

5. Offending and Anti-social Behaviour

5.1 Purpose

This section captures information about the young person's current offending and/or anti-social behaviour as well as looking at broader patterns of behaviour over time. This section focuses on explaining **what** happened during the offending or anti-social behaviour episodes identified. Episodes of offending or anti-social behaviour were created in the Core Record and it may be helpful for practitioners to refer back to the guidance given in that section. The analysis of **why** these behaviours have happened takes place in the Explanations and Conclusions section.

The language used in this section will change when referring to prevention (anti-social behaviour) cases or a statutory cases (offences).

5.2 Overview

There are three sub-sections to complete:

- **Offending and anti-social behaviour or Anti-social behaviour**
 - Offence/Anti-social behaviour details
 - What happened
 - Attitudes to offences/anti-social behaviour.

The analysis in this sub-section is repeated for each episode.

- **Patterns and attitudes**
 - Patterns of offending/behaviour
 - Attitudes to offending/behaviour.
- **Other behaviours of particular concern**

5.3 Section in detail

5.3.1 Offending and anti-social behaviour

This sub-section is repeated for each offending and/or anti-social behaviour episode that has been created. The episode is pre-populated with the offences and/or incidents, from the Core Record (offending and anti-social behaviour) sub-section, that have been placed together in that episode. These offences or incidents will be analysed together to explain the specific circumstances of what happened and the attitudes of the young person to their behaviour. It is therefore important that offences or incidents are only placed in the same episode if they are sufficiently related so that they can be effectively analysed in this way. The episode can be updated until it becomes historical (for offending episodes this is when the intervention for the offences in the episode has ended).

5.3.1.1 Offence/anti-social behaviour details

This sub-section is divided into three areas:

1. Details

These questions will be pre-populated from the offence or incident information in the Core Record section. Specified offences will also be automatically identified.

2. Location/timing

Details of the location, postcode, and time of the offences or incidents can be recorded, which will allow patterns to be identified. The day of the week will be automatically calculated from the offence or incident date.

3. Characteristics

Details of behaviours characterising the offences should be identified for each offence or incident:

- **Involvement of others**

Involvement of others can be recorded to identify whether the young person committed the offences or incidents alone, within a small group or as part of a bigger group. This will also allow patterns to be identified, e.g. if the young person is always offending as part of a group. If the young person was acting with others, further details should be included in the 'what happened' sub-section including whether the young person was a leader or follower in the group or whether they are part of a gang.

- **Behaviours involved** (required for offending episodes only)

- **Threat or use of violence**

This could include intentionally putting another person in fear of physical harm.

- **Carrying or use of weapon**

This could include actual weapons or other implements the young person intended to use or used as a weapon.

- **Fire setting**

This could include not only fires started with the intention of causing damage or harm, but also a wider range of fire setting behaviour, e.g. the fire could have been insufficiently severe to cause damage and therefore does not constitute arson, but is nevertheless of concern.

- **Sexual element**

This could include direct sexual contact with the victim, exposure, or an element of sexual motivation to a non-sexual offence, e.g. theft of underwear.

- **Alcohol or drugs**

This includes:

- use of alcohol, drugs and other substances during or prior to the offence,
- offending to obtain money for substances,
- the use of substances to manipulate others or hinder their decision-making,
- the sale of drugs or the use of substances as 'payment'; and,
- sharing drugs

- **Coercion or control**

This includes offences where the young person has influenced the behaviour of another person.

- **Other**

Where any other particular characteristic that causes concern can be identified please ensure that full details are given in the 'what happened' sub-section.

- **Victims deliberately targeted**

Identifying if the victims were deliberately targeted requires you to make a judgement. For example, the fact that the victim is from a particular minority group does not in itself necessarily mean that they were deliberately targeted. Conversely, a victim may have been targeted for a reason that is not immediately obvious, e.g. in reaction to an event that happened a long time ago.

Sometimes, the targeting of victims will be clear from the Crown Prosecution Service (CPS) documentation. On other occasions the patterns of targeting may become evident over time. Where there are conflicting opinions as to whether the victims were deliberately targeted, you should record your view and summarise any differences of opinion in the 'what happened' sub-section.

The Code of Practice for Victims of Crime³⁸ states that practitioners must not excessively record victim information if it has no purpose toward protecting the victims, future victims or the young person.

Sub-section flags:

ACTION FLAGS, SIGNIFICANT LIFE EVENTS AND DESISTANCE FACTORS	
Offending and Anti-social behaviour	
Flag for further action	e.g. refer to anti-social behaviour team to gather further information.
Add significant life event	e.g. young person commits their first offence.
Add desistance factor	Factor for desistance e.g. the young person wants to make amends for their behaviour and is determined not to offend again. Factor against desistance e.g. the young person looks up to their pro-criminal friends.

5.3.1.2 What happened

This sub-section allows you to provide a more detailed description of what happened for the offending or anti-social behaviour episode.

³⁸ [The code of practice for victims of crime and supporting public information materials - Publications - GOV.UK](#)

- Q** Please provide an outline of what happened, including a description of the impact on the victims (where known). Please also pay particular attention to differences in accounts e.g. between the CPS view and the young person's account, or between the accounts of the young person and the victims.

The focus here is specifically on **what** happened in relation to the episode, including specific circumstances and motivations at the time and not on **why** these things happened as this analysis will be completed in the Explanations and Conclusions (understanding offending behaviour) section.

Explain:

- what actions took place during the offence or incident,
- who else was involved in the case of group-related offences or incidents; and,
- whether joint enterprise was a factor in the offence or incident.

Definition – Joint enterprise

Joint enterprise is a prosecuting tool applied so that more than one person - often a group - can be charged with the same crime if it can be proved that they were in some way "in it together".

It applies even though the suspects may have played different parts in the alleged offence.

- whether the young person was an instigator or leader in what happened or whether they were following the lead of others,
- whether there were any elements of controlling behaviour or coercion in the young person's behaviour,
- whether, through the actions of the victims (if they were present at the time of the offence/incident) or of others, the young person felt provoked into behaving in the way that they did; and,
- whether the victims were deliberately targeted or whether the victims have experienced repeat offences or incidents of anti-social behaviour committed by the young person or their friends or associates.

If there are discrepancies between accounts, e.g. between the CPS, the victims and the young person, these need to be highlighted. Where possible, you need to clearly record your views about any discrepancy and state why you give more weight to one account than another.

Q What was s/he feeling before, during and immediately after the offences?

Can the young person identify why they were feeling the way they were? Perhaps there was a specific event that happened before the offence that led to their feeling a certain way and this contributed to the offence or incident?

Young people may act out through offending or anti-social behaviour as a defence against their thoughts and feelings; their capacity to cope may also be affected by neglect, abuse, early trauma or insecure attachments. This may result in an inability to articulate their feelings. This needs to be acknowledged with regard to the likelihood of reoffending and future harmful behaviours.

Q What were his or her intentions? What information or knowledge did s/he have, take account of or ignore?

It is important to look at the young person’s intentions and any significant differences between what was planned and what actually happened. If a young person intended to carry out a very violent act but actually committed a much more minor offence it would be important to identify the mitigating factors which prevented them from fulfilling the original intention. Where the young person committed a more serious act than they originally intended it is important to consider what happened in order to cause this.

Consider:

- how much the young person knew about the situation in which the offending or anti-social behaviour occurred. For example, did they know who items belonged to before stealing them or whether or not a house was empty or occupied before breaking in?
- whether they ignored critical information or warning signs; and,
- if there was a significant difference between the young person’s intentions, actions and the resulting outcomes, was this due to a lack of knowledge in some way?

Q What choices and decisions did s/he make at the time?

When thinking about choices and decisions, consider whether:

- there were any specific decision points where alternative choices could realistically have been made? An example of this could be a young person who went to a particular place knowing that a fight was likely to happen, even though they had the option to go somewhere else with other friends instead; and,
- the young person was coerced into being involved in the behaviour.

It may help to consider whether alternative choices would have been safe as well as realistic, and finally what the consequences could have been for each of the choices available.

Sub-section flags:

ACTION FLAGS, SIGNIFICANT LIFE EVENTS AND DESISTANCE FACTORS	
What happened?	
Flag for further action	e.g. refer to the victim worker for victim awareness intervention.
Add significant life event	e.g. the young person was made homeless and offended on the same day.
Add desistance factor	Factor for desistance e.g. the young person can recognise that they made a bad decision and has identified how they could do things differently in the future. Factor against desistance e.g. the young person has indicated that they will continue to offend as they see it as an easy way to make money.

5.3.1.3 Attitudes to offences

This sub-section allows you to record the young person's attitudes towards the offending or anti-social behaviour episode. This information is particularly important when deciding what interventions may be appropriate for the young person in terms of targets focused on repairing harm in the Pathways and Planning section.

Q What does the young person now think about the offence s/he committed?

Consider:

- how the young person describes their actions,
- how reliable the young person's description is,
- what they think about what they have done?: and,
- whether they express remorse, a lack of concern or pride in their actions?

Q How does this compare with what they were thinking at the time the offences happened and immediately afterwards?

Provide details of how the young person's thoughts differ and any reasons that they can identify as to why this may be.

Q Is s/he able to recognise the impact or seriousness of the offences?

Record here if the young person recognises the physical, financial or emotional impact that their actions have had on:

- the victims,
- the victims' family,
- their own family; and,
- the community.

Consider how clearly the young person can recognise and articulate the impact or seriousness. Also consider whether the young person has currently and/or previously accepted responsibility for the offence or incident and its severity.

Q How do his or her parents or carers view the offences?

In answering this question you may use information gathered during conversations with the parents or carers as well as any information from parent/carer self-assessments.

You will need to consider the impact of the parent/carers views on the young person's attitude towards their own behaviour. If the young person perceives that their parents/carers approve or are indifferent to their behaviour this could contribute to a problematic attitude towards offending. If however, parents/carers express their disapproval this could lead to the young person's attitude being more focused on desisting from offending.

Q What is the young person's current attitude towards the victims?

Record here their thoughts regarding the victims. Consider if these are significantly different from their attitudes previously. Are there ongoing concerns which indicate that there may be repeat victimisation?

Trigger question for further exploration

Q Is there anything else about the offences and/or the young person's attitudes which causes you particular concern, or indicates that the behaviour was more serious than the charge implies?

If the answer is 'Yes', you should complete the further exploration questions to capture the details around the concerns identified. The information identified here will also be useful when completing the Explanations and Conclusions (future behaviour) sub-section.

Further exploration

Please indicate if any of these apply, more than one option can be selected:

Recklessness:

Select this if the offence or behaviour involves serious or known carelessness or a lack of understanding of the consequences of his or her actions.

Loss of self-control:

Select this if the young person's behaviour indicates that they had lost control, e.g. extreme anger made the young person unaware of what they were doing or of the impact of their aggression towards others.

Unduly sophisticated methods for his or her age:

Select this if there is an indication of intricacy involved in the planning or the way in which technology was used.

Ritual or bizarre elements:

Select this if there is any evidence of any ritual or bizarre elements. Ritual elements are those that the young person repeats on different occasions and are associated with the offending or behaviour. Bizarre elements can be defined as particular actions that are inexplicable in the context of the offending or behaviour as a whole.

Excessive influence by the young person over others:

Select this if the young person is able to persuade others to act in ways which are out of character or appear to be able to frighten or threaten others into doing what they want.

Appears to be practice for more serious offending:

Select this if it appears that the young person is preparing for a more serious offence, an example of this could be a harassment offence which could be a pre-cursor to offences of assaults.

Particular cruelty or callousness:

Select this if there are features of the young person's behaviour that are particularly cruel or callous. Is there any evidence of torture, abandoning victims or targeting a child or other vulnerable family member as a way to 'get at' the intended victims?

Anything else unusual or disconcerting:

Select this if there is anything else alarming about the young person's attitude or offence. Was the young person's offending or behaviour linked to being part of an organised gang and

potentially committed under duress? Has the young person been exposed to or accessed inappropriate materials which have influenced their thoughts or feelings, e.g. use of pornography or excessively violent films.

Other concerns:

Select this if there are other concerns related to the young person’s offending and/or behaviour.

None of the above:

Select this if none of the given options apply.

Please provide as much detail as possible here (evidence box):

If any concerns are identified, provide details.

Sub-section flags:

ACTION FLAGS, SIGNIFICANT LIFE EVENTS AND DESISTANCE FACTORS	
Attitudes to offence(s)	
Flag for further action	e.g. referral to mental health worker as the young person’s behaviour appears ritualistic.
Add significant life event	e.g. the young person joins an extremist group.
Add desistance factor	Factor for desistance e.g. the young person recognises that they lost their temper and wants to work on how they can manage their emotions. Factor against desistance e.g. the young person seems to have ongoing hostility towards the victim and blames them.

5.3.2 Patterns and attitudes

Where the previous sub-section dealt with individual episodes of offending or anti-social behaviour, this sub-section is completed with consideration of all current and historical episodes. It sets the current offences in the broader context of the young person’s patterns of offending and any previous periods of desistance. If the young person has no previous convictions or anti-social behaviour this section is not applicable.

This sub-section is not intended to be an offence analysis. The focus here is on describing what the patterns are rather than analysing why patterns have occurred. The analysis of why takes place in Explanations and Conclusions.

5.3.2.1 Patterns of offending/behaviour

The graph is produced from offending information in the Core Record section and provides a visual trend of the offences by seriousness over time. If there are multiple offences on the same day, the graph will display the offence which has the highest seriousness. Incidents of anti-social behaviour will also be displayed but will not relate to seriousness.



Using information from the graph and the offence or anti-social behaviour profile table above, please consider the following:

- What are the main similarities or differences in the nature and characteristics of behaviour?
 - Do the offences or behaviours tend to occur on the same day of the week or at the same time of day?
 - Does the young person tend to be with the same person or with different people when offending or anti-social behaviour occurs?
 - Are alcohol or drugs usually a feature or just occasionally?
 - Are there patterns related to the young person's accommodation, such as regularly offending within a residential care setting?
- Is there evidence of any significant changes in behaviour, either positive or negative?
 - Compare the current offence with previous offences or incidents and consider whether there has been any significant change in the nature of the behaviour. Using a weapon for the first time would be an example of a significant change in behaviour as would committing a burglary in a dwelling when previous burglaries had all occurred in non-dwellings.
 - Is there a discernable pattern in relation to frequency and/or seriousness? If so, what is the pattern? If not, are there concerns about the unpredictability of the young person's behaviour?
- What is encouraging or concerning about the trends over time?
- Is frequency decreasing or increasing over time?
 - Consider the age of the young person at their first police contact and the frequency of police contact in recent months. This will be particularly useful for anti-social behaviour cases where there may not be a history of offending.
 - Have there been periods without offending or anti-social behaviour incidents? If so, how frequent are they or how long do they last?
- Is seriousness decreasing or increasing over time? Examples of increasing seriousness could include offences or behaviours which are more violent than on previous occasions, involve a greater level of sexual contact or a greater level of dishonesty.

Sub-section flags:

ACTION FLAGS, SIGNIFICANT LIFE EVENTS AND DESISTANCE FACTORS	
Patterns of offending	
Flag for further action	e.g. refer to the local police for information about the young person's associates.
Add significant life event	e.g. bereavement.
Add desistance factor	Factor for desistance e.g. the young person has shown that they can desist from offending in the past and has previously engaged well with the YOT. Factor against desistance e.g. the young person is repeating past behaviours despite having worked on the triggers during past interventions.

5.3.2.2 Attitudes to offending/behaviour

This sub-section captures information about the young person's broader attitudes to offending, rather than their views about specific or most recent offences.

Q How does the young person feel about his or her offending or behaviour?

Consider whether they:

- feel regret, pride or a lack of concern,
- express any feelings of status, enjoyment, or embarrassment about the offences; and,
- seem uninterested or not bothered about what happened.

Q Have his or her attitudes to offending or anti-social behaviour changed over time?

Consider if they accept responsibility for their actions, either wholly or in part. Are they trying to blame others? If the young person was involved in a group offence or incident, they may admit to having been present when the offence or incident occurred but deny taking any personal part in it.

Is the young person able to recognise the impact or seriousness of the offences? Do their attitudes give any specific cause for concern? How similar or different is this to how they feel about previous offences or incidents if applicable? Consider whether changes in attitudes could be as a result of increasing emotional maturity.

Q What do the young person's parents or carers think about his or her offending or behaviour?

How do the parents or carers view the young person's offending or behaviour? Are they supporting or justifying the young person's behaviour? Or have they expressed concern or disapproval?

Q What are the young person's broader attitudes to offending or anti-social behaviour and victims?

What is the young person's current attitude towards the victims? Consider whether they show any empathy or awareness of the impact of their actions on the victims, hold any grudge or have any ongoing disagreement or feud with the victims. You should also take into account any beliefs that certain types of offences or behaviours are acceptable or thoughts that further offending or anti-social behaviour is inevitable.

Trigger question for further exploration

Q Do you have any particular concerns about the way that the young person has tried to justify or minimise his or her offending or behaviour?

If the answer is 'Yes', you should complete the further exploration below to capture the details around the concerns identified:

Further exploration

Please indicate if any of these apply, more than one option can be selected:

Thinks that certain motives (e.g. honour, status) provide justification:

Select this if the young person is seeking acceptance from a particular individual or group through their behaviour or if they believe that they have gained social status as a result of what they have done. Are they motivated by revenge and use this as justification for their actions?

Sees certain people/groups as acceptable targets:

Select this if the young person believes that certain people or groups are acceptable targets. Is the young person targeting people due to their age, disability or sexual orientation? Does the young person hold particular discriminatory views which they use to justify their behaviour?

Justification of offending on political or religious grounds:

Select this if the young person thinks that behaviours such as aggression, violence or harassment can be justified by a particular cause, e.g. political, religious or any other single issue such as animal rights. Is the young person associated with a particular political party or cause? Consider also if the young person is at risk of radicalisation or extremism.

Thinks that the victims deserved it:

Select this if the young person holds the view that the victims 'deserved it' because of a perceived action or attitude. Do they believe that they were provoked in some way to commit the offence? Is the young person minimising the harm or damage caused by the offence or behaviour?

Influenced by parental/wider family pro-criminal attitudes:

Select this if there is any evidence to suggest that the young person's parents, carers or wider family members hold pro-criminal views. Do any family members condone the young person's behaviour, offer justification for them or seek to minimise their behaviour?

Other concerns:

Select this if none of the above apply but there are other concerns related to the way the young person justifies or plays down their offending/behaviour.

Please provide as much detail as possible here (evidence box):

If any issues are identified, provide details.

Sub-section flags:

ACTION FLAGS, SIGNIFICANT LIFE EVENTS AND DESISTANCE FACTORS	
Attitudes to offending behaviour	
Flag for further action	e.g. referral to family intervention as the young person's parents seem to be encouraging offending behaviour.
Add significant life event	e.g. relative released from prison who encourages the young person to offend.
Add desistance factor	Factor for desistance e.g. the young person recognises the negative influence of some friends and wants to spend more time away from them. Factor against desistance e.g. the young person justifies their offending.

5.3.3 Other behaviours of particular concern

This sub-section identifies other behaviours that are causing concern that have not have yet resulted in a criminal justice outcome but could be indicative of further harmful behaviour or offending. These concerns could be based on a number of sources including information about behaviours at home, school or custody. It would also include information about a young person regularly coming to police attention or being arrested for particular types of behaviour but where behaviours or charges result in no further action (NFA). You should review both self-reported information and police data to inform your views.

Trigger question for further exploration

Q. Do you have information or evidence about any other behaviours by the young person which give cause for concern?

If the answer is 'Yes', you should complete the further exploration questions to capture the details around the concerns identified. The information identified here will also be useful when completing the Explanations and Conclusions (future behaviour) sub-section.

Further exploration

Please indicate if any of these apply, more than one option can be selected:

Violence at home, school or other social settings:

Select this if there is any evidence of violent behaviour in these settings. This may indicate a risk of potential violent offending in future, even if to date it has not led to formal police intervention.

Threatening or aggressive behaviour:

Select this if the young person has currently or previously displayed threatening or aggressive behaviour. The identified behaviour may be towards staff, within personal relationships or within their family.

Sexually inappropriate behaviour:

Select this if the young person displays inappropriate sexualised behaviour. The appropriateness of a young person's sexual behaviour will depend significantly on factors such as age, maturity and understanding. Also consider if the young person been exposed to

pornography or is regularly accessing pornographic material which has distorted their views of what is sexually appropriate.

Cruelty to animals:

Select this if the young person is deliberately inflicting suffering or harm upon animals through abuse or neglect. This would be an indicator of a risk of serious harm.

Fire setting:

Select this if there is any fascination with fire or playing with fire as well as the more obvious situations where fires have actually been started.

Involvement in hate-based behaviour:

Select this if there is any evidence of behaviour intended to intimidate, offend or harm an individual or group because of their ethnic origin, race, religion, nationality, sexuality, gender, disability or age.

Perpetrator of domestic abuse:

Select this if there is evidence that the young person has been a perpetrator of domestic abuse. Domestic abuse covers a wide range of behaviours that can take place within relationships and does not just mean sexual or physical violence:

- intimidating and threatening behaviour,
- verbal abuse,
- damaging a person's self-esteem,
- destruction of property,
- playing down the impact of violence,
- financial abuse including withholding money,
- isolating a victim from their family and friends,
- emotional abuse; and,
- coercive control.

Young person has said, indicated or threatened that s/he might cause serious harm to others:

Select this if the young person has made any direct or indirect comments that indicate that they are seeking to cause serious harm to other people. The details of the potential risks must also be recorded in the Explanations and Conclusions (future behaviour) section.

Behaviour driven by obsessions, fantasies or other problematic interests:

Select this if the young person has obsessions or fantasises that are leading them into problematic behaviour. Do they have any interests which are inappropriate? Interests and fantasies could also have contrasting implications for different young people, e.g. a collection of military paraphernalia may reflect a legitimate interest in the armed forces or a potentially dangerous preoccupation with weapons. Access or exposure to pornography may reflect a young person being curious about their sexuality or could reflect sexually inappropriate attitudes or influence sexually inappropriate behaviour.

Indications of young person planning for or preparing to commit offences:

Select this if there is evidence of behaviours that suggest practice or planning for offending. These behaviours may not be against the law, e.g. legitimate purchase of items that could be used in offences.

Offence-paralleling behaviour:

Select this if the young person is behaving in ways which are indicative of attitudes, expectations or plans related to offending or parallels with those shown during the commission of an offence. This is particularly relevant to young people in custody. An example of offence-paralleling behaviour could be the way in which a young male offender interacts with female members of staff in a secure establishment. The interaction may reflect attitudes or beliefs that have enabled him to justify inappropriate sexual behaviour in the community. Offence-paralleling behaviour is critical for identifying intervention targets and assessing whether an individual presents a risk of causing harm to others. The details of any potential risks must also be recorded in the Explanations and Conclusions (future behaviour) sub-section.

Other odd or disturbing behaviour:

Select this if the young person behaves in other ways which are odd or disturbing, e.g. do they spend a lot of time in unusual places?

Dangerous or reckless driving:

Select this if there is any evidence that the young person is driving in a reckless or dangerous manner. Examples of reckless or dangerous driving include racing, driving aggressively, ignoring traffic lights, road signs or warnings from passengers or driving under the influence of alcohol or drugs, including prescription drugs.

Destruction of property:

Select this if the young person is destroying or damaging their own property or the property of others. This includes both public and private property and could include breaking windows, slashing tyres, spray painting graffiti, or destroying a computer system through the use of a computer virus.

Any other concerns:

Select this if there are other behaviours which give cause for concern. Details should be provided in the evidence box.

Please provide as much detail as possible here (evidence box):

Describe the concerns that have been identified.

Sub-section flags:

ACTION FLAGS, SIGNIFICANT LIFE EVENTS AND DESISTANCE FACTORS	
Other behaviours of particular concern	
Flag for further action	e.g. referral for AIM2 assessment.
Add significant life event	e.g. the young person is accused of assaulting their partner.
Add desistance factor	Factor for desistance e.g. the young person has recently passed their driving test which has made them see the need to drive safely. Factor against desistance e.g. the young person expresses racist thoughts and does not respond to challenge on this.