offenders Act 1997*, the *Crime and Disorder Act 1998* and the *Crime Sentences Act 1998* each provided specific powers for police or probation in their work with sexual or violent offenders or established responsibilities that have produced organisational and even cultural change within those agencies. This is exemplified within the police service by the *Sex Offenders Act* which not only created an explicit responsibility for the police to administer the sex offenders register but implicitly required officers to join with the probation service and others in the assessment and management of risk posed by such offenders in the community. For the first time the police were being given the opportunity to take truly proactive action against the most dangerous and prolific of sexual offenders. Of equal worth is the growth of trust and co-operation between two criminal justice agencies; agencies which traditionally have been tentative in their dealings with each other.

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The second feature of this initial development was that while many examples of good practice emerged, particularly around high profile and high risk cases, there was much within MAPPA that had not developed consistently between areas. Also it had not been integrated with other existing public protection networks such as Area Child Protection Committees and Crime Reduction Partnerships. While this was understandable given the relatively short timescale for the MAPPA development, the longer these weaknesses prevailed the less likely MAPPA would be to achieve its objective of reducing reoffending or minimising the level of serious harm caused. It therefore fell to the Public Protection Unit within the National Probation Directorate, which provided the policy lead on MAPPA on behalf of the National Probation Service and the Association of Chief Police Officers, to address these shortcomings with a view to developing national standards, performance indicators and evidence-based best practice. Like other areas of professional practice that address high risk and high profile offending behaviour, there is often an impatience that this work should remove risk and remove it instantly.

This characteristic also reflects the wider public perception

of MAPPA work. As soon as some awareness of the MAPPA is raised, unrealistic expectations can too easily and quickly follow. Ironically, in certain respects we may also be victims of the success of 'what works'. The growing confidence that the criminal justice agencies can tackle offending behaviour and reduce the chances of its recurrence, has already led to expectations that offending can be prevented altogether. Yet as recent research has shown, a large proportion of serious offending is committed by those with no previous convictions. Although we now have much better and more reliable methods of risk assessment, they are not infallible. Public protection is neither a technology nor a science: it is a complex interaction of analysis, professional judgement and dynamic inter-agency activity. Probably the biggest leap forward in public protection, which the MAPPA formalised and now sustains, is in breaking down the cultural barriers between agencies.

MAPPA Guidance

The next stage in the development of the MAPPA has two objectives: to improve the consistency and quality of the MAPPA and to strengthen the strategic management within areas. The *Guidance* (Home Office 2003), which the Secretary of State issued at the end of March, clarifies the important features of that development by consolidating practice. Perhaps a little prosaically it focuses upon structure and process, though without being bureaucratically prescriptive. It defines a 'framework' comprising the four stages of MAPPA activity (offender identification, information sharing, risk assessment and risk management); and three levels of management which broadly correspond with the risk of serious harm and the complexity of risk management issues. The MAPPA represent the highest level of risk management designed for consideration of the 'critical few'. It also makes clear the specific responsibilities of the Strategic Management Boards and their need to establish effective co-ordination with other public protection arrangements such as Area Child Protection Committees. Later in the year the

Guidance will grow with the addition of new sections which will describe and explain the role of each of the agencies upon whom a 'duty to co-operate' will be imposed by the *Criminal Justice Bill*. This is a large undertaking: each area will be required to draw up and agree with the duty to co-operate bodies a 'memorandum' (as the Bill describes it); but it is the work establishing and sustaining relationships between different professionals that will be critical. Inevitably there are sensitivities about sharing information, health professionals particularly feel this, but we are confident that existing good practice and the robust legal basis upon which it is founded, will give the agencies involved the confidence to engage appropriately with the work.

The breaking down of cultural barriers has been key to getting police and probation colleagues working more effectively together. The police acknowledge that they have an important and legitimate role to play in the supervision of offenders. Correspondingly, the National Probation Service has a more explicit 'enforcement' duty which was almost a cultural anathema 15 years ago. The addition to the police and probation

Continued on page 29

Perceptions of Male Batterers

Continued from page 9

educational campaigns can encourage family and neighbours to help victims of domestic violence. Media can bring the issue of violence against women to public debate and increase the pressure for change. If professionals change their attitudes as a result of such educational campaigns, they will then positively effect the shaping of policy and laws. Media campaigns can galvanize community will to raise or allocate funding to increase the number of shelters available for women leaving violent relationships, and enlist help and volunteers from the public. Hopefully, such social change can inspire women in violent relationships to leave their partners. And finally, educational campaigns socialize a public to shame abusers or cause them to desist because they think their violence will be socially condemned.

The Merseyside media educational campaign was a success, as measured by the extent to which blame was assigned to men for their abuse. The next interesting area is to look at views on women victims of violence by men in this study, and juxtapose the two results. Based on these results, campaigns should be continued, targeting less frequently mentioned causes of violence, and challenging lingering notions that reduce responsibility.

"I think it is a power thing and I think it's a general attitude. Really what we want to do is change some of our attitudes in society and maybe we should be trying to do that." (Men's Group)

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Developing MAPPA

Continued from page 21

dynamic of the Prison Service's more confident focus upon resettlement (and its significant contribution to treatment and the duty to co-operate role of other agencies) highlights another emerging characteristic of public protection. This characteristic is the recognition that managing the risks posed by offenders does not only concern criminal matters.

However, none of this obviates the need for robust work in the community; and it is in the community and WITH the community that the greatest challenge for MAPPA is to be found. Extending involvement in public protection to other agencies which already play a role in this area, but without the help and support of criminal justice and other colleagues, signals the formal engagement with the community. If we are able to achieve as routine good practice, the involvement of health and housing professionals for example, we will advance the cause of a more mature and less punitive response to offending behaviour. Paradoxically, it is actually being soft on crime and criminals if we deal with them solely as criminal problems. It is much harder, and tougher on offenders, if we understand and thereby deal effectively with the risks offenders present as having diverse social, economic as well as personal and criminal characteristics.

Ultimately this requires a mature response from local communities which too often, and understandably, default to the NIMBY syndrome. Under the umbrella of the MAPPA, the NPD is sponsoring pilots like 'Circles of Support and Accountability'. 'Circles' have been shown in Canada to have a very beneficial effect on helping sexual offenders resettle successfully. They are based upon the recruitment (using careful selection) and training of volunteers from the local community in which a sex offender is to resettle on release from custody to support and to help hold the offender to account for his behaviour. This is an illustration of the type of community engagement with public protection which the MAPPA seeks to nurture. The introduction of other agencies to the MAPPA and the appointment of 'lay advisers' will both help to build upon achievement to date. The real challenge comes in informing and educating local communities. However, as Hilary Benn remarked in a recent speech referring to the firebombing of the home of a children's doctor in the summer of 2000, there is a long way to go when the public has still to distinguish between a paedophile and a paediatrician.

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