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# REPORTS OF THE COURSE

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## GROUP 1

### RISK/NEEDS ASSESSMENT OF OFFENDERS

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## I. INTRODUCTION

It has become increasingly important for correctional services to assess offenders' risk and needs in order to identify effectively their needs and to conduct the correctional programmes appropriately. Risk/needs assessments have proved to be effective and provide better treatment of offenders with the use of scientific tools for maximizing efficient use of resources and contributing to safer corrections and communities.

This report summarizes discussions by the participants about risk/needs assessment tools in terms of their definition, importance, use, effectiveness and limitations. Our deliberations were based mainly on the lectures delivered by Japanese lecturers, international visiting experts, study visits and individual presentations.

## II. SUMMARY OF THE DISCUSSIONS

### A. Evidence-Based Treatment of Offenders

The evidence-based treatment is a form of treatment based on empirical evidence — research, data, results from controlled studies, etc. For example, to provide medical treatment for a patient, a doctor has to conduct an empirical assessment based on data collection, measurement of body temperature, blood pressure, weight and based on an interview of the patient about his or her illness. The assessment and treatment must be proved to be scientific and effective for curing the patient. The doctor would also monitor and evaluate the treatment provided to the patient so as to know if modifications of the treatment are needed. Therefore, the evidence-based treatment of offenders is more or less similar to the treatment of patients.

Evidence-based practice is a scientific process which involves several steps. It relies on the use of validated tools and the implementation of those rules by staff. Roughly speaking, there are five steps to evidence-based decision-making: (1) assessment, (2) relevant research, (3) available programming, (4) evaluation, (5) professionalism and knowledge of the staff.

### B. Importance of Evidence-Based Treatment of Offenders

The evidence-based treatment of offenders is important because it has been proved to be effective in reducing reoffending. For Correctional Management, it allows more reliable, objective, transparent and validated ways to analyse the risks/needs of offenders and to find suitable programmes based on specific needs. It allows also the use of evidence-based practices, which give clear pictures of the management

and treatment of offenders. On top of that, it makes the tasks assigned to correctional staff clearer for the achievement of the same goal. On the other hand, a scientific risk/needs assessment can improve the quality of rehabilitation programmes more efficiently and effectively. Lastly, the evidence-based treatment allows the public to better understand the importance of an offender's rehabilitation.

### **C. Definition of Risks/Needs**

An offender's overall risk of reoffending can be conceptualized as consisting of two factors: risks and needs. Static risk factors (risks) are those that cannot be changed. On the other hand, dynamic risk factors (needs) refer to a set of personal/interpersonal factors and behaviours associated with offending that can be intervened and changed. The dynamic risk factors are referred to as criminogenic need factors, which help Correctional Management to predict the probability of reoffending.

The risk/needs assessment tools refer mainly to Social Learning Theory and the Risk-Needs-Responsivity (RNR) principles. Such theory and principles are supported by empirical evidence and have been proved by researchers that they can, to some extent, explain, predict, and help reduce criminal conduct.

Participants of the group workshop agreed on the elements of risks and needs learned in this training programme except for the issue of whether or not the seriousness of the offence should be considered in the risk/needs assessment. Some participants stated that the seriousness of offence should not be considered. Others were of the opinion that the seriousness of the offence should be considered at an earlier stage for better understanding of offenders, but at a later stage of the treatment, the seriousness of the offence may not necessarily be emphasized.

In this regard, participants summed up what was learned from the international visiting experts and reference materials as follows:

#### **1. Risk Principle**

The risk principle states that the level of treatment service should match the offender's overall risk level. Providing low-risk offenders with highly intensive treatment may actually increase recidivism, while providing high-risk offenders with low-intensive treatment may have the same effect. Highly intensive treatment should be provided to high-risk offenders.

#### **2. Need Principle**

The need principle states that treatment should target criminogenic needs factors that are dynamic (can be changed) and are highly correlated with criminal conduct.

#### **3. Static Risk (Risk)**

A major static risk factor is a history of antisocial behaviour. In the correctional service of Canada, an overall rating of static risk is the compilation of professional judgements derived from the results of the criminal history record, offence severity record, and sex offence history checklist. In addition, a review of detention criteria for the current offence(s) reflects the nature of the offence(s), and the degree of harm to victim(s) is taken into account. Then, the SIR-R1 (Statistical Information on Recidivism scale-Revised 1), a statistically derived tool for predicting recidivism, is completed. Additional information might be obtained from specialized assessments (e.g. phallometric measurement for sex offenders) and input from case conferences.

#### **4. Dynamic Risk (Needs)**

A major set of criminogenic needs factors are identified as follows: (1) antisocial/pro-criminal attitudes, values, beliefs and cognitive emotional states, (2) pro-criminal associates and isolation from anti-criminal others, (3) temperamental and antisocial personality patterns conducive to criminal activity, (4) familial factors that include criminality and a variety of psychological problems in the family of origin, (5) low levels of personal, educational, vocational, or financial achievement, (6) low levels of involvement in pro-social leisure activities, (7) substance abuse.

In the correctional service of Canada, an overall rating of dynamic factors consists of the compilation of

professional judgements derived from the results of an initial assessment (medical, mental health, suicide risk) and the observations or impressions (i.e. degree or severity of need) on each of the seven need areas.

#### **D. Importance of Risk/Needs Assessment**

The risk/needs assessment assists Correctional Management to find out dynamic factors leading to reoffending that can be targeted and intervened in terms of programming. It also allows appropriate classification, accommodation, and adequate intensity of supervision to avoid undesirable social learning. In addition, the risk/needs assessment assists Correctional Management to differentiate between high-risk and low-risk offenders and, accordingly, provides suitable intensity of treatment to different offenders and predicts recidivism.

In order to have effective treatment, it is also important to consider the responsivity of offenders. The RNR model (Risk-Needs-Responsivity of offenders) takes into account the responsivity of offenders and helps Correctional Management to utilize the resources more efficiently and effectively for rehabilitation purposes. On the other hand, risk/needs assessment is a good tool to reduce crime, which benefits the public and allows the correctional staff to rehabilitate offenders individually based on the risk/needs assessment.

#### **E. Implementation of Risk/Needs Assessment**

Psychologists and other experts would design a tool to analyse the above factors of the offenders. Other than the information of the offenders from a variety of sources (police, court, probation, family, employer, etc.), psychologists and correctional staff (i.e. case workers) would have an evidence-based scientific tool to assess risks and needs of offenders through interviews. Generally each factor would be assigned a weighted mark and the marks would be added together as a final score which is used for showing the levels of risk/needs of the offenders. Therefore, appropriate programmes would be provided to the offenders according to the final assessment. In order to use the resources more efficiently and effectively, Correctional Management would provide offenders with a dosage of treatment according to their risk levels.

#### **F. Effectiveness and Efficiency of Risk/Needs Assessment Tools**

We discussed that the effectiveness and efficiency of assessment tools depends on many factors. For example, the staff's understanding of the assessment tools, the planning and organization of the assessment, and the use of resources for improving the assessment tools — all are factors that would also affect effectiveness and efficiency. Admittedly, it would take a long time to prove the effectiveness and efficiency of assessment tools because the backgrounds and situations in different countries are different, which means the selection and weighing of the risk/needs are necessary to be continuously verified and modified through scientific research.

#### **G. The Current Situation of Offenders' Risk/Needs Assessment in Each Participant's Country**

##### **1. Japan**

In the Japanese correctional system, there are no comprehensive risk/needs assessment tools for juvenile delinquents and adult offenders other than that for adult sex offenders. Risk/needs assessment tools for juvenile delinquents and adult offenders of other types of crime are now under development. In Japanese community-based treatment, there are general risk/needs-assessment schemes. For adult sex offender assessment, some methods used in Canada and the US were adopted in Japan. After identifying static factors and dynamic factors, a matrix, or graded system, is used for showing what intensity of rehabilitation programme or supervision should be provided to offenders.

##### **2. Jordan**

In Jordan, a risk assessment scale used in Austria has been revised by the experts of Jordan and adapted for application. Each of 16 items is given a score of 1 or 2 based on how it applies to the subject being tested. Inmates, based upon to their scores, will be classified as low-, medium- or high-risk inmates. The risk assessment for the offenders in Jordan is still going on. So far, this assessment is mainly used for classification purposes, and the programme is awaiting finalization.

##### **3. Morocco**

In Morocco, risk/needs assessment is not yet performed through validated tools and objective scoring forms. Rather, it relies on the findings of interviews, inquiries, case-file analysis and professional evaluation.

Many static and dynamic factors are taken into consideration in this regard, but not in a scientifically proper way, like gender, age, severity of offense, sentence length, time left to serve, institutional disciplinary action, education/employment, marital/family status, physical and mental conditions, personal characteristics, etc. Therefore it seems that there is still a long way ahead to apply validated assessment instruments.

#### 4. Democratic Republic of the Congo

In the Democratic Republic of the Congo, empirical methods are used in the absence of the scientific tools of assessment. But conduct, antecedents, seriousness of offence, correctional officer opinion, etc. are considered by a Board for certain assessments. It is believed that some improvements will be made in the future.

#### 5. Kenya

In Kenya the evidence-based scientific model is functional in community-based rehabilitation. Both static and dynamic factors are used in the risk/needs assessment scheme. Offenders are classified into high-, medium- and low-risk. The SWOT model (strengths, weaknesses, opportunities and threats) is used to select treatment therapy. In an interview, the needs and risks are identified. Then a programme of rehabilitation is prepared. Other information for the offender is gathered from the relatives, neighbours and significant others.

In correctional facilities, the risk-needs-assessment scheme is still non-functional and reliance is only based on static factors, unlike community-based treatment where both static and dynamic factors are considered. In the correctional sector, static factors include the criminal history of the offender, the record of previous convictions and the severity of the offence. Reliance is placed upon the police to access the records of previous convictions. Assessments are also conducted through interviewing, consideration of behaviour and consideration of social factors. Static factors are necessary to enable classification purposes in order to provide adequate security/custody, facilitate training and to avoid commingling of petty offenders with hardcore criminals.

#### 6. Vanuatu

In Vanuatu, risk/needs assessment tools are available. Both static and dynamic risk factors are used. The risk/needs assessment tool was adopted from the New Zealand Correctional Services and then modified according to the Vanuatu context. Risk/needs assessment is utilized for classification purposes, sentencing plans and sentence management in both custodial and community-based sentencing.

#### 7. Colombia

In Colombia, the development of risk/needs assessment tools has just been implemented in corrections. Dynamic factors and static factors are used in the assessment tool which was adopted from the United States. Verification of the factors of this tool is ongoing.

In Colombia, the main problem is overcrowding in prisons. This has been evident since policies stiffened criminal laws and sanctions without regard to the prison infrastructure and economic resources available for the treatment of offenders.

The director of prisons in Colombia, along with his staff, planned the following strategy: an agreement was generated with different universities to allow psychology students and a team of professionals to develop a real prison resocialization programme for offenders. The team would submit monthly reports assessing the progress of the programme and what changes would be needed for a programme lasting two years. The final report, which has not been submitted yet, will allow the development of appropriate programmes and adequate classification of offenders.

#### 8. Thailand

In Thailand, the community-based treatment using risk/needs assessment commenced in 2006. Dynamic (need) factors and static (risk) factors are derived from the research conducted in 1998 and are used for the assessment. After getting risk factors and need factors, the level of risk is used for determining the intensity of supervision. Need factors are used for providing an appropriate programme for solving problems of offenders. A risk/needs assessment handbook is provided to probation officers and parole officers for their

work. The biggest problems in Thailand are the insufficient budget for training staff to use the assessment tool and the high turnover of staff working on assessment duty.

#### 9. Palau

In Palau, the inmate population does not exceed 100 inmates; therefore, its system is very simple. Regarding evidence-based practices, Palau has no assessment tool. A convicted offender is interviewed by the correctional staff based on the offender's criminal behaviour and personal behaviour, which is followed up by a physical and mental examination at the main hospital. All the assessments, including the offender's files from the court proceedings and police reports (offence history), are reviewed by the chief of the division, clinical psychiatrist, social workers and rehabilitation officers. They decide which treatments are necessary for offenders.

During the interview, criminal behaviour covers mainly the offender's pattern of behaviour and issues relevant to the offence. Personal behaviour addresses mainly the offender's attitude, way of thinking and the factors leading to the offence.

#### 10. Hong Kong

In 2002, the Correctional Services Department (CSD) commissioned a consultancy with the assistance of the Correctional Service of Canada (CSC) and the Chinese University of Hong Kong (CUHK) to empirically develop and refine an integrated risk/needs-evaluation protocol for the management and rehabilitation of the offender in the local context. This involved the study of past data of reconvicted offenders discharged from CSD custody and the construction and field testing of new classification tools designed to systematically assess the reoffending risk and criminogenic needs of the local offenders.

In 2005, prediction tables for assessing the reoffending risk of various types of offenders were refined, and a systematic protocol for assessing the rehabilitative needs of offenders was developed. Simultaneous with the consultancy, the Rehabilitation Programme Management System (RPMS) was developed, and the assessment of risks and needs was successfully automated. Through such development, CSD should be able to: (1) prioritize resources to the most-needed offenders, i.e. those of relatively higher risk and greater needs; and (2) customize rehabilitative programmes for offenders with different needs profiles.

Automated assessment of risks and needs has been conducted since October 2006 for all inmates newly admitted to the Detention Centre (DC), Drug Addiction Treatment Centres (DATC), Rehabilitation Centres (RC) and Training Centres (TC), and all local juvenile and adult prisoners with sentences of 2 years or above. Starting from January 2009, it was extended to include the local adult prisoners with sentences of 18 months or above. Since January 2010, juvenile prisoners sentenced to 3 months or more and prisoners sentenced to 12 months or more are included in the service target.

In sum, group members agreed that the evidence-based method is a good tool to measure the risks and needs of offenders in a more objective manner. Assessment of selected groups of offenders can be a good start for the countries without comprehensive assessment tools.

### **H. Limitations and Possible Solutions**

#### 1. Limitations on Assessment Tools

Some members think that the existing assessment tools cannot be fully adapted in their countries due to differences in terms of major crimes, cultural backgrounds, religion and societal factors, etc. However, some risk/needs elements of the American or Canadian assessment tools can be chosen as references when designing the assessment tools for other countries.

The methods of data collection and accuracy of data for assessment can be considered as limitations because offenders may not answer frankly, which would affect the result of the assessment. Therefore, the quality of assessment results relies on the professional knowledge, experience and judgement of the case officers.

The members understand that a better assessment tool for the countries can help Correctional Management to assess and analyse risks and needs of offenders more objectively and to create analytical records. In order to improve the assessment tool, it takes time to research the tools, and more professionals, such as psychologists,

should be recruited for conducting research.

## 2. Limitations of Assessment-Tool Implementation

Due to the differences between countries in terms of public support, financial support, legislation, staff knowledge on assessment, etc., it is necessary to assess and evaluate the situations of countries before starting the implementation of risk/needs assessment tools.

In order to adequately implement the risk/needs assessment, it is necessary to involve specialists, professionals and correctional staff. Therefore, the understanding of assessment tools by the parties involved is very important. However, due to lack of resources, and inadequate staff training, the use of assessment tools is still limited in many countries. In addition, some correctional staff are quite reluctant to accept the modification and improvement of the assessment tools. Thus, in order to implement the assessment tool, it is important to encourage correctional staff to cooperate. Correctional Management should also encourage and welcome researchers to continuously conduct research on the effectiveness of risk/needs assessment tools.

The members think that improving the risk/needs assessment tools involves significant workload and time for qualitative and quantitative research, which consumes the resources and money of the respective governments. In some countries, it is not easy to obtain public support for allocating more funding to improve the risk/needs assessment. Therefore, the implementation of risk/needs assessment should be conducted gradually according to the situations of the respective countries.

The collection of data for assessment purposes involves the staff in different departments. However, there is not a comprehensive system for the staff in such departments to share the information about offenders. Therefore, it takes time to build up a system for such purposes.

## 3. Practical Considerations

Before implementing a tool, it is very necessary to hold meetings, seminars, and conferences so as to introduce the issue, display it for familiarization purposes and explain its importance and usefulness to achieve both safer corrections and safer communities.

The use of risk/needs assessment tools may require corrections staffs to perform more work and extra duties, which may make many of them reluctant to cooperate. On top of that, younger generations of staff may be motivated to make use of such new scientific tools, whereas older generations may resist this change and stick to their traditional system of work.

The assessment of the current situation and development of risk/needs assessment tools should be a task of specialists and psychologists, not just Correctional Managers or Senior Officials. It may even require assistance from foreign experts or university researchers to ensure a proper and adequate implementation of such evidence-based practices. After the fulfillment of the assessment of the current situation and the trial of the tool in a pilot facility, some laws and regulations may require amendments and reconsideration to prepare a legal framework for further application of the final version of the tool.

Overcrowding may be a big problem and a real barrier to the implementation of risk/needs assessment tools because the application of the outcome of the assessment may not be possible in terms of classification, accommodation and programming due to different inadequacies.

## 4. Difficulties to be overcome

### *(i) Resistance*

- a. From supervisors: we can explain the benefits of using such methods on correctional facilities to supervisors and gain their support for the idea.
- b. From staff: seminars, meetings and training sessions are necessary in this regard to communicate the relevance and efficiencies of such evidence-based practices to gain their cooperation.
- c. From inmates: we can explain to inmates that the main target of these new methods is to ensure that evidence-based treatment is meant to provide them with suitable programmes which will reflect positively on their futures.

- d. From the community: we can explain to the community, through media or partners from the local community or inmates, families, the benefits of these programmes to the welfare and security of society.

*(ii) Overcrowding*

Overcrowding in correctional institutions may be reduced by minimizing the number of remands (inmates awaiting trial) by adapting the necessary amendments to the law to minimize the cases in which the court can hold remands in custody and to reduce the time for the trial procedures.

*(iii) Shortage of financial support*

We can show the respective authorities the positive effect of adopting evidence-based practices in reducing the total cost to correctional facilities in the long term in comparison with the costs of increasing of criminal activities.

*(iv) Amendment of legislation*

Amendment of legislation: (if necessary) we can explain the positive impact that adopting such correctional methods will have on the government's reputation inside and outside of the country, especially among the international community and human rights agencies.

### III. RECOMMENDATIONS AND CONCLUSION

#### A. Recommendations

Having concluded discussions, the group members made a number of recommendations as follows:

1. Evidence-based treatment of offenders is an imperative issue that is preferable to be adapted in the participants' respective countries which still rely on professional experience and subjective evaluation.
2. Participants are urged to make considerable efforts to contribute to the development and implementation of risk/needs assessment tools in their countries.
3. Many of the participants' countries are urged to review and amend their laws in accordance with the implementation of risk/needs assessment tools.
4. Participants' countries are urged to establish bilateral, regional and international partnerships to enhance evidence-based practice and exchange experiences to get updated information.
5. Most of the participants' countries are also urged to hire qualified and sufficient numbers of staff members to allow adequate implementation of risk/needs assessment tools.
6. Most of the participants' countries are recommended to reconsider the correctional infrastructure which has a direct impact on the application of the output of risk/needs assessment in terms classification, accommodation, and programming.
7. All participants from both group workshops are requested to find a way for the continuous exchange of experiences and updated information.
8. Participants' countries should make it possible for correctional services to equip themselves with information about offenders so as to allow appropriate and effective implementation of evidence-based practices.

#### B. Conclusion

In conclusion, Group 1 discussed the theme of risk/needs assessment of offenders in terms of the group's definition of evidence-based practices, its importance, its effectiveness and its limitations, in addition to the current situations of offenders risk/needs assessment in the participants' countries.

Experience in each country shows that risk/needs assessment tools and evidence-based treatment of offenders is a new concept; however, it is quite clear from this course that risk/needs assessment is important to better decision-making and offender management.

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In Group 1, some countries have not yet developed risk/needs assessment tools; others still do not have such tools. Therefore, all participants confirm that they will endeavor to introduce or enhance the implementation of risk/needs assessment tools in their countries.

Finally, local and international visiting lecturers highlighted the effectiveness and importance of risk/needs assessment as evidence-based treatment to reduce reoffending and improve correctional management in a systematic and scientific way.