

EXPLORING THE EFFECTIVENESS OF THE MULTI-
AGENCY SEXUAL HARMFUL BEHAVIOUR RISK
ASSESSMENT PILOT

FIFE and FORTH VALLEY

August 2013

A REPORT BY:

Nina Vaswani and Lisa Merone
Youth Justice Research and Development Team
Glasgow City Council

INTRODUCTION

Around one-third of sexual abuse is perpetrated by children and young people under the age of 18¹. The behaviour is typically aimed at young children, adolescent peers and – more unusually – adults. The behaviour can cover the full range of contact and non-contact behaviours we typically see in adult sexual offending behaviour. Defining children's sexual behaviour that harms others can be challenging as children and young people are often involved with sexual experimentation and what constitutes typical or developmentally expected behaviour is under defined. It is also often the *context* of the behaviour and the *relationship* between participants that informs whether behaviour is healthy, problematic or abusive rather than the behaviour in isolation.

Young people who display harmful sexual behaviours are defined in the [National Youth Justice Practice Guidance](#) (2012:p6) as:

'young people who engage in any form of sexual activity with another individual, that they have powers over by virtue of age, emotional maturity, gender, physical strength, intellect and where the victim in this relationship has suffered a sexual exploitation'

The majority of children and young people who display harmful sexual behaviours grow out of these behaviours over time². However, a minority will persist in this behaviour into adulthood without appropriate interventions and some who display “problematic” sexual behaviours may go on to act in more abusive ways without monitoring and support. Some children and young people who display problematic (rather than harmful or abusive) behaviour will require a limited intervention e.g. work with family around boundary setting and some input to the child about healthy sexual relationships. However for some the behaviour may be related to trauma that the child has experienced, and support to help the child make sense of their experiences as well as assistance for the child in developing new coping strategies to handle difficult feelings may be necessary.

Thus accurately identifying the level of concern about a young person's behaviour at the earliest possible stage is essential for ensuring that young people receive the appropriate level of intervention, including that young people with a predominantly healthy pattern of behaviour are not drawn unnecessarily into service provision designed for high risk young people. While specialist risk assessment tools are available to develop a detailed understanding of the level of risk presented, many young people will not require this level of assessment. It became clear that Youth Justice lacked a streamlined and effective early

¹ Hackett, S. (2004). [What works for children and young people with harmful sexual behaviours?](#). Barking: Barnardo's.

² Worling, J.L., & Curwen, T. (2000) Adolescent Sexual Offender Recidivism: Success of Specialised Treatment and Implications for Risk Prediction. In S.Hackett (2004) above.

screening tool that was accessible by a range of relevant professionals involved in decision-making about young people who have displayed concerning sexual behaviour, but who may not be experts or specialists in this field.

To this effect, the Youth Justice National Development Team created a screening matrix, drawing upon the knowledge and evidence-base about sexually harmful behaviour in young people, that was designed for use with all young people aged under 18 displaying concerning sexual behaviour. Application of the screening matrix generates a category of concern about the young person's behaviour, increasing from low concern through to moderate and high concern to guide initial assessment and decision-making. The matrix is accompanied by brief guidance about how to interpret the level of concern, and is designed to be completed by professionals who have some understanding about child behaviour and development but who are not necessarily specialists in child sexual behaviour.

The use of the matrix was originally intended to be piloted across the Fife and Forth Valley Community Justice Area between January and July 2013, although in effect the pilot only took place within Forth Valley. The area is coterminous with the Forth Valley Division of Police Scotland and with NHS Forth Valley and has a population in the region of 300,000. The area is geographically diverse, from large urban areas such as Falkirk to rural areas with small populations such as Clackmannanshire. Although the area comprises three Local Authority areas, in the end Stirling Council did not participate, with the result that all cases highlighted arose from either Falkirk or Clackmannanshire. Among all 32 Local Authorities, these areas were ranked 13th and 16th respectively accordingly to highest level of deprivation by the Scottish Index of Multiple Deprivation 2012.

The aim of the pilot was to enhance and standardise the information flow and dialogue between the Police and the SW SPOC in response to an allegation of sexually problematic or harmful behaviour against a young person. The intention was also to increase confidence in early decision-making to allow young people whose behaviour was not of major cause for concern to be diverted to appropriate interventions and processes such as Early and Effective Intervention (EEI), thereby freeing up Social Work time for the highest risk young people who may require specialist assessment and intervention.

AIMS OF THE RESEARCH

The research aimed to explore the use and effectiveness of the matrix during the pilot stage, with the intention of gathering evidence to inform both local and national policy and practice. Specifically, the aims of the research were to:

- To develop a profile of young people aged under 16 and charged with a sexual offence

- To review the utility and effectiveness of the matrix by exploring inter-rater reliability, sensitivity and support for decision-making
- To review the experiences of users of the matrix in relation to process and utility

METHODOLOGY

1 CLIENT GROUP

All young people aged under 16 and charged with an offence with a perceived sexual element and who resided in the pilot area were included in the study.

Staff involved in the study included the two relevant staff based at the Multi-Agency Assessment and Screening Hub, based in the Public Protection Unit located at the Police Office in Larbert. These were the Forth Valley EEI / GIRFEC (Under 16s) Coordinator (herein EEI Coordinator) who was on secondment from the Scottish Children's Reporters Administration and the Forth Valley EEI/WSA (Under 16s) Officer (herein WSA Officer) who was a Police Officer. The Social Work staff were designated Single Points of Contact for 'High Risk' young people (herein SW SPOCs). There was a SW SPOC in each participating Local Authority area, in both instances a Team Manager, although in one area responsibility for completing the matrices was delegated to a Looked After at Home Review Coordinator. All three SW SPOCs were interviewed as part of the pilot.

2 PROCEDURE

The EEI Coordinator or the WSA Officer completed the matrix upon receipt of a crime report that met the criteria of an offence with a perceived sexual element. In order to assess inter-rater reliability the matrix was then completed independently by the remaining EEI Coordinator or WSA Officer without conferring. Following completion the EEI Coordinator and WSA Officer then discussed any differences arising from the completion of the matrix and agreed on which was the most accurate matrix to forward to the relevant SW SPOC. No amendments were made to the matrices as a result of this discussion. Only the matrix forwarded to the SW SPOC was used in the research, unless otherwise specified. The matrix was forwarded to the SW SPOC along with the Vulnerable Persons Report (VPR) and with a recommended action. The SW SPOC (or delegate) also completed the matrix and then sent the EEI coordinator and WSA Officer a copy of the completed matrix along with the SW SPOC's recommended action. While the SW SPOC would have received a copy of the completed matrix prior to undertaking the screen themselves, it was felt that the SW SPOC response would not be unduly influenced by this, and as the SW SPOC matrix was not used in the inter-rater reliability assessment this was felt to be acceptable.

A meeting was then held between the EEI Coordinator, WSA Officer and SW SPOC in order to discuss the completed matrices, and decision-making. The EEI Coordinator / WSA Officer recorded all relevant data, decisions and recommendations on an Excel spreadsheet, including whether the SW SPOC agreed with the recommendation and the subsequent action taken.

Semi-structured telephone interviews were undertaken with EEI Coordinator and the WSA Officer who had completed the matrix and with the SW SPOCs who had received them. The focus of these interviews was the general process and experience of using the matrix. Further case-specific interviews about decisions, actions and outcomes for the young people involved were also undertaken with SW SPOCs.

Case studies were selected by the EEI Coordinator and WSA Officer and were analysed by the researchers in conjunction with the consultation responses, verbally delivered and anonymised extracts from the VPR and completed but anonymised matrices to form a fuller picture of the matrix in practice.

Some minor modifications were made to the matrix during the pilot phase, in response to feedback and experience, these were mainly in relation to terminology but also included some minor modifications of content. The overall use and intention of the matrix was not affected by these changes.

3 ETHICS

The research conformed to the Social Research Association Ethical Guidelines and was conducted in compliance with ethical standards covered under Schedule 3 of the 1998 Data Protection Act. This does not require the explicit consent of the individual where there are no additional consequences for the data subject, but does permit the use of such data where its use is in the interest of the wider population.

All data was anonymised and only young people's initials, rather than names, were entered on to the database, in order for case-specific interviews to be undertaken with SW SPOCs. The data was stored securely and only accessed by the researchers. The researchers were also provided with access to the completed but anonymised matrices plus selected anonymised verbal extracts from the VPR for these five selected cases only. Access was on site at the Police Office and information was not removed for analysis.

RESULTS

A total of 14 matrices were completed for 14 individuals during the pilot phase, substantially lower than the 50-plus that had been anticipated, despite an extension of the pilot from three to six months. This small sample size impacted upon the level of analysis that could be undertaken in relation to the effectiveness of the matrix, and caution should be taken when interpreting the findings of the study, or in considering the applicability of the findings to other samples of young people or different geographical areas.

1 PROFILE OF YOUNG PEOPLE

1.1 DEMOGRAPHICS

The majority of young people charged with an offence with a perceived sexual element during the pilot were male (79%). The mean age of a young person at the time of the alleged offence was 13.6 years, with males slightly older (13.8 years) than females (13 years). Three young people were aged under 13 at the time of the offence, with the youngest aged nine years old.

1.2 OFFENCES

The young people had been charged with a total of 20 offences between them, the most frequent of which was Sexual Assault (including instances of the common-law offence of Indecent Assault). All young people charged with Rape or with multiple offences were male. Table 1 outlines the frequency of these offences:

Table 1: nature of the charges received by young people (n=20)

Offence	no. of charges (males)	no. of charges (females)	total no. of charges
Sexual Assault / Indecent Assault	9	2	11
Communications Act / cause older child to look at sexual image	3	1	4
Rape	3	0	3
Intentional exposure of genitals (younger child)	1	0	1
Possession of indecent images of child	1	0	1
All	17	3	20

Offences were equally likely to take place in a residential home as in a public place (a total of eight offences taking place in each location). The four remaining offences took place on school premises. Two out of the three offences allegedly committed by females took place on school premises. All alleged offences by young people aged under 13 took place in public or on school premises.

1.3 VICTIMS

A full victim analysis was not possible as victims' details were aggregated when there were multiple victims. However, it appeared that victims were predominantly female, with females comprising the sole victim (or victims) of nine of the young people charged with an offence. Two young people, jointly charged with an offence under the Communications Act had mixed gender victims. Three young people were charged with an offence (or offences) against males victims only. From the age data that was available it appeared that male victims tended to be younger than female victims (estimated to be aged nine, compared to approximately age 14 for females³). Two out of the three females were charged with an offence against a female victim. The data suggested that male victims always had some form of existing relationship with the young person charged (i.e. relative; friend; school peer etc). Although female victims also tended to have a pre-existing relationship with the young person charged, on three occasions the victim was unknown to the person charged with the offence.

1.4 LEVEL OF CONCERN

Analysis of the primary matrix (i.e. that which was forwarded to the SW SPOC) suggested that the majority of matrices indicated some level of concern, with seven (50%) falling predominantly in the 'high' concern, and a further three (21%) categorised as 'moderate'. Three were also viewed as predominantly of 'low' concern, while one straddled the 'low' and 'moderate' categories. Table 2 below indicates the level of concern expressed in the primary matrix, broken down by gender and age.

Table 2: Level of concern, broken down by age and gender (n=14)

Offence	Low	Low / Moderate	Moderate	High
Male (n=11)	2	1	3	5
Female (n=3)	1	-	0	2
Under 13 (n=3)	0	1	0	2
13 plus (n=11)	3	-	3	5

³ Age information was not available for the mixed gender victims, who were all adult

2 PROCESSES AND UTILITY

2.1 THROUGHPUT

A total of 14 matrices were completed for all young people charged with an offence with a perceived sexual element within a six-month period. In order to generate data for the pilot a blanket approach was used, meaning that the matrix was used for young people who may not have required a screening process (see later 'Viewpoints' section).

2.2 INTER-RATER RELIABILITY

Given the small sample size it was not possible to statistically assess the level of inter-rater reliability between the EEI Coordinator and WSA Officer completing the matrix. Early indications would suggest that there was broad agreement on the overall level of concern between the two raters, with the overall categorisation (low, moderate or high) the same in 10 out of 14 cases (71%). The screen of one young person differed substantially, in that individual raters categorised the behaviour as 'low' or 'high' concern respectively.

However, there was variation *within* each of the behaviour scales. It appears that raters generally agreed on what constituted healthy behaviour, with only two matrices differing by two or more items⁴ in this column. Yet it appeared that discrepancies increased with each of the different behaviour types, with seven (50%) differing by two points or more in relation to behaviours causing 'moderate' concern, and 8 (57%) in the 'high' concern column. In addition, only one matrix differed by more than four items in the healthy column, whereas two matrices differed by this magnitude in the 'moderate' column, and four in the 'high' column. Figure 1 represents this visually, with green boxes indicating a difference of one checked item or less, amber representing a difference of between two and three in the number of items checked and red indicating a difference of four or more items.

⁴ The researchers did not have access to each individually scored matrix and as such, throughout this section, it cannot be assumed that the same *items* have been checked in each behaviour type, only that the same *number* of items have been checked.

Matrix	Behaviour type		
	Low	Moderate	High
1	Green	Yellow	Yellow
2	Green	Yellow	Yellow
3	Green	Red	Yellow
4	Green	Green	Green
5	Yellow	Yellow	Red
6	Green	Red	Green
7	Green	Green	Green
8	Green	Green	Green
9	Green	Green	Green
10	Red	Green	Red
11	Green	Yellow	Yellow
12	Green	Yellow	Red
13	Green	Green	Green
14	Green	Green	Red

Key:
 Difference of 1 item or less
 Difference of 2-3 items
 Difference of 4 or more items

Figure 1: inter-rater agreement, based on no. of items checked.

See later ‘Viewpoints’ section for a further discussion about these differences, which were often attributed to differences in the level of information available to the person completing the matrix, differences in interpretation of items and also a need for further clarification on how to best complete the matrix.

2.3 SENSITIVITY

A full sensitivity analysis (the ability of the matrix to identify those young people at risk of future sexually harmful behaviour) was not required for the purposes of the pilot, as such an approach involves a longer timescale than was available in this instance. However, a basic exploration of thresholds and decision-making was undertaken with the primary matrix only, and by using the overall *number* of items checked rather than a specific item analysis due to the small sample.

In relation to the overall categorisation of the matrix, the findings would suggest that a young person could have up to three items checked in the ‘high’ concern column and still be categorised as ‘low’ or ‘moderate’ overall. However, if four or more items were checked in this column then the overall categorisation was always ‘high’⁵. Similarly, if more than three items were checked in the ‘low’ concern column, then the overall categorisation was always ‘low’.

The relationship between the overall categorisation produced by the primary matrix and the EEI Coordinator / WSA Officer decision-making was not immediately clear from this brief analysis, although see the ‘Viewpoints’ section for further discussion about the decision-

⁵ Although this was the case for the *primary* matrix, this did not always hold true for the secondary matrix – see the Case Studies for further information

making process. This was particularly true when considering the potential of the matrix to screen out situations of low concern. For instance, the three matrices that indicated a 'low' level of concern resulted in three separate EEI Coordinator / WSA Officer recommendations of: AIM2 assessment (a specialist risk assessment); no further action; and to share information with Social Work. At the other end of the continuum, all 'high' concern matrices resulted in the initial EEI Coordinator / WSA Officer recommendation of 'AIM2 assessment', suggesting a clear link between categorisation and initial decision-making by the EEI Coordinator / WSA Officer for potentially higher risk situations.

2.4 SOCIAL WORK and EEI COORDINATOR / WSA OFFICER CONCORDANCE

There was generally concordance between the EEI Coordinator / WSA Officer recommended action, and the SW SPOC view of the level of concern and subsequent SW SPOC recommended action. In total there was concordance with 11 of the completed matrices (79%). In the three instances where there was disagreement, this was potentially more about *supplementary* decision-making in two cases, whereas the *overarching* recommendation (referral to the PF for example) was predetermined or already agreed. In one instance the SW SPOC recommended a different action, suggesting that the young person required a generic Social Work assessment rather than a specialist AIM2 assessment.

VIEWPOINTS

Interviews were undertaken with the EEI Coordinator, WSA Office and SW SPOCs involved in completion of the matrix. Responses were collapsed across the different agencies to assist with anonymity and then a cross case analysis was undertaken to identify key themes. These themes are outlined below.

1 COMPLETING THE MATRIX

Feedback from workers suggested that the matrix was relatively easy to complete, taking on average between 10-30 minutes to fill in, although one worker commented that it can take up to an hour *"depending on the level of information available."*

Overall workers felt the usefulness of the matrix as a tool was largely dependent on the **availability and quality of the information** workers have access to at the time of screening. Where there were differences in the scoring of the matrices this was, in the main, attributed to the lack of information on the part of one scorer whilst the other had had access to additional information around the case such as witness statements or social work background information.

"There was inconsistency on scoring as some police officers were applying wider knowledge of the evidence surrounding the case... I was going on EEI information alone."

In particular workers commented on the limitations of making decisions about cases on the use of information in the VPR alone and referred to the need for thorough assessment of young people's behaviours in context of other concerns that may be underlying the presenting behaviours. For instance, one worker felt that one young person's risk levels had been elevated by the matrix as the assessment did not take into account the young person's cognitive ability, or the presence of any learning difficulties that were likely to be impacting on his ability to understand his actions.

Workers also felt that **interpretation** of young people's behaviours can be influenced by differing professional perspectives. For instance, one respondent referred to "*considering the seriousness of the offence in the context of the public*" when scoring 'behaviours that require a legal response', whilst another referred to scoring concerns on the basis of family background and the perceived level of statutory involvement required from Social Work.

"I think outcomes will always vary depending on who is filling it in, due to their background and occupation their interpretation around specific items will be different. So I feel consistency is a real issue."

Workers commented that the lack of **weighting** of certain items within risk categories may have led to a categorisation that did not fully reflect what they viewed to be the presenting level of risk. Workers felt in some cases potential **double-counting** of categories elevated the number of items within risk categories and did not always provide a true reflection of the risk the young person presented with. Workers generally expressed a degree of confusion about whether all relevant items in each risk category should be ticked and referred to the difficulties of weighing up the relevance of items such as 'uncomfortable' and 'unhappy' across categories.

"in terms of risk level you would go with the highest number of items within each category. There is the potential to have an item in all categories, but without any weighting this may not always be a true reflection."

A number of workers referred to difficulty in assessing items such as 'level of empathy' or 'denial' at the **pre-conviction or pre-disposal stage** of the justice process, particularly in cases where there was disagreement around issues of consent. Additionally, for some workers this raised concerns about how to interpret the **response of victims** and whether workers were at risk of basing the level of concern on their own interpretation of how the victim may be feeling without an **adequate level of information** about the impact on them.

2 IMPACT ON INFORMATION-SHARING

The general consensus was that, at least in terms of the practices adopted for the purposes of the pilot, use of the matrix **slowed down information flow** between the agencies as opposed to streamlining and enhancing it. For instance, one respondent said that she previously alerted the SW SPOC to a case on the day the offence came in via email (sending on further information when it became available). However, the introduction of the matrix meant that this process was at times delayed until the matrix had been completed.

The tool was felt to have had only **limited impact** on the quality or appropriateness of information being shared between agencies. SW SPOCs also commented on the difficulties of taking matrix assessments at face value and that even with the information provided there was a need to visit the young person and family regardless, in order to ensure a full and accurate completion.

“there is usually a need to go away and do more assessment to fill in the gaps as cases are not always that clear cut.”

“I would say our communication has continued the same, although it may have promoted more understanding between Police, Child Protection and Social Work as it’s highlighted differences between agencies’ stances.”

3 INFORMING DECISION-MAKING

For pilot purposes the matrix was completed for *all* young people charged with an offence with a perceived sexual element. This meant that many were low risk cases that would not normally have been referred on to the SW SPOC or were obviously high risk cases. In these straightforward cases workers often found that the **course of action had already been decided** and progressed (for example, by the time one SW SPOC received the matrix for a high risk young person, he had already been referred for AIM2 assessment and risk management). As such the general perspective was that **appropriate mechanisms** were in place and happening already prior to the introduction of the matrix. Workers acknowledged that the use of the matrix for such cases had been a useful exercise to *“confirm the appropriateness of decision-making and for assessing level of agreement on decision-making between agencies.”*

At times workers felt that the **scoring of items** was not that helpful for determining the overall outcome, as even when discrepancies had occurred on the scoring of items there was usually consensus on the overall recommended course of action. This suggests a potential **disconnect** between screening and decision-making.

“I found you broadly agree with the intervention and way forward even if the scores differ.”

“there were some differences in overall scoring of totals, but in four out of five cases we agreed on the overall course of action, yes there were some differences but it didn’t seem to impact on decision making.”

Nevertheless, while it was generally felt that the use of the matrix had not necessarily impacted upon decision-making processes or the eventual outcomes for cases, workers did feel that it had been of particular benefit as a mechanism to help **facilitate more structured discussions** around less obvious cases, particularly those cases that lie between moderate and high risk.

“it does have its place but not as a routine thing, for clear-cut cases and high risk cases it’s not useful, it creates more work as the decision is already clear. It is most useful for those cases where there is uncertainty or disagreement. It can prompt everyone to discuss the case in a more structured way.”

“as a tool it can be helpful to structure your thinking of things to consider, but in terms of helping with decision-making about the outcome, I don’t think it impacts too much as we use the decision-making framework in our general practice anyway.”

4 FUTURE USE

Respondents felt that, with some amendments and **additional guidance**, the matrix had a place in future practice. However the matrix was rated, on a scale of 1 (not at all useful) and 5 (very useful), as between 2 and 3 suggesting that, in the context of the pilot at least, the matrix had not proved useful in every case. Some workers noted that they were more likely to use the tool as a reference guide for considering areas of concern as opposed to a scoring tool. Many felt that the benefits of the matrix would be more evident when only utilised as a structured way to **gather information** or to **inform decision-making** for cases that required additional clarity, rather than as a standardised process for all sexual offences. The matrix was also felt to have utility **outside of the Youth Justice sphere**, particularly within Children and Families as an initial assessment.

“the matrix may be most helpful as a guide for newly qualified workers.”

“it’s generally useful for less clear-cut cases but could do with a bit of refinement and clarity.”

“I think it would be good for young people in foster care or residential placements where there are concerns around sexualised behaviour, even if it’s only to start a discussion about the young person’s behaviours.”

“It’s a good early warning tool for social workers working with young people in a wider context, not just youth justice.”

CASE STUDIES

Given the small sample, a case study analysis was added to the research methodology in order to maximise the learning from the pilot, and five cases were selected by the EEI Coordinator and WSA Officer for this purpose. The vignettes highlighted and confirmed thoughts and views that were raised during the consultation process and are presented below with the learning points highlighted in bold.

1 CHILDREN A and B

Both Child A and Child B were, in separate incidents, charged with rape, although both case studies highlighted similar issues and so have been presented together here. Both completed primary matrices suggested that the displayed behaviours only gave cause for a low level of concern and neither had previously been known to agencies. In the case of Child A the two matrices completed by the EEI Coordinator and the WSA Officer differed substantially, one indicating 'low' concern and the other 'high' concern, while the subsequently completed matrix by the SW SPOC also indicated high levels of concern. The case study analysis revealed that different parties completing the matrix had access to **different levels of information**, with one completed on the basis of the VPR alone, another completed with additional social work information about the young person's previous behaviour and the third utilising additional Police information, including witness statements.

Both case studies revealed the challenge of completing the matrix at the **pre-conviction / pre-disposal** stage of the justice process. Child A had been jointly reported, and Child B had been referred to the PF, and a decision was still awaited from the PF in both cases. The outcome of the matrix was dependent on whether the accused or the victim's accounts were given more priority, especially in relation to the provision (or otherwise) of consent but also in relation to other circumstances. Without a level of proof required by a Hearing or Court this evidence remained very subjective and caused some confusion when deciding which items to check on the matrix. For example, in both Child A and Child B's case, both denied responsibility for the offence as, while not denying that sexual contact had taken place, both denied that this had taken place without the victim's consent. In each case this resulted in the check of an item that contributed to a tally in the high risk column, but at this stage of the justice process and without clear evidence one way or the other, this denial could potentially reflect a young person's denial of responsibility for an offence that they had committed or could be the protestations of a young person falsely accused.

Both Child A and Child B's case studies highlighted a need for **additional guidance about matrix completion** and potentially the need for a level of filtering in the flow of the matrix. For example, in one instance where the context of the behaviour was seen as of 'low' concern as it was believed that mutual informed consent had been provided; it was also believed that

this was a one-off isolated incident (requiring a check in the 'moderate' column) – hence in this instance the same behaviour contributed to a tally in both 'low' and 'moderate' columns. It appeared that completion of the 'low' column could potentially preclude completion of the 'moderate' and 'high' columns, although for the pilot the matrix was not completed in this way.

On a similar note this also raised questions about the potential '**weighting**' of items. For example, in one of the completed matrices Child B's behaviour was categorised as 'low', although the tally of items checked across both 'moderate' and 'high' combined outnumbered the total of items checked in the 'low' column. At this stage it is not clear from the underpinning literature or the current research whether the presence or absence of certain items should have a disproportionate impact on the overall categorisation of behaviour.

2 CHILD C

Child C had a history of social work involvement and was charged with an Indecent Assault on a peer. Child C was diverted from formal systems via EEI procedures, received a Social Work intervention and has not been charged with any further known offences.

Two of the completed matrices resulted in a categorisation of 'high' concern and the third of 'moderate' concern, although there was substantial variation in the overall tally of items, particularly in the 'high' column which ranged between six items and 12 items. Despite these differences, all three completers agreed on the recommended action and outcome of the case, which suggests in this particular case that the matrix did not fully inform **decision-making**.

In addition the main variability in scoring occurred in section 4 of the matrix (the response of the victim) which highlighted differences in interpretation and also the potential for double-counting, again suggesting a need for **additional guidance about matrix completion**. For example, the item 'uncomfortable' occurred in both the 'moderate' and the 'high' columns leading to a lack of clarity about how to complete, with one selecting the item on the basis of how 'uncomfortable' they felt the victim was, and another checking both items. Similarly in this instance the response of the victim was an important factor in contributing to the young person's behaviour being categorised as of 'high' concern. While the impact on the victim is always an important consideration, this case study raises the question as to where and how the impact on the victim should be best considered and how it should contribute to the overall categorisation of behaviour, given that other elements that might reflect victimisation issues such as power imbalances; the use of threats, force or coercion and premeditation are considered elsewhere in the matrix.

3 CHILD D

Child D was a young person with learning difficulties who had been charged with multiple offences including possession of indecent images of children or animals. Child D had been jointly reported and the PF was still considering the case. In two instances his behaviour was categorised as a 'high' level of concern and in one matrix he was felt to be 'moderate'. This case study again highlighted the need for **additional guidance about matrix completion** as some of the differences occurred as a result of differing interpretation of items. For instance, the same type of sexual activity was categorised by one person as 'high' ('other' – sexually explicit involving young person) and by another as 'moderate' (sexual graffiti related to individuals or having a disturbing content). Similarly it was felt that there was no obvious place to score the young person's learning difficulties, so in one instance this was recorded under Section 3 (lacking in understanding why anyone would be worried) thereby contributing to a 'high' categorisation, whereas in a separate matrix this was recorded in 'other' representing a 'moderate' level of concern.

This case study also indicated that, depending on the overall balance of items, one young person could be categorised as 'high' on a total of four items checked in the 'high' column and only two items in 'moderate', whereas a different young person, albeit with a different offence in different circumstances and based on the *secondary* matrix, was categorised as 'moderate' concern with a higher number of 'high' items checked (six) and also a larger number of 'moderate' items (eight). This again indicates that the addition of **weightings** or the use of the matrix to simply **gather and sift information** without categorisation might prove useful.

4 CHILD E

The use of the matrix with Child E, who had been charged under the Communications Act, was found to be particularly illuminating. The preconception from each of the scorers was that this was a low level offence, without a real sexual motive and that the matrix would reveal a low level of concern. However two of the matrices suggested a 'moderate' level of concern and one was evenly split between 'low' and 'moderate'. It had been anticipated that the case would receive 'No Formal Action, but the categorisation of the behaviour as being of 'moderate' concern led to a reassessment of the situation. It was agreed that a multi-agency EEI discussion was appropriate and ultimately it was agreed that a restorative approach was required. In this instance it was felt that the use of the matrix had helped **focus thinking** around Child E's case and had influenced the **decision-making** process.

However, the differences in completion of the matrix for Child E also highlight the requirement for **additional guidance about matrix completion**. Examples included the interpretation of 'unhappy' in Section 4 as either 'sad' or 'annoyed' and the scoring of 'isolated incident' raising the level of concern in the 'moderate' column.

SUMMARY OF FINDINGS AND KEY ACTIONS

The findings and potential implications of the use of the matrix arising from the research, as well as other implications for the Managing High Risk agenda, can be broadly summarised as follows:

- 1 The use of the matrix as a screening / scoring tool that produces categories of risk to inform decision-making is not clear from this small-scale piece of research. The use of the matrix was not seen as useful in all cases. In particular, staff using it found it unnecessary with cases that were low tariff or very high tariff. However, there was some agreement that it added value to the decision-making process in 'middle' tariff cases where there was scope for disagreement between professionals. This mirrors findings in other studies (Vosmer et al. 2009)⁶
- 2 The matrix, in some instances, slowed down information flow between agencies but at the same time potentially led to fuller consideration of circumstances. The use of the matrix proved useful for gathering information, gap analysis and structuring thinking among professionals who are not experts or specialists in sexually harmful behaviour, but who do have some understanding about working with children and young people.
- 3 The use of the matrix has also provided some evidence to support the appropriateness of current decision-making practices in the pilot area.
- 4 Consideration should be given to weighting items, although both Vosmer et al. (2009) and this current study underline that our empirical understanding of child and adolescent sexual behaviour is relatively limited – especially in relation to under 12s – and adequate weighting of risk factors in a screening tool covering pre and post adolescence and covering children functioning at different cognitive levels may be difficult at present.
- 5 Further guidance is required in relation to the practical use of the matrix. For instance, there was a lack of clarity in what assessment and interventions are appropriate while legal processes are underway and there is no disposal of the offence, or how to take into account learning difficulties and disabilities, multiple offences or new technology offences.
- 6 Some cases involved divergent narratives from alleged victims and alleged perpetrators. This led to difficulties in weighing-up information provided for the purpose of the matrix, and raised issues about who has access to information from

⁶ Vosmer, S., Hackett, S., and Callanan, M. (2009) "Normal" and "inappropriate" childhood sexual behaviours: Findings from a Delphi study of professionals in the United Kingdom. *Journal of Sexual Aggression*, 15(3), 275-288.

victims. This also raised issues about how victim narratives inform risk management processes, particularly while charges are untested in law.

- 7 Larger-scale and longer-term research may also be required following any amendments to further test the effectiveness of the matrix.
- 8 The research highlighted some instances of children as young as nine being charged with offences of a sexual nature. At present, the implications of charging a young person – even if there is no formal action – could be significant if, for instance, any of these individuals applied for jobs in the future that required PVG checks. Moreover there is considerable recognition that early sexually inappropriate or harmful behaviour is often linked to experiences of maltreatment, vulnerability and trauma. This study did not pursue whether these children were also subject to child protection measures or whether these decisions were appropriate. However, although beyond the scope of this study, this finding may have some relevance for discussions around age of criminal responsibility, retention and discretion in police decision-making.

The findings from this study would indicate that there is merit in the following actions:

- 1 CYCJ redrafts the matrix and guidelines in light of these findings. The matrix draws heavily on work done by organisations such as Brook and the AIM project, and redrafting could potentially be done in partnership with some of these agencies to draw on a wider range of expertise.
- 2 CYCJ pilots an updated matrix across a partnership of local authorities over a 12 month period to generate a larger sample – ideally of around 100 cases. Thought needs to be given to what kinds of cases should be targeted (all tariff or just middle tariff) and the utility of the tool in a child protection or other children and families context could also be explored in this second stage of the pilot.

APPENDIX ONE

Problematic and Harmful Sexual Behaviours Displayed by Children and Young People

Crimefile No		VPR No		Common Concern Form No	
Child's Name				DOB	
Address					

Date of Offence/Concern	Nature of Offence/Concern

	(A) Low concern	(B) Moderate concern	(C) High Concern
1. Type of Sexual Activity	i. Expected age appropriate sexual behaviours <input type="checkbox"/>	For children over 12, behaviours that suggest monitoring or limited assessment, e.g. <ul style="list-style-type: none"> i. Sexual preoccupation <input type="checkbox"/> ii. Indiscriminate sexual activity <input type="checkbox"/> iii. Twinning of sexuality and aggression <input type="checkbox"/> iv. Sexual graffiti related to individuals or having a disturbing content <input type="checkbox"/> v. Sexual behaviour between close family relatives <input type="checkbox"/> vi. Other (please detail) <input type="checkbox"/> 	For children over 12, behaviours that suggest comprehensive assessment, e.g. <ul style="list-style-type: none"> i. Public masturbation <input type="checkbox"/> ii. Sexually explicit conversations with younger children <input type="checkbox"/> iii. Touching others genitals without permission <input type="checkbox"/> iv. Sexually explicit threats <input type="checkbox"/> v. Other (please detail) <input type="checkbox"/>

		<p>For children under 12, also consider, all age inappropriate sexual activity, e.g.</p> <ul style="list-style-type: none"> vii. Graphic sexual language <input type="checkbox"/> viii. Self masturbation as the only from of comfort or arousal regulation <input type="checkbox"/> ix. Other (please detail) <input type="checkbox"/> 	<p>Behaviours that require a legal response e.g.</p> <ul style="list-style-type: none"> vi. Persistent obscene telephone contact <input type="checkbox"/> vii. Sexual contact with significantly younger children <input type="checkbox"/> viii. Forced sexual assault or rape <input type="checkbox"/> ix. Sexual contact with animals <input type="checkbox"/> x. Behaviours that involve use of aggression or violence <input type="checkbox"/> xi. Other (please detail) <input type="checkbox"/> <p>For children under 12, also consider all adult sexual activity in this category e.g.</p> <ul style="list-style-type: none"> xii. Intercourse <input type="checkbox"/> xiii. Oral sex <input type="checkbox"/> xiv. Extreme masturbation causing pain or injury <input type="checkbox"/> xv. Other (please detail) <input type="checkbox"/>
2. Context of Behaviour	<p>For children over 12:</p> <ul style="list-style-type: none"> i. Mutual, informed consent given <input type="checkbox"/> 	<p>Behaviour:</p> <ul style="list-style-type: none"> i. Influenced by peers <input type="checkbox"/> ii. Touching only <input type="checkbox"/> iii. Isolated incident <input type="checkbox"/> iv. No secrecy of force or intent to 	<p>Behaviour:</p> <ul style="list-style-type: none"> i. Planned <input type="checkbox"/> ii. Secretive <input type="checkbox"/> iii. Elements of threat, force coercion <input type="checkbox"/>

	<p>For children under 12:</p> <p>ii. Behaviour that is open, light hearted, spontaneous <input type="checkbox"/></p>	<p>harm <input type="checkbox"/></p> <p>v. Disagreement between participants about level of consent and / or capacity to consent. <input type="checkbox"/></p> <p>vi. Other (please detail) <input type="checkbox"/></p>	<p>iv. Previous concerns or charges in relation to sexual behaviour which suggest an emerging pattern <input type="checkbox"/></p> <p>v. Other (please detail) <input type="checkbox"/></p>
<p>3. Young Person's Response when Challenged about their Behaviour</p>	<p>i. Happy, comfortable, perhaps embarrassed at adult knowledge of behaviour (depending on age and understanding) <input type="checkbox"/></p>	<p>i. Embarrassed, ashamed or anxious <input type="checkbox"/></p> <p>ii. Demonstrates remorse or empathy <input type="checkbox"/></p> <p>iii. Other (please detail) <input type="checkbox"/></p>	<p>i. Lack of empathy <input type="checkbox"/></p> <p>ii. Denial of responsibility, anger, aggression, blaming of victim, little concern about being caught <input type="checkbox"/></p> <p>iii. Lacking in understanding why anyone would be worried <input type="checkbox"/></p> <p>iv. Other (please detail) <input type="checkbox"/></p>
<p>4. Response of Other Child/ Young Person/ Adult Targeted</p>	<p>i. Happy, comfortable, perhaps embarrassed at adult knowledge of behaviour (depending on age and understanding) <input type="checkbox"/></p>	<p>i. Uncomfortable <input type="checkbox"/></p> <p>ii. Unhappy <input type="checkbox"/></p> <p>iii. Irritated <input type="checkbox"/></p> <p>iv. Able to tell someone <input type="checkbox"/></p> <p>v. Not fearful or anxious <input type="checkbox"/></p> <p>vi. Other (please detail) <input type="checkbox"/></p>	<p>i. Uncomfortable <input type="checkbox"/></p> <p>ii. Fearful <input type="checkbox"/></p> <p>iii. Anxious <input type="checkbox"/></p> <p>iv. Distressed <input type="checkbox"/></p> <p>v. Avoidant of young person <input type="checkbox"/></p> <p>vi. Other (please detail) <input type="checkbox"/></p>
<p>5. Relationship Between Children/Young</p>	<p>i. Within same peer group and ability group <input type="checkbox"/></p> <p>ii. No power imbalance <input type="checkbox"/></p>	<p>i. Young people/children who would not socialise together <input type="checkbox"/></p> <p>ii. Factors or dynamics suggest one individual is more in</p>	<p>i. Young people would not normally socialise <input type="checkbox"/></p> <p>ii. Clear power differences <input type="checkbox"/></p> <p>iii. Other (please detail) <input type="checkbox"/></p>

People		control <input type="checkbox"/> iii. Other (please detail) <input type="checkbox"/>	
6. Persistence/ Frequency	For children over 12: i. Healthy interest in sexual behaviour but not sole focus of interest for young person <input type="checkbox"/> For children under 12: ii. behaviour is age appropriate and not the main focus in the child's life <input type="checkbox"/>	i. Interest is out of balance with other aspects of young person's life <input type="checkbox"/> ii. Increase in frequency of behaviour <input type="checkbox"/> iii. Other (please detail) <input type="checkbox"/>	i. Preoccupied by sexual thoughts <input type="checkbox"/> ii. Sexual thoughts may be sadistic or aggressive <input type="checkbox"/> iii. Sexual thoughts and behaviour a way to cope with negative emotions <input type="checkbox"/> iv. Behaviour may be compulsive <input type="checkbox"/> v. Child cannot be distracted from behaviour easily or returns to behaviour <input type="checkbox"/> vi. Other (please detail) <input type="checkbox"/>
7. Other Behavioural Problems	i. None, healthy peer relationships <input type="checkbox"/>	i. Difficulty in coping with negative emotions <input type="checkbox"/> ii. Other (please detail) <input type="checkbox"/>	i. Significant other offending or behavioural difficulties <input type="checkbox"/> ii. Self reported sexual interest in younger children (under 12) <input type="checkbox"/> iii. Other (please detail) <input type="checkbox"/>
8. Background Information	i. No significant family history <input type="checkbox"/>	i. Parents show no concern for victim <input type="checkbox"/> ii. Family members include Schedule 1 Offenders <input type="checkbox"/> iii. Other (please detail) <input type="checkbox"/>	i. Significant issues within family, e.g. physical, emotional, sexual abuse, domestic violence, neglect ,etc <input type="checkbox"/> ii. Patterns of discontinuity of care/

			poor attachments <input type="checkbox"/>
			iii. Other (please detail) <input type="checkbox"/>

TOTALS			
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	(A) Low Concern	(B) Moderate Concern	(C) High Concern
Behaviour Type			
Recommended Action			
Rationale			

Adapted from Carson (2005)