

JUDGES' UPDATE

DECEMBER 2004

Information for the Judiciary

CONTENTS	page
<i>Extended Supervision - the implementation</i>	1
<i>From the General Manager</i>	2
<i>Japanese volunteers check out NZ rehabilitation methods</i>	2
<i>Assessing risk of re-offending among sex offenders</i>	3
<i>Prison pilots criminogenic programme for women</i>	3
<i>Home Detention regimes refined</i>	4

Extended Supervision - the implementation

The implementation of Extended Supervision (ES) for high-risk child sex offenders is progressing well.

ES was introduced in July 2004 with the passing of the Parole (Extended Supervision) Amendment Act 2004. There are hearing dates set for six applications and another 37 are with Crown Solicitors for preparation.

An implementation team has been established at CPS head office and Implementation Manager Nikki Reynolds says one of the team's main priorities is to complete the ES application process for a group of 58 offenders by 7 January, 2005.

These are known as "transitional" offenders already in the community and who might be eligible for ES. The law can be applied retrospectively to offenders who were in prison but have since been released, or who were on Parole or subject to release on conditions as at 11 November 2003.

Initial health assessments have resulted in the decision not to proceed with applications for 14 transitional offenders.

Letters have gone out to all offenders in this transitional group, giving them the time and date of a psychological health assessment appointment.

Some offenders were aware of the new ES legislation and were expecting to be contacted by the Community Probation Service. Others have been unreceptive to the process, with a small number declining to see the psychologist.

If an offender fails to attend their appointment, the psychologist will prepare a report based on information already held by the Department of Corrections.

A CPS Service Manager personally delivers the initial letters, usually accompanied by a Probation Officer, who explains ES and answers any questions that arise.

"At present we are developing an Access data base that will become an essential tool for facilitating and monitoring the ES applications process. This starts when an offender is flagged as eligible for ES through our Integrated Offender Management System (IOMS) and culminates in the management of the offender's ES conditions," says Nikki.

The ES team is currently developing the operational policy surrounding ES applications going to the Parole Board for special conditions, and how the offenders will be managed once they have been placed on ES.

**As at December 15, four transitional offenders were subject to extended supervision orders. A fifth offender was defending the application.*

YOUR INPUT

Judges' Update is distributed quarterly to the judiciary, courts, and Parole Board. If you have any comments or suggestions for this publication, please contact:

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DEPARTMENT
OF CORRECTIONS

From the General Manager

Nga mihi ki a koutou katoa. Welcome to the final issue of Judges' Update for 2004.

This issue marks some significant milestones for the Community Probation Service and the Department of Corrections.

Extended Supervision for high-risk child sex offenders has reached the implementation stage.

As you'll read, our team has been busy applying the new process to a group of transitional offenders with a deadline early next year.

This issue also tells how the Department's Psychological Service has adapted an internationally-recognised risk tool to help prioritise which highest-risk child sex offenders should undergo more in-depth assessment of risk.

And you may be aware, it's five years since Home Detention was introduced. With the sound footing of experience behind us, CPS has refined the management regimes for Home Detainees to ensure our front line resources are used where they're most needed.

The Department has recently retendered its Home Detention contract for the provision of monitoring and emergency response services. With an eye to the future, the revised contract also allows us to take advantage of new technology to monitor offenders and ensure compliance with their orders.

If you have any suggestions for future content, or would like to contribute an article please contact our CPS Communications Team.

In the meantime, I wish you a safe and happy Christmas break.



Katrina Casey, General Manager
Probation and Offender Services
Department of Corrections

Japanese volunteers check out NZ rehabilitation methods

Representatives of Japan's 50,000 volunteer probation officers found plenty to interest them on a recent visit to Auckland.

The 80-strong delegation came to New Zealand as part of their annual overseas study tour to learn about offender rehabilitation opportunities.

About two-thirds of Japan's VPOs are over 50; among them are business people, housewives, religious professionals, and primary industry workers. About half have been working for more than 10 years.

The delegates visited the Mason Clinic (Forensic Services) and were hosted by Dr Sandy Simpson, Clinical Director of Mason Clinic, and his staff. Staff from associated disciplines also contributed.

Dr Simpson and CPS Area Manager Marie Faith-Allen gave a presentation at a formal dinner during the visit.

Marie says the visitors were very interested in the Department of Corrections' initiatives towards protecting the public and reducing re-offending. They were particularly interested in the Te Piriti and Kia Marama Sex Offender Units.

Japan has some 50,000 volunteer probation officers commissioned by the Minister of Justice to work with paid probation officers, help offenders to rehabilitate themselves, and enhance crime prevention in the community.

Marie says it was interesting to note the differences between Japan and New Zealand.

"Japan has 50,000 volunteers, NZ does not have volunteers working in the same capacity as the Japanese volunteers. Whilst it can be said that some sponsors of Community Work are carrying out a voluntary role, the work of the Prisoners' Aid and Rehabilitation Society would better equate with the work of the Japanese volunteers.

"Japan has post-release hostels; we have no Department-owned pre-release hostels and tend to concentrate on reintegration into society by placements into existing hostels.

Japanese Probation Officers also have a formal entry qualification level to become a probation officer. In New Zealand a qualification is desirable, but not mandatory."

Marie says Japan is also about to establish a specialist team of probation officers engaged in forensic psychiatry.

Assessing risk of re-offending among sex offenders

By David Riley, Director of the Psychological Service, Department of Corrections

With the passing of the Parole (Extended Supervision) Amendment Act 2004 the Department is required to determine which child sex offenders pose a serious risk of re-offending and to complete a health assessment on these individuals in support of a recommendation for extended supervision.

Approximately 240 men who have committed sexual offences against children are released from prison each year. Departmental research indicates that over a ten-year period the rate of sexual re-offending by these individuals is in fact quite low; only 13% will be convicted during that period of a further sexual offence.

In order that those persons at high risk may be identified and prioritised for a more in-depth assessment of risk, the Department has modified an overseas risk instrument, the Static-99, which was developed by Karl Hansen in Canada and David Thornton in England and which has received extensive validation as a risk predictor.

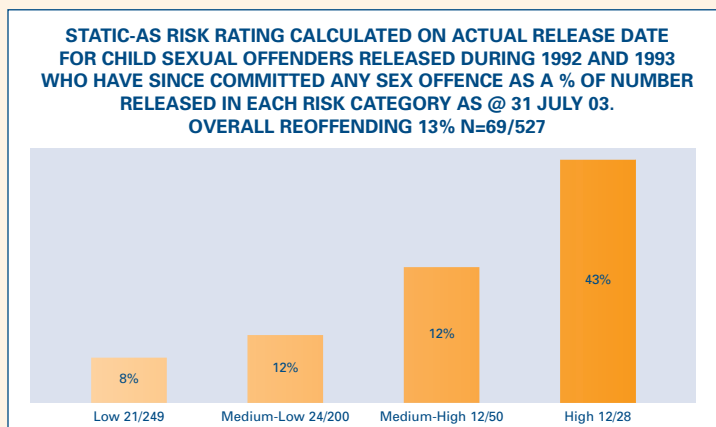
The scale taps basic criminal history variables, such as the age and sex of the victim, the number of offences, and the age of the offender. Of the 12 items in the original scale, nine can be scored directly from criminal history information held on the Department's computerised offender management system (IOMS).

The Psychological Service has developed a process for applying this modified scale to the offence histories held on the IOMS database. This is the basis on which initial decisions are made as to which sex offenders released from prison should be assessed in greater depth in order to determine the appropriateness of applying for an Extended Supervision Order.

To ensure that the process is valid when applied to New Zealand offender populations, all persons who had committed sexual offences against children and who were released from prison in the years 1992 and 1993 were assessed using the modified version of the Static-99.

They were assigned to one of four risk categories ranging from low to high, and the proportion in each category who re-offended sexually was determined from Departmental records. The results of this validation exercise are presented in the graph below.

It is apparent that this measure provides a good means of determining risk of sexual re-offending.



Just under half of these offenders (48%) fell into the low risk category, which had a sexual re-offending rate of 8%. A small number of offenders were classified as high risk and individuals in that category displayed a 43% rate of subsequent sexual offending. There is also a reasonable level of discrimination between the persons who were assessed at a medium-low risk and a medium-high risk of sexual re-offending.

This risk assessment forms the basis of initial screening for more detailed assessment, and departmental psychologists are currently completing in-depth assessments of all child sex offenders eligible for an order of extended supervision who fall into the high or medium-high risk category on this instrument.

Prison pilots criminogenic programme for women

Ten inmates at Arohata Women's Prison have become the first graduates of a tailor-made criminogenic programme for women.

The pilot programme has been designed to take into account the specific needs of women offenders. It's been piloted with inmates but will also cater for women offenders in the community.

Programme facilitator, Senior Psychologist Lucy King, says the programme aims to help women offenders identify the high-risk factors that contribute to their offending.

"The aim then is to assist the women to develop the skills they need to avoid those situations and, ultimately, reduce their risk of re-offending."

Over 40 sessions totalling 100 hours, the offenders took part in a wide range of activities traversing relationship skills, communication skills, identifying problem emotions and coping with

distressing situations.

The programme incorporates role-plays, art, narrative, exercises and videos, along with strong bicultural elements including tikanga (Maori customs), games and stories.

Lucy says although the programme specifically targets women's needs, it contains some components of the criminogenic programme that Corrections runs for male offenders.

"For example, the women's programme includes developing offence maps, identifying and challenging offence-related thinking, managing moods, lifestyle balance, developing positive relationships and safety planning. These are based on the Relapse Prevention and Cognitive Behavioural models."

Lucy says an important difference is the skills training component, adapted from Marsha Linehan's (1993) dialectical

behaviour therapy for individuals who have interpersonal, cognitive, emotional and behavioural difficulties.

"The women's programme also draws on a relational approach to therapy. This viewpoint stresses the importance of 'connection' and 'attachment' with others as central to the development of women's sense of identity."

Lucy and criminogenic facilitator Maureen Bell-Simpson sought feedback from the women at each stage of the programme. Group members said they found it very useful for developing the skills they need to avoid re-offending. They also particularly enjoyed the activity-based nature of the programme.

Corrections' general management team will consider a report on the pilot programme this month before a decision is made on its future.

Home Detention regimes refined

CPS has refined the way it manages offenders on Home Detention to better target detainees who pose the greatest risk.

It's five years since Home Detention was introduced and the changes are part of the natural evolution of the management of the order.

The Sentencing and Parole Acts 2002 led to a rise in the number of offenders serving sentences of imprisonment on Home Detention. Two years on, it is apparent not all offenders require the same amount of Probation Officer time. Available resources can be better allocated to reflect the risk posed by each offender.

The changes are within the scope of the existing legislation and will have no impact on who is eligible to apply for Home Detention. All offenders will continue to be electronically monitored throughout their time on Home Detention.

From November 22, CPS is implementing a three-tier Management Regime to manage detainees according to their risk. Risk is assessed using the evidence-based assessment tool RoC*RoI and a new static risk tool developed to objectively measure an offender's likelihood of re-offending and non-compliance while on Home Detention.

Offenders will be classed as low (MR1), medium (MR2), or high (MR3). Sentence management during their home

detention will reflect that risk, with less intensive management of lower-risk offenders.

For instance, the new regimes allow an average of 54 Probation Officer hours per offender over a three-month period, with 65 hours for high-risk MR3 detainees.

In addition to those - assessed as high risk, the most stringent regime (MR3) will automatically apply to detainees who:

- are on back-end orders
- have convictions for sexual offending
- have victims registered on the Victim Notification System.

There are three phases within each regime and detainees only move through the phases when they have completed the required time for that phase and are fully compliant with all conditions.

- **Phase 1** - first half of the order
- **Phase 2** - third quarter
- **Phase 3** - final quarter

The most noticeable difference between the current and new approach is in the management of low-risk detainees. In phases 2 and 3, low risk offenders will alternate weekly home visits with reporting to the CPS Service Centre. This gives the offender added responsibility for complying, and encourages smoother reintegration.

	MANAGEMENT REGIME 1	MANAGEMENT REGIME 2	MANAGEMENT REGIME 3
PHASE 1	1 visit and phone call per week	2 visits per week	3 visits per week
PHASE 2	Alternating home and Service Centre visits weekly	1 visit per week	2 visits per week
PHASE 3	Alternating home and Service Centre visits weekly	1 visit per week	1 visit per week

Offenders on Home Detention when the new regime takes effect will continue to be managed under the existing regime. By November next year, all Home Detainees will be managed under the new regimes.