

Explanations and Conclusions: Future Behaviour

Practice Guide

Predict future behaviour

This section asks you to use the information you have collected to make predictions about future harmful behaviours. It expands on the concept of Risk of Serious Harm (RoSH) by asking you to identify all future harmful behaviour (not just serious harmful behaviour).

It is not asking you to say what definitely will/will not happen but is asking for a judgment about what could reasonably be expected to happen. This judgement is based on all of the information collected in the **Information Gathering** quadrants and your analysis.

In this section you will give consideration to:

- offences the child or young person is likely to repeat from their past;
- the potential for any more/less serious offences given the child or young person's past patterns of behaviour (taking into account any change in their attitudes, circumstances and desistance factors);
- behaviours/offences that may take place in custody (as a result of the potential change in environment); and
- behaviours/offences that the child or young person has shown intentions, threatened or planned to carry out.

Why do we assess risk?

We assess risk to:

- identify those who may potentially cause serious harm;
- provide a framework for a plan to manage that risk; and
- protect victims and potential victims.

The purpose of risk assessment

Risk assessment analyses the static and dynamic risk factors relating to reoffending and risk of serious harm. It is a continuous and evolving process.

Assessing risk of harm

The risk of harm posed by a child or young person (who commits crime) to others is seen as having two key dimensions:

- the relative **likelihood** that an offence will occur; and
- the relative **impact** (harm) of the offence.

It is important to understand these two dimensions of risk. Some crimes (e.g. shoplifting) have relatively little impact or harm but statistically are the most common. Others (e.g. murder) are rare but cause maximum damage.

Who is at risk?

When assessing risk it is important to identify the person or groups of people who are specifically at risk; this allows resources and protective measures to be applied effectively.

When completing Asset+, if there are several potential victims for a behaviour/offence or there are different impacts for behaviours in different environments then a separate row must be used for each (this is demonstrated in the practice example outlined in Appendix 1).

Definition of serious harm

The Youth Justice Board defines serious harm as “death or injury (either physical or psychological) which is life threatening and/or traumatic and from which recovery is expected to be difficult, incomplete or impossible”.

Risk of Serious Harm (RoSH) judgement

The impact ratings for behaviours (see Appendix 2) should guide you to your RoSH judgement.

An impact rating of medium or below will not meet the definition of RoSH so if this is the highest impact behaviour than a ‘low’ RoSH rating should be given. If ‘medium’ is the highest impact rating you have given but an overall ‘low’ judgement does not appear defensible you must talk to your Advanced Practitioner or Team Manager.

Where there are ‘major’ or ‘critical’ impacts you will need to use your professional judgement to determine between medium, high and very high RoSH ratings; taking into account the child or young person’s dynamic factors, the **likelihood** of their behaviours and their **imminence**.

Matrix of impact / likelihood judgements

		Community				
				Likelihood		
		Unlikely	Possible	Likely	Very Likely	Almost Certain/Certain
Impact	Slight					
	Minor			LOW ROSH		
	Medium					
	Major	MEDIUM/HIGH/VERY HIGH ROSH – based on likelihood/imminence				
	Critical	MEDIUM/HIGH/VERY HIGH ROSH – based on likelihood/imminence				
		Custody				
		Unlikely	Possible	Likely	Very Likely	Almost Certain/Certain
Impact	Slight					
	Minor			LOW ROSH		
	Medium					
	Major	MEDIUM/HIGH/VERY HIGH ROSH – based on likelihood/imminence				
	Critical	MEDIUM/HIGH/VERY HIGH ROSH – based on likelihood/imminence				

RoSH judgement rating definitions (also found in Appendix 3)

- Low: there is **no evidence at present** to indicate likelihood of serious harmful behaviour in the future.
- Medium: some risk has been identified but the child or young person is **unlikely to cause serious harm** unless circumstances change (e.g. failure to take medication, loss of accommodation, relationship breakdown, drug or alcohol misuse). Relevant issues can be addressed as part of the normal supervision process.
- High: risk of harm is identified. The potential event **could happen at any time** and the **impact would be serious**. Action should be taken in the near future and the case will need additional supervision and monitoring (e.g. supervision by middle/senior management, local registration).
- Very High: **imminent** risk of harm identified. The child or young person **will commit the behaviour** in question as soon as the opportunity arises, and the **impact would be serious**. Immediate multi-agency action is likely to be required. The potential event is more likely than not to happen imminently.

Immediacy

It can be seen from the definitions outlined above that the primary difference between the levels of risk of serious harm is one of **imminence**.

Imminence means that risk is **immediate** and **likely**.

High and very high; an important distinction

A very high risk of serious harm means that the risk is imminent; to say risk is high means it could occur at any time and is therefore **not quite imminent**.

Appendix 4 contains an 'easy to read' RoSH matrix which may assist you in making an overall judgement.

A tool to help you reach a defensible RoSH judgement can be found in Appendix 5.

What makes a good risk assessment?

- A good risk assessment is **evidence based**. It uses statistical evidence, is informed by research into likely risk factors for the type of offending but is also individualised.
- A good risk assessment is **fair**. It takes into account factors that mitigate risks as well as those that might increase it.

- **Avoiding bias** is an important feature of a good risk assessment. Avoiding bias involves recognising any bias you hold, acknowledging it and taking steps to mitigate it.
- A **solid rationale** is the centrepiece of good risk assessment. It explains why specific conclusions are drawn and makes logical sense based on the evidence.
- Good risk assessments form the **foundations of a risk management plan**.

What do HMIP expect from a risk assessment?

HMIP expect risk assessments to:

- clearly identify and analyse any risk of harm to others posed by the child, including identifying who is at risk and the nature of that risk;
- draw sufficiently on available sources of information, including past behaviour and convictions, and involve other agencies where appropriate; and
- analyse the controls and interventions used to manage and minimise the risk of harm presented by the child.

Risk management planning

Risks can not necessarily be eliminated but they can be reduced. Risk management should therefore be understood as risk reduction rather than elimination. Risk management should reduce:

- the factors that lead to risks occurring; and
- the impact of the risk once it has occurred. This approach is often described as “harm reduction” and is widely used in the treatment of drugs and alcohol abuse. The key principles of harm reduction are that a reduction in the frequency of harmful behaviours is a gain, as it reduces the number of victims; and that any positive change in harmful behaviours will reduce the effect of such behaviours on others.

Risk Management strategies are grouped into three broad categories:

- **External controls** are strategies aimed at reducing triggers to and opportunities for harmful behaviour. For example, by restricting access to particular venues (like schools, leisure facilities) or access to previous victims.
- **Internal controls** are strategies that focus more on developing an individual’s ability to avoid and manage risky situations. They focus on longer term reductions in risk. They include accredited programmes. They promote self risk management by developing skills and strategies for:
 - avoidance – e.g. of specific triggers for offending behaviour;

- involvement in other activities to 'divert' away from offending; and
 - cognitive skills – understanding consequences of behaviour, identifying reasons not to offend, learning to negotiate or be assertive.
- Building **protective factors**. Reinforcing, developing or using strengths and resources to build a positive alternative to an offending lifestyle.

The children and young people we work with may often be subject to multiple plans to manage risk and safety. You should know the rationale and content of other agencies' plans and integrate them with your own.

Risk management should be:

- protective - offer reasonable protection to victims;
- proportionate - matched to the risks identified and is neither over nor under intrusive;
- fair and just - justified, non-discriminatory, not over intrusive towards particular groups;
- defensible - open and transparent to public accountability, with clear decision making; and
- realistic and achievable.

What do HMIP expect from a risk management plan?

HMIP expect planning to:

- promote the safety of other people and sufficiently address risk of harm factors;
- involve other agencies where appropriate;
- address any specific concerns and risks related to actual and potential victims;
- set out the necessary controls and interventions to promote the safety of other people; and
- set out necessary and effective contingency arrangements to manage those risks that have been identified.

Be aware of potential escalation

Risk assessment is dynamic. Be mindful of potential changes in the risk of serious harm presented by children and young people as you manage them.

As part of the risk assessment you will have developed an understanding of the circumstances likely to give rise to increased risk. Common signs of deteriorating circumstances and behaviour that have been linked to increases in risk are:

- lifestyle deterioration (e.g. increased alcohol/drug consumption, staying away from the family home/current placement, significant loss/bereavement etc);
- psychological factors (e.g. change in usual mood); and
- breakdown in supervision (e.g. deterioration in school attendance, reduced compliance with Court Order, being reported as 'missing', change in placement for children and young people looked after by the local authority etc).

How to respond to increased risk is covered in the Practice Guide titled 'Contingency Planning'.

What do HMIP expect from a review when there is an escalation or reduction in risk?

HMIP expect reviewing to:

- identify and respond to changes in factors related to risk of harm;
- be informed by the necessary input from other agencies involved in managing the risk of harm;
- meaningfully involve the child and their parents/carers in their risk of harm, and consider the views of others; and
- lead to the necessary adjustments in the on-going plan of work to manage and minimise the risk of harm.

Likelihood of reoffending

The second judgement you need to make in this section is the child or young person's likelihood of reoffending.

In this section you will be given an indicative likelihood of reoffending, based on the Youth Offender Group Reconviction Scale (YOGRS) calculation, and you will need to decide whether you agree with it or not.

This decision should be based on consideration of the dynamic factors you identify in your assessment, risks highest on the 'likelihood' scale and other potential offences that are not expected to cause harm.

In line with defensible decision making you will need to provide your own rating and explain why it agrees or disagrees with the indicative likelihood of reoffending calculation.

Likelihood of Reoffending (LoR) judgement definitions (also found in Appendix 6)

- Low: there is **no evidence at present** to indicate that the child or young person will offend in the future.
- Medium: some risk has been identified but the child or young person is **unlikely to offend** unless circumstances change (e.g. failure to take medication, loss of accommodation, relationship breakdown, drug or alcohol misuse). Relevant issues can be addressed as part of the normal supervision process.
- High: the child or young person **could offend at any time**. Action should be taken in the near future and the case will need additional supervision and monitoring (e.g. supervision by middle/senior management, local registration).
- Very High: **imminent** risk of offending identified. The young person **will offend as soon as the opportunity arises**. Immediate multi-agency action is likely to be required. The potential event is more likely than not to happen imminently.

Please see Appendix 1 for an example of how to complete the questions contained in the Future Behaviour section of Explanations and Conclusions.

Appendix 1

Practice Example

Explanations and Conclusions: Future Behaviour

The key thing to remember about this section is that you are referencing behaviour that could happen in the future. Although it is past behaviours that help us predict what behaviours are most likely to occur in the future, we do not make reference to past behaviour here (we make reference to what could happen not what has happened).

Type of Behaviour and Impact on Others

In line with defensible decision making, if you answer 'No' to the further exploration question under 'type of behaviour and impact on others' you will need to explain why this is the case in the text box. For example:

This is Billy's first conviction. He was convicted of a low impact offence on the basis of joint enterprise. I have had sight of the CCTV footage which evidences Billy being on the periphery. There are a number of protective factors in place (i.e. full time school attendance, involvement in constructive activity, supportive family etc). The offence was committed 9 months ago and there is no evidence of any further criminal or anti-social behaviour.

Type of Behaviour and Impact on Others

Nature of behaviour

In this section you are asked to explain **what** the behaviour might be, **who** the potential victims might be and **why** the impact level has been given.

Initially you may find it easier to set your work out as demonstrated below.

Robbery

WHAT: Robberies.

WHO (VICTIM): Male members of the public.

IMPACT (WHY): Medium - could result in medium term physical and/or emotional harm.

Possession of an Offensive Weapon

WHAT: Attacks involving the use of weapons.

WHO (VICTIM): Male members of the public.

IMPACT (WHY): Major - could result in long term physical and/or emotional harm.

Aggression Towards Others (Peers)

WHAT: Physical acts of aggression.

WHO (VICTIM): Most likely to occur against male peers who challenge Billy's status.

IMPACT (WHY): Minor - could result in short term physical and/or emotional harm.

Aggression Towards Others (Staff)

WHAT: Verbal abuse.

WHO (VICTIM): May be directed at staff that challenge and/or undermine Billy.

IMPACT (WHY): Slight - could result in short term physical and/or emotional harm.

Once you are confident in your ability to complete this section (without the need for subheadings, which act as useful reminders) you will set it out as demonstrated below.

Robbery

WHO (VICTIM)

WHAT

Robberies against **male members of the public** could result in medium term physical and/or emotional harm, which is why impact is assessed as **'medium'**.

IMPACT (WHY)

Possession of an Offensive Weapon

Attacks involving the use of weapons on male members of the public could result in long term physical and/or emotional harm, which is why impact is assessed as 'major'.

Aggression Towards Others (Peers)

Physical acts of aggression are most likely to occur against male peers who challenge Billy's status. The impact is assessed as 'minor' as the behaviour could cause short term physical or emotional harm.

Aggression Towards Others (Staff)

Verbal abuse may be directed at staff that challenge and/or undermine Billy. The impact is assessed as 'slight' as the behaviour is not expected to require recovery.

When might the behaviour occur and in what circumstances?

Here you are asked to explain **where** and **when** behaviours could occur and **why** the likelihood level has been given.

Initially you may find it easier to set this section out as demonstrated below.

Robbery

WHERE: In Bradford City Centre, in the evening, under the cover of darkness.

WHEN: Billy is in need of money.

LIKELIHOOD (WHY): Currently assessed as 'possible' due to Billy's current lifestyle choices.

Possession of an Offensive Weapon

WHERE: In the local area when Billy is out with friends.

WHEN: Billy's physical safety is threatened.

LIKELIHOOD (WHY): Assessed as 'possible' due to Billy's current lifestyle choices.

Aggression Towards Others (peers)

WHERE: In the local area and at school when Billy is in the company of others.

WHEN: Billy is belittled, undermined or humiliated.

LIKELIHOOD (WHY): Currently assessed as 'likely' as Billy frequently loses his temper and lashes out.

Aggression Towards Others (staff)

WHERE: At school and/or when he is around figures of authority.

WHEN: Although Billy doesn't have to be provoked this behaviour is most likely to occur when he is challenged or undermined.

LIKELIHOOD (WHY): Currently assessed as 'almost certain' as Billy is reported to be verbally abusive towards education staff every day he is in attendance.

IMMEDIATE and LIKELY

Once you are confident in your ability to complete this section (without the need for subheadings, which act as useful reminders) you will set it out as demonstrated below.

Robbery

This behaviour is most likely to occur in **Bradford City Centre, in the evening, under the cover of darkness.** It is most likely to occur **if Billy is need of money.**

The behaviour is currently assessed as **possible** due to Billy's current lifestyle choices.

LIKELIHOOD (WHY)

Possession of an Offensive Weapon

The behaviour is most likely to occur in the community when Billy is out with friends. It will occur if Billy's physical safety is threatened. The behaviour is currently assessed as 'possible' due to Billy's current lifestyle choices.

Aggression Towards Others (peers)

WHERE

WHEN

The behaviour could occur in the local area or at school. It is most likely to occur if Billy is belittled, undermined or humiliated in front of others. The behaviour is currently assessed as 'likely' as Billy frequently loses his temper and lashes out.

Aggression Towards Others (staff)

The behaviour could occur at school or when Billy is around figures of authority. Although Billy doesn't have to be provoked this behaviour is most likely to occur when he is challenged or undermined. The behaviour is currently assessed as 'almost certain' as Billy is reported to be verbally abusive towards education staff every day he is in attendance.

Please provide reasons for the RoSH judgement

After taking on board the advice we have been given from Silver Bullet and Cordis Bright we are developing the way in which we set out the RoSH judgement section. Moving forward, in addition to ensuring that we clearly and concisely outline why we have reached a particular judgement we will also give a brief summary of our risk management plan and outline how we protect future victims.

An example of how to do this is provided below:

Billy is currently assessed as posing a high risk of significant harm to others because one major impact has been identified and current contextual factors (i.e. peer group, missing episodes and substance use) increase the likelihood of criminal activity.

RISK MANAGEMENT PLAN

INTERNAL CONTROLS

Completing the weapons awareness programme has been prioritised on Billy's sentence plan because increasing his awareness of the consequences of knife crime on himself, the victims of such offences and the wider community should reduce the likelihood of him committing further offences of a similar nature in the future. Key work **EXTERNAL CONTROL** teaching Billy coping strategies to control and release feelings of anger in socially acceptable ways. Monthly intelligence checks with YOT Police will assist in monitoring the level of risk posed. Finding Billy a local football team to train and play with will provide him with structure and keep him occupied during the evening (when he is most likely to reoffend).

BUILDING PROTECTIVE FACTORS

VICTIM SAFETY

School are following their own Risk and Safeguarding Management Policy to manage the risk Billy poses to others in education settings.

Billy has a Prohibited Activity Requirement attached to his Youth Rehabilitation

Order which prevents him from associating with his co-accused (CV 123456).

Review

When completing an Asset+ Review it is important to analyse what, if any, the impact the sentence plan has had. For example:

Billy continues to be assessed as posing a high risk of significant harm to others because one major impact has been identified and current contextual factors (i.e. peer group, missing episodes and substance use) increase the likelihood of criminal activity.

Billy is still assessed as posing a high risk of significant harm to others despite completing the weapons awareness programme and learning strategies to control feelings of anger because Police intelligence suggests that he is spending time with a known gang (which increases the likelihood of him continuing to carry a weapon) and he is yet to demonstrate that he is implementing the strategies he has learnt to manage feelings of anger. Despite Billy been signposted to a local football team he has refused to attend training.

Or

The level of harm has reduced to medium upon review because Billy engaged well in the weapons awareness programme; there is not any Police intelligence to indicate that he is associating with negative peers; he is starting to implement the strategies he has learnt to manage feelings of anger and he is playing football.

How do your own judgements compare with the YOGRS indicator and indicative Likelihood of Reoffending above? If different, consider the reasons why (e.g. recent change in dynamic factors) and whether, based on your assessment, the indicative Likelihood of Reoffending is correct.

Despite the 'medium' indicative rating the analysis has identified behaviours that are 'likely' and 'very likely' to happen so a 'high' rating has been given. In addition, there are on going concerns surrounding his peer group and lifestyle (i.e. cannabis use, lack of constructive activity and missing episodes).

Appendix 2

Behaviours, Victims, Impact and Likelihood

Behaviours	Victims	Impact Rating	Definition*
Absconding or bail offences	Peers	Slight	Recovery immediate or not required
Aggression towards others	Younger children	Minor	Recovery in the short term (<1 month)
Arson/Fire setting	Staff/person in authority	Medium	Recovery in the medium term (<6 months)
Breach	Residential staff	Major	Recovery in the long term (>6 months) or Incomplete
Bullying	Females	Critical	No recovery possible
Criminal Damage	Males		
Destruction of property	Public		
Domestic Burglary	Partner		
Drugs	Family members		
Fraud and Forgery	Minority groups		
Motoring Offences	Rival gang members		
Non-Domestic Burglary	Other (please specify)		
Public Order			
Racially Aggravated			
Robbery			
Sexual Offences/ Inappropriate behaviour			
Soliciting or prostitution			
Theft and Handling/Acquisitive Behaviour			
Threats/intimidation or attempts to manipulate/control others			
Violence Against The Person			
Other Anti-Social behaviour/ offence (please specify)			

Likelihood	Percentage
Unlikely	<20%
Possible	20-40%
Likely	41-70%
Very likely	71-90%
Almost certain	>90%

<p>*Note that 'recovery' means 'the point where the victim is able to return to everyday functioning as before the behaviour/offence'. This should be based on:</p> <ul style="list-style-type: none"> - The most significant impact on any particular individual(s) and/or the wider community - The combined impact of any physical, psychological, financial damage
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Appendix 3

Rosh Rating Definition and MAPPA Criteria

		YOGRS Score	0-43%	44-76%	77-100%
		Indicative LoR rating	Low	Medium	High
RoSH Rating	Definition*				
Low	There is no evidence at present to indicate likelihood of serious harmful behaviour in future	MAPPA	Level 1 (Ordinary risk management): Where the agency responsible for the offender can manage risk without the significant involvement of other agencies		
Medium	Some risk identified but the offender is unlikely to cause serious harm unless circumstances change. Relevant issues can be addressed as part of the normal supervision process.	MAPPA	Level 2 (Local inter-agency risk management): Where there is 'active involvement' of more than one agency in risk management plans, either because of a higher level of risk or because of the complexity of managing the offender		
High	Risk of harm identified. The potential event could happen at any time and the impact would be serious . Action should be taken in the near future and the case will need additional supervision and monitoring (e.g. supervision by middle/senior management, local registration).	MAPPA	Level 3 Those offenders defined as the 'critical few' who pose a high or very high risk, and whose risks require close co-operation at a senior level between partner agencies; or the case (although not assessed as high or very high risk) has a prominent media profile or high public interest		
Very High	Imminent risk of harm identified. The young person will commit the behaviour in question as soon as the opportunity arises, and the impact would be serious . Immediate multi-agency action is likely to be required. The potential event is more likely than not to happen imminently.	MAPPA	Category 1 Registered sex offenders who have been convicted or cautioned (since September 1997) of certain sexual offences (section 327(2) Criminal Justice Act 2003)		
		MAPPA	Category 2 Murderer or an offender who has been convicted of an offence under Schedule 15 of the Criminal Justice Act and: – who has been sentenced to 12 months or more in custody; or – who has been sentenced to 12 months or more in custody and is transferred to hospital under s.47/s.49 of the Mental Health Act 1983 ('MHA, 1983'); or – who is detained in hospital under s.37 of the MHA, 1983 with or without a restriction order under s.41 of that Act.		
		MAPPA	Category 3 Other dangerous offender: a person who has been cautioned for or convicted of an offence which indicates that he or she is capable of causing serious harm and which requires multi-agency management. This might not be for an offence under Sch.15 of the CJA 2003.		

Appendix 4

Easy to Read RoSH Matrix

Below is an 'easy to read' RoSH matrix which may assist you in making an overall judgement. It is only a tool; it must not be used in isolation or to evidence a defensible decision.

		LIKELIHOOD				
		UNLIKELY <20%	POSSIBLE 20-40%	LIKELY 41-70%	VERY LIKELY 71-90%	ALMOST CERTAIN/CERTAIN >90%
I M P A C T	SLIGHT Recovery Immediate or not required	LOW				
	MINOR Recovery in the short term (<1 month)					
	MEDIUM Recovery in the medium term (<6 months)					
	MAJOR Recovery in the long term (>6 months) or	MEDIUM	HIGH	VERY HIGH		
	CRITICAL					

Appendix 5

RoSH Judgement Tool

Below is a tool that may help you reach a defensible overall RoSH judgement. It is only a tool; it must not be used in isolation.

Low	<ul style="list-style-type: none">• There is not any current evidence of behaviours related to serious harm.• Any serious harm related thinking is under stable control and supported by protective factors in the child or young person's life.• Access to potential victims is extremely limited, restricting any ability to commit acts of serious harm, despite patterns of thinking or behaviour that would support this.
Medium	<ul style="list-style-type: none">• The child or young person has underpinning needs related to serious harm but is not seeking opportunities to cause serious harm or involving themselves in situations or events likely to result in serious harm.• The child or young person is likely to be complying with controls that limit victim access and engaging in interventions that address underpinning needs.
High	<ul style="list-style-type: none">• The child or young person is likely to appear on the lookout for opportunities to offend or engage in regular behaviour that places them at significant risk of causing serious harm.• The harm is not imminent as they may lack a specific target or circumstances are missing that would cause offending but this could change at any time.
Very High	<ul style="list-style-type: none">• The child or young person is hugely invested in behaviours related to serious harm and seeks to create opportunities to engage in those behaviours.• There is/are likely to be an identified future victim(s) and offence related circumstances will be repeating themselves, providing a sense of imminence to seriously harmful offending.

Appendix 6

Likelihood of Reoffending (LoR) Judgement Definitions

- Low: there is **no evidence at present** to indicate that the child or young person will offend in the future.
- Medium: some risk has been identified but the child or young person is **unlikely to offend** unless circumstances change (e.g. failure to take medication, loss of accommodation, relationship breakdown, drug or alcohol misuse). Relevant issues can be addressed as part of the normal supervision process.
- High: the child or young person **could offend at any time**. Action should be taken in the near future and the case will need additional supervision and monitoring (e.g. supervision by middle/senior management, local registration).
- Very High: **imminent** risk of offending identified. The young person **will offend as soon as the opportunity arises**. Immediate multi-agency action is likely to be required. The potential event is more likely than not to happen imminently.