

RMA Commissioned Research Project

“Research and Practice in Risk Assessment and Risk Management of Children and Young People Engaging in Offending Behaviours”
prepared by The Scottish Centre for Crime and Justice Research

RMA Response

The Risk Management Authority recognises that developments in criminal justice processes and practices are continuous; and that dialogue between practitioners, researchers and policy-makers will lead to evidence-based, incremental improvements. Contributing to this growth in knowledge and development of practice, and in response to practitioner consultation, the RMA commissioned a review of research and practice in the risk assessment and risk management of children and young people engaging in offending behaviour. The contract was awarded to Michele Burman, Professor of Criminology and Co-Director of the newly established [Scottish Centre for Crime and Justice Research](#), a partnership between the universities of Glasgow, Edinburgh and Stirling. Michele has a long-standing research interest in violence against women, in particular the criminal justice response to rape, sexual assault and domestic violence.

There are two aspects to the report: a) a review of national and international literature on the practice and process of risk assessment and risk management of children and young people who engage in offending behaviour, with particular emphasis on violent offending and sexually harmful behaviour, and b) a review of current practice in the assessment and management of children and young people who are deemed to be at risk of harm and re-offending. The latter part of the study was informed by telephone interviews with academic researchers and practitioners in a Scottish context.

This review has captured a number of issues related to the practice of risk assessment and risk management of young people. Firstly, the authors note that “while the number of children and young people who commit violent offences – particularly serious violent offences - is small, the impact of such behaviour for victims, offenders and communities makes high quality risk assessment paramount”. The report highlights the important distinction between the adult offending population and young people who engage in offending behaviour – the latter being subject to a “rapid pace of change” throughout the transition from youth to adulthood. Whilst this may go without saying, the transitory nature of

risk within the young population is likely to present a number of complex challenges for those whose aim is to respond effectively. The process of risk assessment is likely to provide but a “snapshot” of the young person’s risk profile, and there is clear need for regular review.

Burman and colleagues have rightly identified that “risk assessment is often a first, and very important step, in a series of engagements between the young person and practitioner. Assessment of risk should be seen as an ongoing and cyclical process, subject to review and reiteration”. Such an ongoing cycle of assessment and intervention is inevitably going to include a range of agencies which, at different times, have particular responsibilities and areas of expertise. As with the adult population of offenders, the importance of effective multi-agency working is a recurring theme of the research on management of juvenile offenders. Inter-agency collaboration is essential to provide coherent management of young people involved in the Children’s Hearing or criminal justice systems. The need for coherence is summarised by the authors: “With concerns about accountability and effectiveness in mind, issues of quality, consistency, reliability and accuracy have come to the fore in risk assessment practice”.

One of the key distinctions between the adult and youth populations of offenders noted by Burman and colleagues, is that the latter are subject to multiple systems of response. Thus, it is crucial that the range of agencies work together in order to coordinate community monitoring and effective treatment aims. “...multi agency working improves the management of the young person by linking in all agencies and people who have an ability to facilitate a young person’s development out of offending and it is also a necessary aspect of protecting communities by ensuring maximum awareness and common understanding of a young person’s actual risk of harm or recidivism” . The authors note, however, that “the potential for multi-agency cooperation is not always realised in practice...” Specifically they cite a study by Masson and Hackett (2003) which reported that less than half of the services in the United Kingdom and Northern Ireland had formal inter-agency protocols. However, most respondents in the study reported good professional relationships, high levels of information-sharing and cooperation and trust in multi-agency relationships. Burman and colleagues have also noted that the success of “joined up” working is often dictated by the strength of personal relationships, which can be often be insufficiently robust to withstand “the power of competing organisational goals...” As the authors suggest, opportunities for joint training and staff development may go some way towards addressing agency conflicts.

The complexity of responding to the varied needs of young people who pose a risk of harm to others cannot be overstated. Those young people will be among the most troubled and

challenging known to services. The challenge of balancing the risk posed to others with the care and protection of the young person requires a high degree of skill, expertise and organisational support. The multiple considerations or 'risks' that need to be addressed may include risk to others, risk of self harm, and risk from others. This in itself highlights the requirement for clarity about the language of risk.

Only through integrating assessments with interventions and constructing management plans across agencies that are planned around the young person's criminogenic needs will coherent practice be developed. The authors note that Multi-systemic Therapy (MST) is "showing some very promising signs of effectiveness..." in work with young people with aggression and antisocial problems, and juveniles engaging in sexually harmful behaviour. This is perhaps unsurprising given the overwhelming empirical evidence that serious antisocial behavior is determined by the interplay of individual, family, peer, school, and neighbourhood factors. Individually-oriented, narrowly focused treatments which are delivered in contexts that are unrelated to the issues being addressed are unlikely to be effective in addressing the complexity of youth needs. A holistic review of the range of circumstances and factors that impact upon a young person's situation is necessary and it is advised that the development of pro-social competence, building upon a young person's capabilities, is included along with the minimisation of risk and needs. In addition, as the authors point out, the establishment of a strong, secure relationship between the young person and practitioner, is a prerequisite for successful intervention.

The juvenile offender population is distinctive and worthy of study and findings from other jurisdictions and cultures need to be replicated in Scotland. Additionally, the juvenile sex offender population is small which has methodological implications for research and the bulk of intervention or management data has emerged from adult populations. As with the issue of violence, studies of young people who sexually offend should incorporate "developmental issues relating to age, gender, family background, educational and intellectual capacities, experiences and motivations". Assessing the risk of young people for sexual or violent offending requires tools and approaches that specifically relate to sexual or violent offending, are designed for young people and contribute to management planning. An important aspect of working with young people is to acknowledge the developmental nature of youth behaviour and appreciate the centrality of ongoing assessment not only of the offender's risk but also the appropriate intensity, focus and nature of interventions. Thus, a defensible risk management plan must consider "...level, nature, seriousness, imminence and victims of the young person's risk" whilst "identifying areas where change is needed and how it can be achieved to support the young person to live a non-abusive lifestyle".

Burman and colleagues conclude that: “The best prospects for development rest in a reflective and genuine dialogue between practitioners, policy-makers and researchers. There is a strong case not just for further empirical research on the implementation of risk assessment and risk management practices and procedures, but also for a broader dialogue and debate about what Scottish society wants and expects of its youth justice system in relation to assessment and management of risk”.

The Risk Management Authority looks forward to contributing to that debate. It welcomes the publication of the study undertaken by Dr Burman’s team but regards this as the starting point of a longer term project. You are invited to return to the website periodically to review progress. Over the coming months it is intended to post further studies and practice briefing papers.

The views contained within the research report are the views of Professor Burman and colleagues, and individual participants in the study, and are not necessarily the views of the RMA.

Risk Management Authority

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