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## The operation and experience of Multi-Agency Public Protection Arrangements (MAPPA)

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This Findings outlines key issues arising from a qualitative research study examining operational practices for sex offenders managed at Levels 2 and 3 within the Multi-Agency Public Protection Arrangements (MAPPA). It also explored the experience of MAPPA and its perceived impact on offending-related behaviour of sex offenders convicted of offences against children.

This small-scale study was conducted in 2006 and comprised interviews with 29 practitioners/MAPPA co-ordinators and 15 offenders, and seven focus groups with Level 2 and 3 panel members and Strategic Management Board (SMB) members. The research took place in three of the 42 MAPPA Areas in England and Wales.

### Key points

- Areas routinely used *external* controls to restrict offenders, including licence conditions, restrictions on behaviours and contacts, and police home visits.
- The impact of these varied. When clearly rationalised by supervision staff, offenders indicated a greater readiness to comply.
- Supervision and treatment programmes were used to enhance an offender's *internal* controls. These were used by the offender to limit problematic behaviour and avoid key offending triggers and risky situations. Successful supervision relationships were reported as key to understanding and developing these controls.
- Areas reported using discretionary powers to disclose information to third parties, using the MAPPA Guidance to inform decision making. This was perceived to enhance child protection and disclosures had been made to a range of agencies and members of the public, if they or their children were considered to be potentially at risk.
- This research recommends improving MAPPA practices in relation to the management of child sex offenders, supporting those made in previous reports (e.g. Kemshall et al., 2005).

### The aims of MAPPA

Multi-Agency Public Protection Arrangements were created by the Criminal Justice and Court Services Act 2000 and consolidated by the Criminal Justice Act 2003. They are overseen by a Strategic Management Board (SMB) in each police/probation area, which has responsibility for strategic development of arrangements and monitoring and evaluation systems.

The three categories of offender managed under MAPPA (registered sex offenders, violent and other sex offenders, and other offenders

considered to pose a risk of serious harm) are subject to one of three 'levels' of management. Level 1 is applied to offenders presenting a low or medium risk of harm and usually involves just one agency. Levels 2 and 3 are for offenders presenting a higher risk, or complexities in terms of management, and require inter-agency involvement (usually co-ordinated through a Multi-Agency Public Protection Panel – MAPPP).

All three areas participating in the current study identified the primary aim of MAPPA as 'public protection', recognising that arrangements

should seek to ensure that all reasonable steps are taken to reduce the likelihood of harm to the public.

Regarding the extent to which areas saw MAPPA as a process of offender rehabilitation, in two areas supervision staff prioritised 'containment', or control, of offenders over rehabilitation whereas in the third area there was a more equal balance between the two.

Areas felt the distinctive contribution that MAPPA made to public protection was effective inter-agency co-operation, including sharing information and intelligence and applying specialist knowledge, e.g. from social care agencies about child protection issues.

Arrangements were felt to be particularly well developed at Level 3. Minimal difficulties were highlighted, although the interface between MAPPA and health services in two areas was reported as problematic in some cases.

### Supervision and management practices

MAPPA co-ordinators and supervision staff across the three areas reported that the level and intensity of supervision and management practices used within MAPPA were determined by ongoing risk assessment and the availability of resources. They were positive about the contribution of MAPPA to the supervision of sex offenders in the community and the following themes emerged as particularly important:

- **Effective communication among police, probation and prisons** – important for release on parole and for successful management of high-risk cases and those most likely to attract media attention or public disquiet.
- **Systematic exchange of information** – enabling the lead agency to manage the offender with the best possible intelligence.
- **Access to housing and (supervised) accommodation** – especially key in difficult cases. However, provision varied across areas and lack of appropriate accommodation was identified by some participants as a key issue.
- **Link to Social Services** – particularly valued for child protection issues, including identification of 'at risk' children and potential victims. Social Services representatives cited MAPPA processes as effective in providing better identification and management systems for 'at risk' children.
- **Victim liaison for victim issues** – including appropriate relocation of offenders.
- **MAPPA-approved discretionary disclosure** – especially important when considering offender employment, residence near schools and suspected grooming activities.
- **Rapid response in cases of escalating risk or deteriorating behaviour** – e.g. by calling an emergency MAPPP, reviewing risk management plans, assisting workers in finding additional or alternative services (e.g. accommodation,

mental health services). Similarly, when high-risk offenders themselves were at risk and strategies were required to maintain public order and prevent the commission of offences targeted at the offender, rapid responses were important.

- **Option to facilitate supervision of high-risk offenders beyond end of licence** – through registration requirements and placing supervision functions with the police.
- **Facilitating access to additional resources** – e.g. accommodation, police surveillance and treatment programmes. For offenders managed at Level 3, in all areas this access was more pronounced with cross-agency recognition of the resource priorities associated with these 'critical few'.

### Post-licence supervision

The issue of what to do once statutory supervision was completed (although the requirement to remain subject to sex offender registration conditions invariably remained) was raised in all areas. They managed this in different ways, e.g. relying on police contact and visits based on registration requirements, applying for Sexual Offences Prevention Orders (SOPOs) and using probation to continue working with the offender on a voluntary basis. Generally, arrangements post-licence were inconsistent between areas. There were, however, overall resource implications associated with a growing number of post-licence MAPPA cases, despite only a small proportion being assessed as continuing to pose a greater than low risk.

In Area A, the police had recently initiated post-licence risk assessment panels for cases managed at Level 2 and were confident that such a system would provide a more consistent approach to risk assessment of offenders post-licence.

The use of Circles of Support and Accountability (CSA) to support supervision and community reintegration (Bates, 2005) was viewed positively and was used in Area C to support offenders, in some cases post-licence. CSA provide a 'community' of four to six volunteers to a sex offender ('Core Member') assessed as having high risks and needs with little or no support from friends/family (Hudson, 2005). The premise is that by 'forging relationships', the offender will be deterred from re-offending (Silverman and Wilson, 2002). Circles also assist offender management by enabling information sharing between volunteers and statutory agencies involved in supervision and rehabilitation. Research in Canada, where Circles were originally developed, has indicated a positive effect on recidivism among high-risk sexual offenders (Wilson, Picheca and Prinzo, 2005).

### External and internal controls

The balance between external and internal controls was considered key to successful risk management across the three areas.

**External controls** are imposed in keeping with legal requirements, by bodies making decisions about conditions of release/living in the community, (e.g. Parole Board) and those agencies tasked with supervision in the community, (e.g. probation service). The most frequently used were licence conditions, restrictions on behaviours and contacts and police home visits.

How offenders reacted to external controls varied, but crucially, they displayed a greater readiness to comply if they could perceive a rational link between their behaviour and the restrictions imposed. Similarly, where they recognised the seriousness of their offence and the impact on victims, they were more likely to accept the restrictions set in place.

**Internal controls** are employed by offenders to manage their behaviour, including learning how to recognise and avoid key offending triggers and risky situations, and how to employ relapse-prevention techniques. Sex-offender treatment programmes, supported by focused one-to-one work, were perceived by staff to be the most effective method of promoting internal controls. Furthermore, the programme in one area was supported by an 11-week relapse-prevention programme and indications of potential re-offending were elicited in individual sessions. Access to programmes, however, was variable and provision patchy.

In the main, offenders recognised that treatment programmes helped them develop their capacity to manage their own risky behaviours. Two offenders interviewed described how group treatment, with its challenges and critical questioning from other members, had been crucial to understanding how best to manage their inappropriate desires and to support them in monitoring their behaviour. Work around victim empathy was also of value.

Techniques used to promote behavioural change were described by most offenders interviewed and included:

- self-risk management via behavioural 'contracts' drawn up between offenders and supervision officers, with offenders reporting to police and probation if they felt at risk of breaking contractual conditions;
- clear articulation of victim issues, including recognising the impact of sexual offending on children;
- the use of 'distraction techniques' to avoid inappropriate sexual thoughts when seeing children; and
- in one area in particular, offenders described being less secretive and opening up to family and supervision staff about their feelings, anxieties and behaviour.

Overall, police and probation staff identified the following factors as key to effective supervision and management of MAPPA cases:

- **Timely and focused pre-release work.** Facilitated through joint visits by police and probation staff to prisoners and regular attendance of prison personnel at MAPPP Level 3 meetings. It was reported that specific risk management plans were developed pre-release with appropriate conditions and restrictions and areas operated swift recall policies.
- **MAPPP attendance of victim liaison workers.**
- **Early identification of need and referral to relevant treatment/group work programme, supported by relevant one-to-one work.**
- **Offence-focused individual work**, e.g. development of internal controls, assistance in recognising and avoiding triggers to offending, and attention in one-to-one-supervision to relapse prevention.
- The use and enforcement of **appropriate external controls.**
- **Home visits to check and be 'lifestyle vigilant'.**
- **Police surveillance.**
- **Swift and appropriate information exchange** (e.g. between police and probation especially when offenders were breaching licence conditions).

One area highlighted the importance of strong relationships between probation, police and offenders, underpinned by an assumption that offenders, if given opportunities to engage, can and will change behaviours in most cases. This had resulted in what staff called 'a readiness to disclose' and talk through issues before any potential escalation in risk.

### Disclosure

This study also explored the perceptions and practice of disclosure of information about convicted child sexual offenders to third parties. Two key dimensions were explored: 'discretionary disclosure' and 'public disclosure'.

**Discretionary disclosure** was understood as the 'limited' disclosure of information about a sex offender by MAPPA to third parties based on the Home Office MAPPA Guidance (2004: paras. 93-95).

All areas used their discretionary powers to disclose to a range of personnel and agencies, and in some cases to members of the public, when, for example:

- there was a risk of grooming behaviour, or evidence that this was occurring;
- an offender was making use of public services (e.g. supportive accommodation; leisure facilities);
- there was a need to protect past or potential victims. This was routinely used where offenders had struck up new relationships with partners who had children or grandchildren.

Areas reported that most disclosures were undertaken with the consent of the offender, and were therefore

handled at the level of the supervisory relationship. It was usual practice to encourage the offenders to make the disclosure themselves, with a follow-up contact made by either police or probation to check for accuracy. In cases where offenders did not want to undertake the disclosure, supervision staff would either accompany them or carry out the disclosure on their behalf. In the event that offenders did not consent to disclosure, police made a referral to the MAPPAs. Decisions were recorded in the MAPPAs minutes, and where the MAPPAs made a recommendation for disclosure, this was usually approved by the Assistant Chief Constable.

Central to discretionary disclosure decisions was the wish to enhance, rather than undermine the risk management plan, protect victims and communities, and avoid public disorder and vigilante action.

Public disclosure was, in most cases, understood as the American community notification process, or more popularly as ‘Megan’s Law’ or ‘Sarah’s Law’ (as proposed by the *News of the World*), which goes some way beyond discretionary disclosure.

Staff in all areas saw public disclosure as counter-productive with particular issues regarding:

- public (dis)order arising from ‘outing’;
- offenders going ‘underground’ and not co-operating with risk management strategies;
- the cost of administering and policing public disclosure;
- anxieties that such disclosure would make the professionals’ task more difficult; and
- doubts whether public disclosure would improve risk management strategies or merely make them more difficult to deliver.

While there was limited acknowledgement that public disclosure might initially reassure the public, a distinction was drawn between positive outcomes and reassurance. Public disclosure was seen as a potential hindrance to effective risk management, and the current discretionary disclosure model was seen as more useful and perceived to be working well.

#### Offender perceptions

All offenders interviewed accepted that discretionary disclosure was justified in certain circumstances. Management strategies which actively involved the offender were the most accepted – in the case of disclosure, this usually meant the offender being given the opportunity to disclose first and with the support of a probation or police officer.

Public disclosure, on the other hand, was felt likely to hinder supervision. Two offenders indicated they would not find it

difficult to ‘fail to register’ (on the sex offenders’ register) and one stated bluntly: ‘I would disappear’. There was also a sense that public disclosure would lead to seemingly unending persecution, not allowing sex offenders to re-engage with employment, for example.

#### Recommendations

- Ensure supervision practice of registered sex offenders post-licence is consistent nationally. This should include consistency about the circumstances required for SOPO applications and arrangements for offender supervision.
- Expand availability of longer-term intervention strategies, e.g. Circles of Support and Accountability.
- Disseminate best practice on discretionary disclosure.
- Explore ways of ensuring national consistency for police contact/visits with sex offenders managed at both Levels 2 and 3.
- Promote greater integration of individual supervision and treatment work. This should include increased attention to relapse-prevention work in individual supervision. Further guidance on case management of sex offenders subject to MAPPAs could address this.
- Extend the use of voluntary supervision and disclosure ‘contracts’ for offenders nationally and encourage their use in the MAPPAs Guidance.
- Develop information leaflets for offenders subject to MAPPAs to better enable them to understand the rationale.
- Develop key performance indicators to enable areas to measure the effectiveness of MAPPAs work.

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Further details of this research are published in *Online Report No. 12/07* on the Home Office RDS website.

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