

Managing the risk of serious harm presented by young people

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Young people aged 12 to 17 years who have committed a serious sexual offence or are considered a serious risk of harm, can be managed in various ways, including under child protection procedures, [Care and Risk Management \(CARM\)](#) or Multi-agency Public Protection Arrangements (MAPPA) if they have been convicted of the offence in a criminal court.

The police have a duty to jointly report young people who are alleged to have committed such offences to the Children's Reporter and Procurator Fiscal. This applies to young people who are a) under age 16; b) age 16 and 17 subject to a Compulsory Supervision Order (CSO) or c) age 16 and 17, not on a CSO but an open referral to the children's reporter. A decision will then be taken by the Procurator Fiscal regarding the best system to deal with the offence.

Young people prosecuted and convicted - MAPPA

If the decision is made by the Procurator Fiscal that the young person should be prosecuted, then, if they are convicted, there is the possibility that they will be made subject to MAPPA arrangements. The categories of offenders made subject to MAPPA arrangements can be found in the [MAPPA Guidance 2016](#). If this is the case, appropriate risk assessment tools, which take account of their age and stage of development, should be used. These include AIM2, SAVRY, START:AV or ERASOR. It is not appropriate to use adult tools for this group of young people. The young person should also have a Child's Plan (under part 5 of the Children and Young People (Scotland) Act 2014 which is due to come into force in August 2017) which is the basis of a single planning framework. Within MAPPA meetings for young people, where possible, there should be representatives from childcare/youth justice agencies present to ensure that processes adopted are suited to young people in terms of managing their risk and meeting their needs. This includes:

- Explaining processes in language they understand on an on-going basis throughout the MAPPA process
- Ensuring that meetings understand young people's development and treat them differently from adults
- Risk management strategies should be systemic and involve others such as families/carers until the young person is able to self-manage given their age and stage of development
- Restrictions/conditions should be necessary and proportionate to manage the risk presented
- Restrictions/conditions should be reviewed when adhered to successfully, so the young person sees progress and continues to adhere to conditions
- Consistency in worker to support the young person where possible

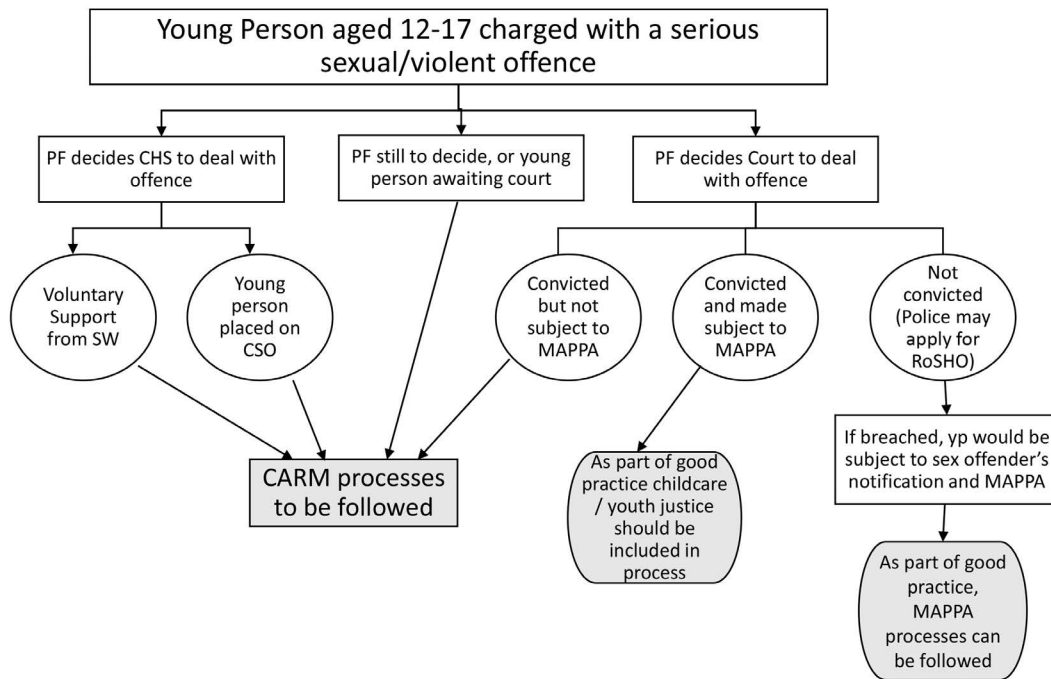
Young people can be subject to MAPPA arrangements and remain involved in the Children’s Hearing System. It is inappropriate to recommend that a CSO is terminated simply due to the young person having been made subject to a Court Order/MAPPA.

When should CARM procedures be used?

If MAPPA is not available, for example: if the young person is being prosecuted but proceedings have not yet commenced/concluded; if a young person has been convicted but is not subject to MAPPA; or if a young person has been remitted back to the Children’s Hearing System to deal with the offence, then risk should be managed under CARM. This ensures that any risk presented is managed effectively.

If the young person is subsequently convicted and made subject to MAPPA, CARM processes should cease, with a comprehensive handover between the two systems where perhaps the Chair of MAPPA attends the last CARM meeting and the Chair of CARM attends the first MAPPA meeting.

The flowchart below outlines the main procedures to be followed:



Child Protection Procedures

Immediate consideration should be given to whether action needs to be taken under child protection procedures in all cases where a young person acts in a physically or sexually abusive fashion: either in order to protect the victim or to tackle concerns about what has caused the young person to behave in this manner. The risks presented by the young person who perpetrated the behaviour may be more appropriately managed within the child protection process if they are also at risk of significant harm themselves.

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