



The Association of Youth Offending Team Managers (AYM) response to the NPCC Consultation on the Revised Youth Gravity Matrix, 2022

About the AYM

The AYM is a professional association representing the majority of youth offending teams (YOT) and their managers in England.

Section 39 (1) of the Crime and Disorder Act 1998 requires the co-operation of the named statutory partners to form a YOT. Section 38 (1, 2) identifies the statutory partners and places upon them a duty to co-operate in order to secure youth justice services appropriate to their area. These statutory partners are the local authority, police, the probation service, and health. To support the YOT, additional partners may also be recruited to the joint strategic effort to prevent offending by children and young people.

The Association is able to draw on the wealth of knowledge and the breadth of members' experience to promote public understanding of youth crime issues and to play its part in shaping the youth crime agenda.

Our members run services providing community-based supervision for children and young people who offend. We also work with children in custody and work closely with staff in secure units and young offender institutions to ensure that young people receiving custody experience as smooth a transition as possible into custody and back in to the community.

The AYM welcomes the opportunity to provide a response to the consultation on the draft revised NPCC Youth Gravity Matrix.

The AYM welcomes the development of a Youth Gravity Matrix that specifically focuses on young people, as opposed to them being assimilated into an adult guidance, as was the case previously. We appreciate the initial emphasis at the beginning of the document which clearly identifies the matrix as a triage tool and one that should be "used as a guide only and each case should be looked at on an individual basis".

We appreciate that the guidance reinforces the importance of child centred policing and the principle that "It is important that young people are not criminalised for behaviour which can be dealt with more appropriately by other means". Alongside this the emphasis on ensuring that this work is conducted in partnership with the Youth Offending Services is an approach that the AYM strongly advocates. The recognition that "offending by children is often a symptom of other challenges they are facing in their lives", and the importance of professional curiosity within the Child Centred Policing Best Practice Framework to ensure that opportunities for intervention are not missed again is something the AYM would seek to actively promote.

The step-by-guide guide on using the Gravity Matrix Scoring Tool (pg5) explicitly identifies the use of the offence specific and the general factors for all offences aggravating and mitigating factors but does not include the use of the Vulnerability Factor Table (Pg9) The omission of the vulnerability aggravating and mitigating factors from the step-by-step guidance potentially minimises its importance. This is especially pertinent given the emphasis at the beginning of the document on child centred policing. *The AYM would recommend that this step-by-step guide be amended to explicitly include a step that includes the use of the Vulnerability Factor Table.*

It is noted that policies relating to knives and offensive weapon offences are currently being reviewed by the NPCC and the CPS. *We would ask that the AYM is included in any consultation regarding the proposed changes.*

We appreciate the scoring from 1-5 as it provides scope to use the aggravating and mitigating factors highlighted in assessments. However, the guidance identifies that a score can only be upgraded or downgraded by one point, using the 3 tables. *The AYM would seek clarification on how the decision maker balances the importance and therefore the scoring if there are potentially opposing multiple aggravating and mitigating factors? We would also ask how the rigidity of such scoring complies with the intention to be child centred in practice.*

In addition, the guidance, states that “if details for the welfare of the young person and/or previous outcomes and engagement sections are unknown, a referral to the Youth Justice Service is advised. Does this suggest that all young people would need to be screened by the YOS prior to the Police using the Gravity Matrix Tool, as the AYM are unclear how the Police would be able to consistently identify whether a child was in care, their level of learning or communication need, experience of childhood trauma, exposure to exploitation and previous outcomes of engagement. If this was not a requirement would this pose a significant risk that the Vulnerability Factor Table element of the Matrix scoring Tool would be underutilised. *The AYM would recommend that this element of the guidance (pg. 7) be clarified to ensure that the decision maker ensures that the Vulnerability Factor Table has equal status as the general and specific factor tables.*

The AYM welcomes the guidance contained in the Final Gravity Score table for offences scoring 3 and 4 in which consideration can be given to the use of deferred cautions and deferred prosecution via YJS referral. The disposal table provides a quick glance summary to identify the differences/benefits of each of the potential disposals which is helpful. *The AYM would ask for some clarification on the note on the Final Gravity Score table in which it states that all cautions must be placed on PNC and whether this impacts on the likelihood of them being disclosed on DBS?*

Of further note with regard to the Final Gravity Score Table and the disposal table, and its subsequent guidance the *AYM would suggest that the guidance references the recently published NPCC Outcome 22 (O22) Guidance 2022. Issues of disproportionality within the Criminal Justice System remain a priority for the AYM and the promotion of outcomes, such as O22 that divert young people from an ethnic minority group needs to be championed.*

The guidance does not include most indicatable offences (Gravity 5) and it recommends that the Police National Legal Database (PNLD) is checked to identify whether an offence is indicatable only, either way or summary only. *The AYM would seek clarity as to whether this database is available to non-policing organisations.*

Alongside this the guide states that in the event that the guide does not include an offence, either refer to a similar offence type or contact your local YJS for guidance. *The AYM is unclear why the local YJS would be providing guidance to the Police for an offence category?*

Whilst the AYM understands that currently all Gravity 5 offences are indicatable only and must be referred to CPS, we would seek clarity that if CPS advice indicates that the matter could be dealt with by way of an out of court disposal, whether this would be permissible within this framework? Alongside this the AYM would ask that consideration be given for the Gravity Matrix Scoring Tool to be used on certain Gravity 5 offences specifically for young people. A case example would be the offence of robbery. The commissioning of this offence for young people is not uncommon but can present itself on a considerable scale of seriousness from knife point robbery with threats of serious violence or more commonly peer on peer theft of property with minimal violence or threats of violence.

The guidance refers to the CPS Ten-Point Checklist for offending behaviour of Children in Care (pg12). It clearly states that the checklist should be used as part of a systemic approach to the decision to prosecute a looked after child and must be completed before submitting to CPS. However, it does not provide any specific guidance on how this would be completed by the Police given the amount of detail that would be required to comprehensive complete the checklist, such as professional judgement about care plans, behavioural management plan etc. *The AYM would propose that the guidance includes advice that this Ten-Point Checklist is completed by the Police collaboratively with the local YJS and/or Children in Care teams.*

Finally, we would ask if it is possible to pilot the use of the matrix in the first instance for a period of 6 months to ensure that its use is effective in supporting a child centre approach to policing, and does not result in unintended negative consequences for children in contact with the police.

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