

JUDGES' UPDATE

M A Y 2 0 0 4

Information for the Judiciary

CONTENTS	<i>page</i>
<i>RYOP – one year on</i>	1
<i>From the GM</i>	2
<i>(RYOP cont'd)</i>	2
<i>Recidivism – a Psychological Service report</i>	3
<i>Probation Service turns 50</i>	4
<i>Evaluating Domestic Violence Research</i>	5
<i>Effective referrals</i>	6
<i>Family Violence Prevention boost</i>	6

Reducing Youth Offending Programme - one year on

It's a year this month since the Reducing Youth Offending Pilot Programme was launched. Already it's having a positive impact on the lives of some young offenders and their families.

The programme, piloted in Christchurch and central and south Auckland, is a joint initiative between the Department of Corrections and Child, Youth and Family. It was devised after a Ministerial Taskforce on Youth Offending identified a gap in existing resources for addressing serious and high risk cases.

Referrals can come through Child, Youth and Family (CYF) or the Community Probation Service (CPS). Those eligible are aged between 14 and 18 years inclusive, at high risk of progressing to chronic adult offending, and available for intensive community-based rehabilitation.

Participants must have:

- been sentenced for an offence of sufficient gravity to justify a six-month period on the programme, with a special condition to attend the programme;
- a risk profile that suggests a high probability of progressing to adult crime.
- Have a family/whanau or care giver who is prepared to take part in the programme

Using Multi-Systemic Therapy (MST), the programme requires considerable commitment from both the young person and their whanau/family. Goals are set to address offending behaviours and interventions are delivered on a daily or weekly basis. The Case Worker works intensively with the youth and their family/whanau or caregiver and is available 24 hours a day 7 days per week.

Desired outcomes from the programme participation are; reduced seriousness and frequency of re-offending, involvement in pro-social activities, educational or vocational training, reduction in association with anti-social peers and strengthened family relationships.

Below are tables showing the current number of youths on the programme for the year to date and the ethnic breakdown of those.

New Starts:

Source	Akl	Chch	Total
CPS	21	9	30
CYF	16	9	25
Total	37	18	55

Ethnicity

Ethnicity	Akl	Chch	Total
Maori	18	14	32
Pacific Island	11	1	12
European	3	8	11
Total	32	23	55

YOUR INPUT

Welcome to the May issue of Judges' Update for 2004. If you have any comments or suggestions for this publication, please contact the General Manager Probation and Offender Services.

Community Probation Service,
Department of Corrections
Private Box 1206, Wellington
ph 04 499 5620
fax 04 460 3203

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DEPARTMENT
OF CORRECTIONS

For more information: National Co-ordinator Kelley Reeve
kelley.reeve@corrections.govt.nz

From the General Manager

This Judges' Update is a bumper issue reflecting the work of the Probation and Offender Services (POS) group comprising the Community Probation Service, the Psychological Service, and the Intervention Services, which becomes operational on July 1 this year.

Intervention Services is the result of our move to a centralised management structure focused on programme delivery where previously, programmes were managed separately in either the prisons or the Community Probation Service at regional and local level.

Intervention Services will specialise in developing training programmes for staff working to re-integrate and rehabilitate offenders. It will train the facilitators who run our Straight Thinking and criminogenic programmes, and train Probation Officers and Sentence Planners in the CNI Assessment tool, used to assess an offender's rehabilitative needs and motivation to address those needs.

Last year was the first full year of operation for POS, and we focused on improving compliance with our assessment tools, policies, procedures and systems.

It's been a joint effort, with the Psychological Service introducing an integrity monitoring process, and working with the Community Probation Service to identify issues and improve results.

This Judges' Update covers a range of topics relevant to POS, including the inter-agency 'Circuit Breaker' pilot, the Reducing Youth Offending Programme one year into its four-year pilot, and recidivism research carried out recently by the Psychological Service.

We've also included a copy of a recently developed flowchart documenting the process our CPS staff use when referring offenders to rehabilitation programmes such as Straight Thinking. It reflects the robust process our staff use to ensure offenders are matched with the best programme to reduce their chances of re-offending.



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

RYOP a recipe for success

Expelled from three schools, 17-year-old 'Tana' finally found something he was good at – cooking. But his dreams of a culinary career were almost derailed when, in his first year on a chef's course, he was convicted of assault with a weapon.

Sentenced to 12 months' supervision with special conditions that he attend the Reducing Youth Offending Programme, Tana is now back on track.

Tana lives with his parents and three siblings in West Auckland. His past offending involved assaults and wilful damage, which happened while he was under the influence of alcohol. He was referred to the programme after being convicted of assault with a weapon.

Influencing factors

Using a Multi-Systemic Therapy approach, case workers take into account all factors of an individual's life – including family, peer group, substance abuse and violence issues.

In Tana's case, alcohol use was a major factor in his offending. Other factors were inconsistent parenting, a lack of communication within the family, and problems between Tana and his dad.

Case Worker Amelda Wilson met regularly with Tana and his family to set weekly goals, and set up interventions such as a daily monitoring plan, behaviour management, and family therapy, to improve communication within the family and address relationship difficulties.

Amelda says Tana's parents were shown how to apply consequences as well as rewards with Tana, and their new parenting skills helped stabilise the whole family.

He stuck to his curfew and stopped drinking. His mother drove him to his course each day, tutors monitored his daily attendance, and his father, a shift worker, ensured he came straight home each afternoon. "They could see the potential in him and they wanted to help him," says Amelda.

Outcome

Amelda says the results of Tana's case show the programme can work. "He made some real changes and so did the parents."

Tana's now completed two levels of his chef's course and recently gained experience working part time in an Auckland restaurant. The 18-year-old plans to take on a third year and earn his formal qualification as a professional chef.

Recidivism

From a paper by David Riley, Director, Psychological Service

David Riley has counted 20 ways to define recidivism and at least 10 ways to measure it. Despite the variations in crime reporting, detection, and social and cultural factors, recidivism as measured by official statistics remains a better indication of programme outcome than any other, he says. It's also the best measure available to policy makers and planners in making their decisions. The Department of Corrections uses two key concepts in evaluating its performance: the Recidivism Index and the Rehabilitation Quotient.

The index looks at re-conviction of any sort, and re-offending which results in imprisonment.

The quotient is the extent to which the actual rate of re-conviction or re-imprisonment differs as a result of exposure to a certain programme. For example, a group of individuals who were subject to a 100-hour criminogenic programme might have a re-conviction rate of 55%, and a re-imprisonment rate of 25%. This might then be compared against the re-offending and re-imprisonment rates for the non-treated group, which may be 75% and 35% respectively. Consequently, the difference in these rates, 20% and 10%, are the rehabilitation quotients for both re-conviction and re-imprisonment.

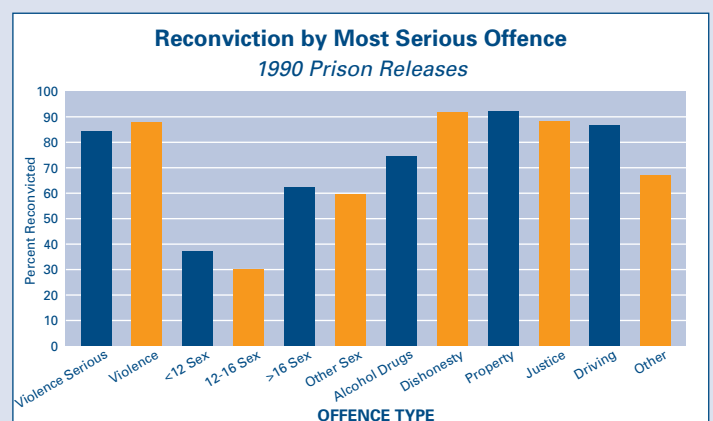
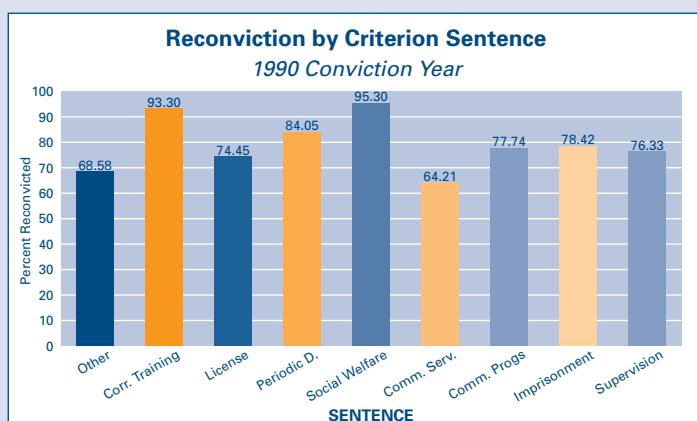
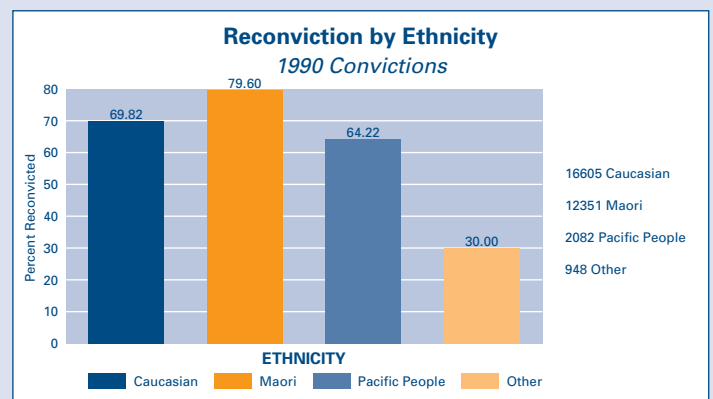
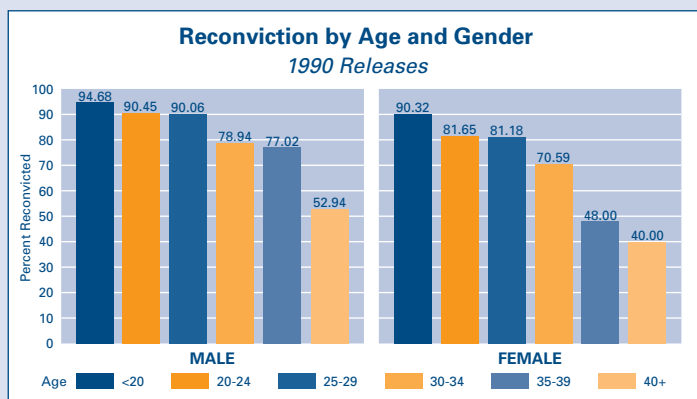
David says research shows most people "grow out" of

offending and once they reach their late twenties, re-offending drops off markedly. There's evidence that those who continue to offend in middle age may comprise a large proportion of severely personality-disordered offenders, particularly psychopaths.

Importantly, people who are convicted of their first offence and sentenced to imprisonment after the age of 25, or who receive their first prison sentence after the age of 25 show very low rates of re-offending. For this reason, adults jailed for the first time should routinely be seen as a lower risk unless there is good evidence to the contrary.

In general, Maori are re-convicted at a higher rate than European offenders while people of Pacific Island origin re-offend at a lower rate still. There is, however, a startling exception. Maori convicted of a sexual offence have a statistically significantly lower chance of being convicted for a further sexual offence than any other ethnic group. This holds constant for the whole range of sexual offences from exhibitionism to rape and has been confirmed on numerous occasions from 1983 to the late 1990s.

Once a person has spent 18 months in the community without re-offending following their release, their chances of being convicted again decrease quite dramatically.



Probation Service turns 50

This year marks the 50th anniversary of the country's probation service.

Today its primary role is to provide information to the judiciary and the New Zealand Parole Board, and manage the sentences of offenders on community-based sentences and conditional release from prison.

Its key aims are to contribute to protecting the public and reducing re-offending.

More than 500 Probation Officers now work for the Department of Corrections' Community Probation Service (CPS), compared with 1949 when there were just seven.

New Zealand's probation service was formally established in 1954 with the passing of the Criminal Justice Act and the Penal Institutions Act.

The Criminal Justice Act's primary focus was the rehabilitation of offenders. It defined the role of Probation Officers as officers of the court. Their duty became preparing pre-sentence reports and helping the courts determine sentences.

The origins of New Zealand's probation service can be traced as far back as the early 19th century when it reflected the ideas and practice of the British and American offender management systems.

In 1886 New Zealand was one of the first countries in the world to introduce community-based sanctions, a cornerstone of today's modern probation service.

The First Offenders Probation Act set out the conditions of probation, the offences for which it was available, and made provision for the appointment of police officers, and others, as Probation Officers.

The duty of Probation Officers was to investigate whether first offenders might be rehabilitated on probation, without punishment or compromise of the public interest.

By 1898, 914 offenders were on probation, with more than 750 discharged after completing their terms to satisfaction.

The service initially dealt with a wider range of low-risk offenders such as bicycle thieves and so-called "rogues"

and "vagabonds" as well as the more serious offenders.

The '60s eventually saw the expansion of New Zealand's probation system and the prevalence of the idea of imprisonment as the sentence of last resort.

By 1962 New Zealand had introduced Periodic Detention, with Community Service following in 1981. In 1985, new legislation provided for Community Care (since abolished) and Supervision, which replaced probation. Periodic Detention for women was introduced.

The penal policy review of 1981 eventually resulted in the Criminal Justice Act 1985, and later, the Sentencing Act 2002 and Parole Act 2002.

The 1985 legislation encouraged more community input into the judicial process by broadening the range of non-custodial sentences.

The 1985 Criminal Justice Act also introduced community representation on parole boards and highlighted the need to better understand the cultural background of offenders, particularly Maori offenders.

The '90s brought about more change as the Department of Corrections was split from the Ministry of Justice.

CPS Southern Regional Manager Warwick Duell says Probation Officers became increasingly focused on assessing and managing offenders' risk as the awareness of public safety grew.

"This was probably the most significant change since 1954. It wasn't what we did that changed, but how we did it."

In the early days, probation reports focused on an offender's complete life history. This later gave way to shorter reports focusing mainly on an offender's immediate circumstances. Supervision changed too.

Probation Officers adopted a task-centred approach and focused directly on the offender's problematic behaviour.

The introduction of technology in the '90s made Home Detention possible, and the department's computer system for managing offender information (IOMS) means Probation Officers can give judges access to up-to-date

information about offenders in court.

Psychological Service Special Projects Manager David Wales says another key influence has been the global rise of evidence-based practice, and the gradual accumulation of knowledge about what practice works, with whom, in what circumstances, and why.

The result has been a systematic and scientific approach to assessing offenders' likelihood of re-offending, understanding their specific needs, identifying appropriate interventions, and monitoring successful interventions to ensure they are effective in reducing re-offending.

A recent study using cases released by the New Zealand Parole Board showed that by applying modern risk assessment procedures, it was possible to correctly identify 75 percent of those individuals who would commit serious offences in the future.

David says ROC*RoI a New Zealand-made risk assessment tool, helps Probation Officers work out the probability, on a scale of 0 - 1, an offender will re-offend within the next five years.

Successful interventions tend to be group-based, intensive, offence-focused, underpinned by cognitive behaviour theory, and aim to prevent relapse.

One example of an intervention developed, run and evaluated according to the standards of evidence-based practice is the Driving Offender Treatment (DOT) programme for repeat driving offenders, later developed into a programme called Making Our Drivers Safe (MODS).

Evaluation results showed offenders who took part in the treatment programme had a reconviction rate of 28 percent compared with 73 percent for offenders who didn't take part.

Following the success of the DOT programme, the Department has developed, run, and evaluated similar interventions with good results.

Legislation about to be passed spells a major review of Corrections Law. The Corrections Act 2004 will repeal the Penal Institutions Act of 1954 and certain sections of the Criminal Justice Act 1985.

Evaluating domestic violence treatment

For psychologists working in Probation and Offender Services, keeping up with the latest studies and research from around the world is key to keeping our programmes for offenders as effective as possible.

For example, below is an excerpt from recent work by JG Green and CE Robie (2004) **Does Batterers' Treatment Work? A Meta-Analytic Review of Domestic Violence Treatment** published in the Clinical Psychology Review

Spousal abuse is a widespread social problem. In the United States in 1996, 840,000 women reported being assaulted by their partners. Over the last two decades, courts in North America and other countries have responded to this phenomenon by increasingly directing these offenders to attend counselling and programmes targeting domestic violence.

Despite the proliferation of such programmes, there was little evaluation of them until the mid-1990s. The results to date have been equivocal. In a recently published meta-analysis, Babcock and her colleagues¹ sought to shed light on this important question. Meta-analysis is a technique that aggregates the summaries of various evaluations, allowing statistical conclusions on the impact of different strategies.

The researchers identified 22 studies evaluating treatment outcomes that met basic criteria for inclusion in their review. These treatment studies were all group-based interventions, and were of either cognitive behavioural treatment or a feminist-oriented psycho-educational approach. The cognitive behavioural approach emphasises "unlearning" violent behaviour - in combination with social skills training and anger management techniques. The feminist-oriented psycho-educational approach challenges men's perceptions about power and control over women, focusing on a more egalitarian relationship.

Overall, the authors found that intervention had a positive, statistically significant, but modest impact on further violence. The size of this effect was roughly similar to the average reported in other studies of offender rehabilitation. Interestingly, outcomes for the cognitive behavioural and feminist psycho-educational approaches were approximately the same.

Although the overall effect found in this meta-analysis was modest, the authors noted that a small number of evaluations appeared to produce much better outcomes. In one of these, treatment emphasised client motivation and engagement. In the other, recognition, management, and the communication of emotions formed a significant element of the programme. These two studies suggest ways in which treating domestic violence offenders might be further improved.

¹ Babcock J.G., Green C.E., and Robie (2004), Does Batterers' Treatment Work? A Meta-Analytic Review of Domestic Violence Treatment Clinical Psychology Review, 23, pp 1023-1053.

Note:

In the 2002/03 year, CPS referred 1262 offenders to domestic violence programmes. In the 2003/04 year-to-date the figure is 705.

CPS enhances offender referral process

There's nothing like a sharp tool to make a job easier.

One of the newest tools at the Community Probation Service is a flow chart setting out the referral process staff use to match offenders with appropriate rehabilitation programmes.

One of the key objectives for CPS is to identify and maintain ways to help reduce re-offending in our society so it's vital that the match is the right one.

Using the Referring Offenders to Programmes flowchart and the rigorous process behind it, CPS staff can make confident decisions about who to send to what programme.

Quality enhancement tool

The process is based on the internationally recognised "What Works" principles of risk, needs and responsivity. CPS further developed the "What Works" approach using a range of relevant national and international research, practice and theory, and linking the "What Works" principles to the referral process.

The flowchart clearly shows how to apply the principles when referring an offender to a specific programme.

Department of Corrections Psychologist and Manager Special Projects David Wales says tapping into the range of evidence about what works means New Zealand

doesn't have to reinvent the wheel or make the mistakes already made overseas.

"Immediately the quality of our work is enhanced and the job of recommending the right offenders to the right programmes is made easier," he says.

Christchurch Service Manager and former programme facilitator Robin Rutter-Baumann says he is very pleased with the tool, which combines three complicated manuals into one succinct flow-chart

Rehabilitation not reparation

Robin believes programmes create a unique opportunity to look at the factors that underpin offending. Group programmes, in particular, can help offenders realise that they are not alone, and that their problems are often not unique, he says.

Judges are also aware of the importance of rehabilitation programmes says Robin. "They are very supportive of CPS' efforts to facilitate programmes that help people down that path. The whole justice system is predicated on the belief that people can change."

Referring Offenders to Programmes also ensures that the principles of effective referral are applied consistently nationwide.

Integration project a boost for family violence prevention

The Department of Corrections is one of five government agencies joining forces to improve links with family violence prevention services.

Until now, service providers have had to deal separately with each of the main funders – Department of Corrections, Department of Internal Affairs, Ministry of Justice, Department of Child, Youth and Family, and the Accident Compensation Corporation.

Now, instead of duplicating processes such as approval, monitoring and audit processes, The Family Violence Funding Circuit Breaker creates a one-stop shop for providers in 14 regions nationwide.

A series of training workshops has begun and some teams already have held their first meetings. Rotorua CPS Service manager Raema Mackay, who chairs the Bay of Plenty regional team, says she's optimistic about

efforts to simplify the funding process for community providers. "The only way it's going to be done is through this type of initiative."

CPS Service Analyst Kim Webster, who has been involved in development of the national implementation plan, says the collaboration doesn't mean that agencies will be pooling funding or have the mandate to decide on allocation, but it will allow for better information sharing around provider and community needs.

The new funding teams will work with other funders to establish the total amount of funding for family violence prevention in their region, share the information with service providers, and discuss regional needs and priorities.

By working closely together the funders and providers can maximise the funding pool and invest in provider sustainability and capacity.