



# Risk of Serious Harm – Guidance



These notes give guidance on the content of the *Risk of Serious Harm* form and provide examples of some of the key issues to consider in each of its sections. In addition, you may find it useful to look at the MAPPA guidance issued by the Youth Justice Board: *Dangerous Offenders – Guidance on Multi-Agency Public Protection Arrangements*.

*This assessment should be completed if there is a ‘Yes’ response to any of the questions in the ‘Indicators of serious harm to others’ section of the Core Profile.*

## Purpose of the Risk of Serious Harm assessment

This form provides the opportunity to look more closely at any concerns that have been identified regarding the possible risk of harm to others. You will need to analyse the information recorded in both the *Core Profile* and other completed assessments (e.g. in relation to mental health). Where there are gaps or unanswered questions, you may then need to gather additional information in order to make a comprehensive assessment of risk of serious harm to others.

When all these different pieces of information are brought together, they may reveal a risk of harm to others that is not obvious when the issues are considered separately. Sometimes, one small detail can help to make sense of a situation where it has previously been difficult to explain the nature of the concerns about risk. It is therefore essential to consider a wide range of information when making judgements about risk of harm, and the full assessment form provides a framework for doing this.

## 1. Evidence of harm-related behaviour

Harm-related behaviour is defined quite broadly in this section. It includes both behaviour that has actually resulted in serious harm to others, and behaviour where there was a real possibility of such harm occurring. With an adult offender, there may be a long record of violent or sexual offending which gives a strong indication of the possibility of further harmful behaviour. A young person is less likely to have such an extensive record, however, and a risk assessment focused only on his/her previous convictions would be very limited. By using a wider definition of harm-related behaviour – and considering issues such as his/her intentions to cause harm – it is possible to obtain a much fuller picture of the risk that s/he may present.

### Is there evidence of any current or previous harm-related behaviour by the young person?

Consider both current and previous offences and other behaviour that may not have resulted in a conviction (e.g. behaviour within the family, at school, in institutions, towards staff).

Tick ‘No’ and go on to section 2 if there is no evidence of any harm-related behaviour by the young person.

Tick ‘Yes’ if you have already answered ‘Yes’ to any of the three questions in the ‘Indicators of serious harm to others’ section of the *Core Profile*, or if you have come across information since then that indicates the young person has shown harm-related behaviour in the past.

### Were any of the following features of the behaviour?

Tick all those that apply, taking account of all the incidents of harm-related behaviour you know. If there is no evidence of a particular feature, leave the box blank.

#### Unduly sophisticated methods

This refers to behaviour that is disproportionately sophisticated for someone of his/her age.

#### Recklessness

This is in contrast to behaviour that is planned or calculated, and could involve carelessness or not understanding the consequences of his/her actions.

#### Ritual or bizarre elements

Bizarre elements may be described as particular actions that are inexplicable in the context of the behaviour as a whole. Ritualistic elements are those the young person repeats on different occasions and are not only associated with the particular type of harm-related behaviour.

### Are there any other aspects of the young person's harm-related behaviour that are surprising, unusual or cause concern?

Record here any other details about the young person's past behaviour that is relevant to the assessment of risk of serious harm, for example unpredictability in relation to the type of behaviour; the time or location of the behaviour; choice of victim/s; triggering factors; discriminatory attitudes; the force of the young person's desire to hurt others.

## Victims

In the *Core Profile* these questions are asked in relation to the young person's current offences. For this section, however, please consider whether they are relevant to *any* of his/her behaviour. It may be that boxes are not ticked on the *Core Profile* because they do not apply to the current offences, but should be ticked here because they are relevant to the young person's previous harm-related behaviour.

### Who were the victims of this behaviour?

Tick all the options that apply. In cases where s/he was intending or preparing to cause harm, tick the boxes if any of these characteristics would have applied to the likely victims.

#### Vulnerable victim

This includes the elderly, people with disabilities and children younger (or much smaller) than the young person.

#### Specific, targeted victim

This includes any victim who is chosen for a particular reason, for example because they belong to a particular group (e.g. ethnic or religious) or because the young person has a grudge against them. The key issue here is not whether the victim was already known to the young person, but whether the victim was selected for a specific reason.

## Context and circumstances of harm-related behaviour

This section asks you to distinguish between the long-term and the immediate issues contributing to the young person's previous harm-related behaviour. Long-term issues, such as experiences of abuse or loss, may contribute to a gradual build of emotions over time (e.g. anger, resentment, hostility, suspicion of others) which may factor in the young person's problematic behaviour. There may also be particular triggers or prompts that are relevant to specific offences or other incidents of harm-related behaviour (e.g. other people encouraging the young person to hurt others, or his/her failure to take medication). It is important to distinguish between these long-term and short-term factors when assessing the likelihood of the young person committing harm-related behaviour in future and when deciding on the most appropriate types of intervention or support.

### Summary of previous harm-related behaviour

A young person may not yet have settled into a regular pattern of behaviour, so it is important to take into account incidents that seem to be one-offs. Any emerging patterns of harm-related behaviour are key indicators of the likelihood of future harmful behaviour. If there have been regular or repeated occurrences of a particular type of harm-related behaviour, this will generally signify a higher risk than isolated or occasional incidents. This section therefore highlights any particular patterns or trends in the young person's behaviour.

While a trend of consistent and/or increasing harm-related behaviour will tend to cause most concern, it is important to recognise that any of these patterns can represent a significant risk to others – even those showing decreasing harmful behaviour.

## 2. Current risk indicators

This section looks at whether the young person's current attitudes, interests or circumstances provide any indicators of a risk of harm to others. Some of the factors follow on directly from the 'Indicators of serious harm' section of the *Core Profile*; other issues have not been raised before.

While there will often be overlap between sections 1 and 2, there may also be times when they seem quite separate. It would be possible, for example, to have some evidence of past harm-related behaviour in section 1, but to have nothing in section 2 (if there are no other current risk indicators). Conversely, it would be possible to have no evidence in section 1 of previous harm-related behaviour, but to have a number of concerns in section 2 about the young person's current situation.

### Attitudes to previous harm-related behaviour

This refers to his/her *current* attitude towards any of the previous harm-related behaviour described in section 1. It can include denials that the events occurred, that s/he was personally involved or responsible, and/or of the level of harm caused. The young person's attitudes to victims of previous behaviour could also be included here, for example particularly cold/callous attitudes; ongoing feuds or grudges; the view that the victim deserved it.

### Other relevant attitudes

These include current attitudes about particular types of behaviour (e.g. that violence is normal) or groups (e.g. that it is acceptable to be aggressive towards people from certain estates or from different ethnic groups). There may be other factors associated with the young person's perception of what is right and wrong (e.g. learning difficulties that affect the young person's perception of what is appropriate sexual behaviour, or a lack of understanding about the harmful consequences of his/her actions).

### Current behaviour

This includes interests/activities that the young person pursues alone or with other people. Some of these may already have been identified in the 'Lifestyle' section of the *Core Profile*. The same activity can have contrasting implications for different young people, and it is important to consider each case individually: for example, a collection of military paraphernalia may reflect a legitimate interest in the armed forces or a potentially dangerous preoccupation with weapons. Give details (where known) of who else may be involved in the activities, how often the young person pursues them, where the activities take place, and anything else that is relevant.

You also need to consider anything else about his/her behaviour that is odd, disconcerting or disturbing which has not already been addressed in other sections. Focus especially on where the young person spends time, who s/he is with and what s/he does. This may link with issues identified in the 'Lifestyle' or 'Thinking and behaviour' sections of the *Core Profile*. Cruelty to animals is given as one example of disturbing behaviour; another might be if the young person spends a lot of time in unusual places (e.g. graveyards).

### Current circumstances

Is the young person currently in a position where s/he has – or could gain – access to potential victims or the equipment necessary for causing serious harm (e.g. weapons)? One example is a young person who has previously abused a younger sibling and is currently living in accommodation with easy access to other younger people; another is a young person living with older friends who are known to have a record of violent behaviour and may be planning future offences.

Consider any other events or circumstances that might act as a trigger for harmful behaviour, for example a difficult anniversary; s/he has previously been violent towards ethnic minorities and a black family has just moved in next door; failure to take medication as prescribed.

### Any other concerns

Has anybody else expressed concerns about the possibility of the young person causing serious harm? For example, parents, carers or teachers who are apprehensive about aspects of his/her behaviour and think this may indicate a possible risk to others. Give details of who has expressed concern, what the concerns are, how much weight you attach to them and why.

### 3. Future harmful behaviour

You are now asked to make a judgement, based on all the information available to you, about the types of harmful behaviour the young person might commit in the future. This section asks you to indicate what the harmful behaviour might be, who the potential victims are, and when and how it might happen. This information provides the basis for the ‘Current risk classification’ in the Conclusion.

In completing this section, consider both the following types of behaviour:

*Deliberate/intentional behaviour* – this can include:

- a deliberate intention/goal to inflict harm on particular people;
- a desire to fulfil other goals which will inevitably involve harm to others (e.g. sexual fantasies involving young children);
- other deliberate behaviour which may result in serious harm, but need not necessarily do so (e.g. arson).

*Unplanned/unintentional behaviour* – this can include:

- response to provocation;
- reckless activity;
- not realising the consequences of actions.

#### **Are there indications that the young person will engage in future behaviour that will cause serious harm to others?**

The following may be a useful reminder of the issues to consider:

- patterns of past harm-related behaviour;
- the young person’s current attitudes, interests and circumstances;
- forthcoming events or circumstances;
- intentions, plans and threats.

A ‘Yes’ response here could include situations where there may not be an immediate risk, but where you think there is a real possibility of serious harm at some definite point in the foreseeable future.

A ‘No’ response means that you do not need to complete any more of section 3, and that the risk classification in section 4 should be given as low.

#### **What is the nature of this behaviour?**

Include details of:

- the type of behaviour that might occur (e.g. violence, sexual offending, dangerous driving);
- particular features of that behaviour (e.g. use of weapons);
- the nature and extent of the harm that is likely to be caused.

#### **Is this likely to be deliberate/intentional or unplanned behaviour?**

Deliberate behaviour refers to an action that displays prior thinking/planning and indicates that the young person has a particular goal in mind. It includes both behaviour where the

intention is specifically to cause harm, and behaviour that is likely to lead to harm even though this may not be the young person's explicit intention. It is the deliberateness of the actions rather than the nature of his/her intentions that should determine whether the behaviour falls into this category

Unplanned or unintentional behaviour refers to an action that is spontaneous, a quick response to an unexpected situation or something done without prior thought and attention. Reference has already been made to the difficulties involved in assessing the risks associated with certain types of driving behaviour (see, for example, p.27 of the *Core Profile Guidance*). In this section of the *Risk of Serious Harm* form, driving could be classified as either deliberate/intentional or unplanned/unintentional, depending on the particular circumstances of each case. It is deliberate/intentional behaviour if the young person purposely sets out to race friends around residential areas or to entice the police into giving chase. In other situations, however, reckless driving may be unplanned/unintentional, for example if the young person is responding to pressure from friends in the car.

#### **In what context/circumstances is this behaviour likely to occur?**

This covers the young person's likely social and personal circumstances at the time of any such behaviour. It also includes any specific events which may trigger the behaviour.

#### **Who is at risk from the young person?**

These could be specific individuals, people belonging to particular groups, or random members of the public. In the list of potential victims:

- distinction is made between younger children and peers (of his/her own age);
- 'Vulnerable adults' includes the elderly and people with disabilities;
- 'Public' refers to any victims not previously known to the young person;
- 'Staff/people in authority' includes Yot staff, teachers, police, and staff of home/hostel or other agencies involved with the young person;
- 'Other' could include neighbours and family friends.

#### **How soon is harmful behaviour likely to occur?**

Are there particular reasons why the young person could not commit such behaviour in the near future (e.g. because s/he is currently in secure accommodation)?

In answering, consider the following factors:

- Is s/he actively seeking opportunities to cause harm to others?
- Is s/he likely to get into situations or circumstances where this type of behaviour could occur?
- Would s/he commit this behaviour as soon as an opportunity arises?
- Are there current constraints on his/her behaviour which will be removed in the near future?
- Is the behaviour more likely to happen immediately than not?

#### **How quickly do you need to take action?**

This is an important factor that will help to determine the risk classification in section 4 ('Conclusion').

## 4. Conclusion

There will always be an element of uncertainty in this type of assessment, and it is not possible to give definitive predictions about risk of serious harm to others. The most you can do is base your decisions on a thorough consideration of all the evidence that you have at any given point in time. This conclusion provides a framework for recording the outcome of such an assessment and for specifying the practical action that needs to be taken in response, and is the first step towards drawing up a more detailed risk management plan (the form and guidance for this are in the *Interventions* section).

### Current classification for risk of serious harm to others

You are asked to indicate your opinion of the current level of risk of harm to others that the young person presents, based on the information available. The risk level will be a key factor in choosing appropriate risk management strategies: if the young person is assessed as medium, high or very high risk the *Risk Management Plan* in the *Interventions* section needs to be completed.

In reaching a judgement about the risk level, the main factors to consider are:

- the likelihood of the behaviour occurring;
- the imminence of the behaviour;
- the impact of the behaviour.

It is important to remember that the risk level may change over time as new information becomes available. For example, a young person who is sometimes violent towards certain members of his/her family but is currently living in secure accommodation might be assessed as medium risk because the particular behaviour that causes concern is not likely to occur in the near future. This assessment would have to be reviewed when the young person leaves secure accommodation and has more frequent contact with his/her family.

### Low risk

There is no evidence *at present* to indicate any likelihood of future harmful behaviour. This would be the appropriate response if you have answered 'No' to the question 'Are there indications that the young person will engage in future behaviour that will cause serious harm to others?' in section 3.

### Medium risk

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.

### High risk

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).

There may be some hesitation about identifying a young person as high risk because of the practical implications this will have (e.g. s/he will require a more intensive level of supervision). In such cases, it is important that decisions are discussed and shared within teams, not left entirely to individual members of staff.

**Very high risk**

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.

**Which of the MAPPA levels is most appropriate at this time?**

This question only applies if the young person is eligible for referral to MAPPA, i.e if he or she falls into one of the following categories.

Category 1 – registered sex offenders

Category 2 – violent and other sex offenders (who have served at least 12 months in custody)

Category 3 – other offenders who may present a risk of serious harm to the public

More detailed guidance on the categories and levels can be found in *Multi-Agency Public Protection Arrangements: Guidance for Youth Offending Teams*, available from the YJB website ([www.youth-justice-board.gov.uk](http://www.youth-justice-board.gov.uk)).

If a young person meets the eligibility criteria, you must assess the level of risk that he or she poses to the community, and the appropriate level of risk management required. There are three levels at which risk is assessed and managed through MAPPA.

**Level 1 – ordinary risk management**

The risks posed by a young person can be managed by the YOT through normal supervision procedures as set out in *National Standards for Youth Justice Services*. There may, however, be some form of liaison and information exchange with other appropriate agencies. This will generally be appropriate for those assessed as low or medium risk.

**Level 2 – local inter-agency risk management**

This applies to cases where the active involvement of more than one agency is required in order to produce a co-ordinated plan to manage the risk of serious harm to others. This will often be the most appropriate level for those assessed as high risk.

**Level 3 – multi-agency public protection panels (MAPPP)**

This is intended for the ‘critical few’ young people who present a particularly significant risk of serious harm to others, i.e. those who meet the following criteria:

- assessed using *Asset* as posing a ‘high’ or ‘very high’ risk of causing serious harm to others; **and** the risks have to be managed by a plan that necessitates close co-operation at a senior level, due to the complexity of the case, or a need for the commitment of additional resources; **OR**
- although not assessed as being high or very high risk, the case is exceptional because the likelihood of media scrutiny and/or public interest is very high and there is a need to ensure that public confidence in the criminal justice system is maintained.