

## Joined-up Worrying: The Multi-Agency Public Protection Panels

By Roxanne Lieb

The Home Office's publication, *Protection through Partnership*, describes the purposes and accomplishments of the 40 plus Multi-Agency Public Protection Panels (MAPPPs) across the UK (Home Office 2002). These local bodies, mandated by the Criminal Justice and Court Services Act 2000,<sup>1</sup> combine the efforts of police and probation services to manage the 'risks posed in that area by . . . relevant sexual and violent offenders, and other persons who are considered by them to be persons who may cause serious harm to the public' (Criminal Justice and Court Services Act 2000).

The document communicates a strong tone of confidence, leaving the impression that local governmental officials are working hard to manage violent and sexual offenders. Readers learn that the police and probation services are collaborating to accomplish this ambitious goal, working with other social service agencies. Risk assessment is 'rigorous' and followed by 'robust' management of that risk. The result of this new government policy? As described in the document, the public's protection from violent and sexual offenders has been improved. This type of communications strategy, known as 'public reassurance,' has been adopted as a 'key plank of the government's programme to reform and modernize policing' (Povey 2001). Minister Hilary Benn's forward to the MAPPP report concludes with her hopes that the reader 'finds the report useful, informative, and reassuring.'

The political history of MAPPPs helps explain this communication strategy. Following a high profile murder of a young girl, Sarah Payne, in 2000, a Sunday newspaper published the names and addresses of known and suspected 'paedophiles. Vigilante activity followed, as did revelations of errors in the identifications. The newspaper withdrew its pledge to continue the exposures, switching to a demand that the government adopt a version of the US laws that allow public officials to warn citizens about sex offenders released from prison who are moving to a community (Hall 2001). These laws, known under the umbrella term 'Megan's Law,' were first introduced in the US in 1990 and by 1994 were required by federal law if states wanted their full allocation of block grant funds for anti-crime activities (Matson and Lieb 1997). The Home Office resisted this pressure to adopt Megan's Law, arguing that it would create vigilante activity and result in 'paedophiles going underground' (Home Office News Release 15 September 2000).

The Home Office chose instead to expand features of the Sex Offender's Act 1997 and to expand the police/probation collaborations that had emerged in several jurisdictions. In 2002, legislation passed to require police and probation officials in local jurisdictions to jointly assess the risks posed by individuals convicted of a sexual or violent offence, and then rely on inter-agency collaboration to manage those risks. To accomplish these tasks, Multi-agency Public Protection Panels were established as a 'significant development in public protection' (Home Office July 2002: 4). Annual reports to the public are required by these bodies; the first set was published in September 2002.<sup>2</sup> In addition, each MAPPP has produced protocols defining their operating policies and operations; these documents are confidential.

---

<sup>1</sup> Sections 67 and 68.

<sup>2</sup> See [www.onlinemappa.info/](http://www.onlinemappa.info/)

This article relies on the MAPPP's annual reports and protocols to examine the decisions made by these bodies regarding structure, focus, and decision-making. Due to confidentiality, the originating jurisdictions are not identified.<sup>3</sup> Since this article reviews the initial documents from MAPPPs, it represents an early chapter in these evolving organisations.

## **Statutory Direction and Guidance**

Initial guidance from the Home Office defined the MAPPP's key tasks as follows:<sup>4</sup>

- Share information on highest risk offenders and determine risk;
- Recommend actions to manage risk;
- Monitor and implement agreed actions;
- Review decisions when circumstances change; and
- Manage resources.

The 2001-02 annual report summarizes the purposes of MAPPPs, offering examples of local decisions and actions. Additionally, the report further defines the MAPPP roles and purposes and sets new expectations for consultation and notification of victims. The document indicates that over 47,000 offenders were under the organisations' jurisdiction, of whom 18,513 were registered sex offenders, and another 27,477 were violent and other sexual offenders (covered by the registration law), and 1,219 were other offenders (Home Office 2002: 9).

The document also clarifies and further defines the day-to-day operations of the body. The MAPPP is expected only to handle the 'very high' risk cases. The National Probation Service has created a Public Protection Group for the country's highest risk cases; this body can provide short-term additional resources. In 2001-02, 173 cases were referred to the group (Home Office 2002, v11).

In 2002, the Home Office held regional meetings with MAPPP representatives across the country and afterwards produced further guidance to the groups (National Probation Service 2001). This document concentrated on the expected content and format for the MAPPP's annual reports (Home Office 2002).

Because the Home Office documents are designed to communicate reassurance, readers may lose sight of the tremendous responsibility assigned to MAPPPs. It is one thing to utter the phrase, 'management of high risk individuals in the community,' it is altogether different to undertake accomplishing this goal. The enormity of their charge can be underestimated due to the 'reassuring' tone of the Home Office documents. The task is daunting: MAPPPs are to assess the risk of violent and sexual offenders coming to their area from prison and mental hospitals primarily, identify those who pose the highest risk, develop individualized plans to mitigate this risk, and for the indefinite future, monitor the person and anticipate how life changes may alter their risk.

---

<sup>3</sup> Letters from Amanda Matravers and the author requesting the protocols from probation agencies and police departments were sent in the fall of 2002. The letters indicated the nature of the research efforts and requested copies of the documents. The letter pledged that the documents would remain confidential.

<sup>4</sup> Multi-agency Public Protection Arrangements, 13 September 2002.

Considering this scope, it is no surprise that the MAPPPs have chosen a wide variety of structures, decision-making apparatuses, and priorities. The protocols reveal a fascinating variety of decisions, variety obviously influenced by factors such as geography, history of high profile offenders in that area, local personalities, and variable comfort levels with police/probation collaboration. The next section will explore the approaches MAPPPs have taken to key decisions.

### **Who Should Be Watched?**

The Home Office publications related to the MAPPPs stress the central role of risk assessment in deciding which people may pose the highest risks. Several references are made to actuarial risk assessment instruments that estimate the risk that persons with certain backgrounds will recidivate. The emphasis on risk issues fits into a 'risk culture' emphasis that concerns many criminologists. Kemshall and Maguire (2001) artfully reviewed this debate from its inception in the 1970s when it was termed the 'dangerousness debate' to the present where 'risk penalty' is often the key phrase (p. 239-247).

The risk penalty literature leads one to clear expectations about how groups like the MAPPPs will approach their task. The centrepiece of all work should be an actuarial assessment that calculates risk in a scientific manner. As the 'touchstone,' this assessment will supersede judgment calls, instincts, and whim. Persons rated as high risk will remain of concern, even when they appear to be stabilized or to have turned their life around; similarly, those rated as low risk will be 'off the list' even if they act hostile and challenging when encountered by a police or probation office.

When Kemshall and Maguire examined six MAPPPs in their first stage of functioning, they discovered that risk assessment did not meet this pattern (2001). In their words, 'risk management had something of an 'old-fashioned' feel about it, relying mainly on visits and conversations with offenders and people who knew them' (p. 253). The MAPPP documents reinforce this impression. If actuarial assessments were the central core of the MAPPP strategy, one would expect detailed instructions on scoring, sources of documentation, and procedures for exceptions (if any). The descriptions might evoke an insurance company's rules about setting premium levels.

In contrast, the MAPPP protocols describe the actuarial risk assessment as a starting point for group decisions. In no case does the process end there, nor does the actuarial determination appear to carry particular weight, certainly not in comparison to judgment. In many instances, the protocols call for a series of risk assessments, typically some combination of Risk Matrix 2000, the Offender Assessment System developed by the Prison and National Probation Services (OASY), and OGRS. Some protocols call for the MAPPP to consider all of these, in addition to unspecified 'other factors.' The perspective embedded in these documents is explicitly stated by one MAPPP: 'Professional judgement will remain an essential ingredient in all risk assessments.'

Clearly, there was debate within the groups about how to categorise the risk levels, and what the particular focus should be. Is the MAPPP, for example, concerned about the risk identified individuals pose to themselves, the risk of self-harm? How about their risk to current partners and former partners? Their children? Or, is the focus more on people likely to harm strangers or even a large number of people? Presumably someone suspected of being a terrorist would not be under the purview of a MAPPP, but the definition clearly covers this possibility.

Many MAPPPs also take responsibility for more than potential violent and sexual crime. One describes their task as 'assessing whether or not, in what way, to whom and in what circumstances, a person may harm others,' specifically referencing not only the public, but the probation/police staff, as well as the individual's potential for self-harm.

Many MAPPP documents reference the fluctuating nature of risk in individuals. As one document notes, 'risk can be accelerated if certain dynamic factors are present and thus reviewing of risk on low and medium risk offenders is paramount.' With this approach, those of concern are not restricted to the 'high risk list' but every individual meeting the broad parameters of the law.

### **What Happens to the People on the List?**

Once someone is listed as high risk, what happens next? What options are available to the MAPPPs? The Multi-Agency Public Protection Arrangements Annual Report for 2001-2 advises that MAPPPs are likely to focus on the following conditions:

- Requirement to live at a specific address and obey a curfew (electronically monitored);
- Prohibition on entering certain localities and making contact with certain people (victims);
- Restrictions on type of employment.

Very little space in the individual MAPPP protocols address this question; typically, the documents reference a 'risk management plan' without any specifics. For those MAPPPs that identified activities, the examples included:

- Informing the victim
- Restricting the individual's employment
- Rehousing the person
- Visiting the person
- Prompt follow-up in the event of failed visits to the probation officer
- Setting treatment requirements

For many people, the MAPPP's assignment to manage dangerous people in the community evokes images of 24-hour surveillance. Television and movies, as well as news reports about high profile cases, create and reinforce this impression. Obviously, tracking someone's movements at this intensity level requires a team of police officers; such resources are rarely available and, if so, only for a short duration. Most individuals in the high-risk lists are likely to remain there for some time, while new offenders released from prison will be continually added. Thus, the total number of people on the MAPPP's high-risk list will increase exponentially over time, while resources remain relatively stable.

Putting these dimensions together, we have MAPPPs setting very ambitious goals for their work, often with a vague description of actions that will be used to accomplish these expansive responsibilities. The list of dangerous people is ever expanding, with resources likely to be stable at best. With this combination of elements, the list starts to take on characteristics of a 'List of People to Worry About,' and collaboration resulting in 'Joined-up Worrying.'

As the MAPPPs evolve, their choices and strategies may set stricter parameters on their responsibilities. Otherwise, the result could be expectations and promises to the public that high profile incidents that are later uncovered as ideals, not reality.

### **What and How Should Organisations Share Information?**

As the starting point for a collaborative activity involving sensitive information, the rules for information sharing are of paramount concern to MAPPPs. Many MAPPPs have dedicated extensive efforts to defining how and when this sharing will occur and creating safeguards for transmission.

Many MAPPPs begin each meeting with a recitation of confidentiality rules, followed by each participant signing a document attesting to his or her willingness to abide by these rules. Several MAPPPs have set precise rules about what information will be covered in the meeting minutes, with requirements that each member sign the minutes and attest to their accuracy, then return them to the meeting organizer. Frequently, members are directed that minutes cannot be photocopied, and each member organisation must designate a secure file cabinet where they will be stored.

The confidentiality sections of the protocols are at present the 'heart and soul' of the MAPPPs. The 'risk penalty' debate in criminological literature did not anticipate this first stage, perhaps because inter-agency collaboration was not envisioned. In many ways, the protocols reveal a group of people in a community wrestling with a very difficult question: How can we look out for the overall safety of the community and not simultaneously create threats to that safety?

One set of protocols provide specific guidance to members about how and what information to share. Members are advised to consider the following questions:

- Is the information you are sharing relevant to managing the risks posed by the potentially dangerous person? Remember there is a difference between need to know and nice to know. The data protection act only allows you to share relevant information.
- Before sharing information are you clear in your own mind what are facts and what is opinion. Only share facts in the information sharing section of the meeting. There is time later to discuss the implications and judgements of all the facts shared in the meeting.
- Don't take your own notes. The minutes will be circulated to all organisations that have attended the meeting (having been checked for accuracy). Only note down any actions you need to take.
- The security of the information held on the minutes is your responsibility in line with your own organisation's data protection policy.

Reading the protocols, it becomes clear that the MAPPP members view confidentiality as the essential first building block for collaboration. As one MAPPP document indicated, 'The intention is to build trust between the agencies/organisations who are signatories to these protocols through a better understanding of the implications of disclosure and confidence in the ways others will not abuse information given to them.'

The literature on alliances among business partners suggests that trust between organizations evolves with identifiable stages. The partners begin with 'uncertainty about partners motives,' coupled with a 'lack of detailed knowledge about how they operate.' For trust to evolve, Child and Faulkner (1998) have identified specific stages that include the following:

- Realistic commitments that are subject to 'careful calculation and scrutiny' and therefore, can be tested as either accomplished or not;
- Agreement in 'writing, in detail, with the minimum of ambiguity.'

With protocols, the MAPPPs have taken this first step; Child and Faulkner's analysis identifies a significant role for sharing of information. Over time, this exchange of information helps break down barriers between people, they assert, and in doing so, helps 'generate the mutual confidence that takes trust forward beyond a basis of calculation onto one of shared understanding and predictability' (p. 59).

### **Who Goes on the List?**

The initial guidance directs that the MAPPP concern itself with the highest risk cases, 'including young offenders' (Home Office 2001: 3). MAPPPs appear to have interpreted this direction in several ways. A few specifically decided not to handle young offenders; 'the majority of young people do not pose a serious risk of harm to the public.' One body designated that responsibility for young exclusively to the Young Offending Team. Another set a minimum age of 16 for consideration by the group.

### **What Role Will Services and Treatment Serve in MAPPP Management?**

Most protocols do not address whether and how persons on the list are to receive services and treatment. For one MAPPP, however, the individual's access to services is identified as an integral part of the management strategy: 'ensuring that the individual assessed as posing high risk of serious harm can be agreement or requirement relevantly access services that might reduce future risks of causing harm.'

### **Where Will Offenders Live?**

Housing is often the centrepiece of MAPPP management strategies. Some MAPPPs include a major section on accommodation issues in their protocols, summarizing detailed agreements reached with housing authorities. In one MAPPP, the police and probation representatives have agreed to fully inform the housing agents about the person's history and situation, committing themselves to specific agreements about the frequency of their visits to the person. Another protocol specifically allows housing authorities to refuse to take a high-risk individual after learning about their background. These agreements represent sharing of power, as well as responsibility, with housing officials.

## **Will the MAPPP Inform the Listed Individual?**

Again, one finds contrasts on the choices that MAPPPs have made. Some groups chose explicitly not to inform individuals about their listing on the high-risk register; others consider the interaction with the person about the listing decision and its consequences as one basis for effective management of their risk. One protocol states that the individual is a key part of accurate risk assessment and 'unless there are compelling reasons not to do so,' the person will be approached and offered an opportunity to comment on the assessment. Another body intends that the individual be 'left with no doubt as to the focus of work and expectations of the body.' Some groups have chosen to mail the individual a notice regarding their decision.

## **How Will MAPPP Decisions Be Made?**

A variety of organisational structures have been created to accomplish MAPPP goals. The two designated partners in the statute are the police and probation service, and in all cases, leadership is provided by one or both of these groups. Some MAPPPS have elected to have the police provide leadership, others have selected probation, and others have established shared leadership, sometimes hiring a manager who reports to both organisations. Most MAPPPs have established two entities to implement the law; a policy-making management body and an operations body. Called by various names (MAPPP Management Panel, Risk Assessment Management Panel, MAPPP Strategy Group), the policy group meets less frequently and includes more senior staff. The other entity is an operations body, reviewing individual cases and planning actions. In some jurisdictions, several operations groups exist, dividing the jurisdictions into smaller units.

In terms of decision-making, a few protocols define precise rules. For example, one indicates that for someone to be put on the register, a 'clear majority' of the panel must agree. Another MAPPP specifies that cases not considered suitable for registration will not be referred again unless a revised risk assessment occurs. One protocol allows members to record their dissent to decisions in the minutes.

## **What Role Is Appropriate for Victims?**

The Home Office's further guidance to the MAPPPs directs that the groups pay particular attention to victim issues, with sections of the annual report devoted to the work undertaken with victims 'to minimise re-victimisation' and keep victims 'properly apprised of the release of offenders' (Home Office Issue No. 2, 2002 v2). This emphasis recalls the Home Secretary's 1999 statements that 'for too long victims of crime have not been given the proper support and protection they deserve. This must change. I am determined to ensure that their needs are placed at the very heart of the criminal justice system' (Straw 1999: 8).

The first group of protocols contain only a few references to victim issues. They are referenced as a 'key audience for protection' from high-risk individuals by one group. Another identified them as important informants, particularly about their partners. A premise statement from one body's protocols indicates that 'well planned and timely meetings should allow the victim perspective to be fully integrated into public protection considerations. The feelings of the victim(s) and any risk or fear of revictimisation should be fully considered at MAPPPS. The victim perspective may well influence the risk management plan that emerges from the meeting.'

## **Contrast With the US**

As stated earlier, the Home Office elected not to take the US path with community notification about individual released sex offenders. In the US, public officials sift through information about those sex offenders about to leave prison, deciding which individuals present particular dangers to citizens. Categorising these offenders into three levels of risk—low, medium, and high—the officials provide information to the public about those grouped into the highest risk level. Notification methods in the US vary and include news releases, door-to-door flyers, information posted on the Internet, or posters in local law enforcement (Matson and Lieb 1997, Lovell 2001). In 2003, some jurisdictions began contacting residences through automated calling systems with taped messages about a high risk sex offender living in the vicinity (Hartman 2003).

For the US, the key governmental activity related to Megan's Law is the identification and notification process. The assumption is that members of the public can use this information to avoid contact with these individuals, and ensure that their children are kept away from them. Presumably, the cautions are also extended to employers who are careful about employing these individuals, landlords about renting to them, and so forth. Undoubtedly, law enforcement uses knowledge about high risk individuals in its intelligence operations, but this use is not required by federal law.

Challenges to the constitutionality of two states' notification law reached the US Supreme Court in late 2002 and may influence practices in the US, particularly the use of Internet to post names of high-risk individuals (Greenhouse 2002).

## **Conclusions**

The first set of MAPPP protocols reveals significant variety in the arrangements and decision-making by the 42 entities. The legislation outlined ambitious goals for these groups, and the documents reveal that the local groups have approached this responsibility with ambition and creativity. The enormity of their task—management of sexual and violent persons in the community—cannot be overstated. Early and important steps in forging alliances have taken place as police and probation as well as a variety of other entities have established confidentiality agreements and decision-making apparatuses.

In terms of the day-to-day work of the MAPPPs, it becomes clear that the MAPPP members have taken on significant responsibility for their community's safety. Limited resources are attached to this responsibility, and the list of identified dangerous persons will only increase.

The next phases of MAPPP's evolution are likely to take individual groups in even more diverse directions as they try to meet the government's directives. This diversity offers a great opportunity for learning about management of dangerous people, and multi-agency collaborations in sensitive governmental areas. Systematic examinations of MAPPPs could help chart the next set of policies on this topic.

Note: Roxanne Lieb was an Atlantic Fellow in Public Policy in 2002, housed at the Institute of Criminology at the University of Cambridge.



## References

- Child, John and Faulkner, David (1998) *Strategies of Cooperation* (New York: Oxford University Press).
- Criminal Justice and Court Services Act 2000* (2000) (London: Stationary Office Limited) Chapter 43, Section 67.
- Greenhouse, Linda (14 November 2002) 'Court Looks at Sex Offenders' Lists' *New York Times* <<http://query.nytimes.com/gst/abstract.html?res=F00A11FE3D540C778DDDA80994DA404482>>.
- Hall, Sarah (13 December 2001) 'Argument rages over Sarah's law: Why parents' key demand is rejected by police' *Guardian Unlimited* <<http://www.guardian.co.uk/Archive/Article/0,4273,4318803,00.html>>.
- Hartman, David (29 January 2003) *Notification system may announce sex offenders*, in email from Alisa Klein to the Association for the Treatment of Sexual Abusers Listserv, *Automated Phone Calls to Be Used for Community Notification*.
- Home Office (October/November 2001) *NPD Regional Seminars on Managing Sex, Violent and other Dangerous Offenders* (London: HMSO).
- Home Office, Further Guidance (1) to police and probation services on the Criminal Justice and Court Services Act 2000, Sections 67 & 68, Guidance on Production of Annual Report 2002-2003 Issue No. 1 (London: HMSO).
- Home Office, Further Guidance (2) to police and probation services on the Criminal Justice and Court Services Act 2000, Sections 67 & 68 (Multi-Agency Public Protection Arrangements – MAPPA), Guidance on Production of Annual Report 2002-2003 Issue No. 2 (London: HMSO).
- Home Office (July 2002) *Protection Through Partnership: Multi-Agency Public Protection Arrangements, Annual Report 2001-2* (London: Home Office Communications Directorate).
- Home Office News Release (15 September 2000) *Government Proposals Better to Protect Children From Sex and Violent Offenders*, (London: HMSO) <<http://www.nds.coi.gov.uk/coi/coipress.nsf/7709c1f0104c752080256bf400338394/9925c90e1d7a34238025695b00516d62?OpenDocument>>.
- Kemshall, H. and Maguire, M. (2001) 'Public Protection, Partnership and Risk Penalty' *Punishment and Society*, 3:2, pp. 237-264.
- Lovell, Elizabeth (2001) *Megan's Law: Does it Protect Children?* (London: National Society for the Prevention of Cruelty to Children).
- Maguire, Mike, Kemshall, H., Noaks, L., Wincup, E., and Sharpe, K. (2001) *Risk Management of Sexual and Violent Offenders: The Work of Public Protection Panels* (London: Home Office).
- Matson, Scott and Lieb, Roxanne (1997) *Megan's Law: A Review of State and Federal Legislation* (Olympia, WA: Washington State Institute for Public Policy).
- National Probation Service (October/November 2001) *NPD Regional Seminars on Managing Sex, Violent, and Other Dangerous Offenders* (London: Home Office).
- Povey, Sir Keith, (December 2001) *Open All Hours: A Thematic Inspection Report on the Role of Police Visibility and Accessibility in Public Reassurance* (London: HMIC).
- Straw, J. (1999) 'Partners Against Crime' *Victim Support Magazine*, Summer 71, p 8.