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***The Assessment and Management of Risk in Corrections and
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Managing Risk in the Correctional Service of Canada

Presented By:
Brian Tkachuk,
Director, Corrections Program



**The International Centre for Criminal Law Reform
and Criminal Justice Policy
1822 East Mall, Legal Annex II
Vancouver BC,
Canada
V6T 1Z1**

The Assessment and Management of Risk in Corrections and Conditional Release Managing Risk in the Correctional Service of Canada

Federal Corrections in Canada

In Canada responsibility for Corrections and Conditional Release is divided between provincial and federal governments. The Correctional Service of Canada is a federal organization and is responsible for the custody and parole supervision of all offenders sentenced to penitentiary for two years or more. All other offenders are subject to provincial jurisdiction in the province in which they are sentenced. Decisions regarding the release of federal offenders are made by a separate agency, the National Parole Board. The Correctional Service of Canada and the National Parole Board together comprise Canada's federal corrections system.

Legislative Determination of Risk

For many years risk assessment in corrections has been case specific. The factors considered important in assessing risk would vary from case to case depending upon the offence, the offender and to varying degrees the bias, competence and knowledge of the caseworkers and decision-makers involved with the case. More recently discretion in risk assessment has been circumscribed in both policy and legislation to better reflect a public desire to more carefully control the release of offenders and to also embed principles of risk management into correctional practises. For the Correctional Service of Canada our approach to managing risk is very much guided by legislation. The Corrections and Conditional Release Act (CCRA) sets out a clear purpose for federal corrections with the *protection of society* being the paramount consideration.

One of the features of the CCRA, when implemented in 1992, is that it enabled a decidedly more prescriptive and categorical approach to the management of risk. The legislation clearly differentiates between violent and non-violent offenders and sets out distinct processes and risk considerations for the management of these two groups. For instance, non-violent offenders who are sentenced to penitentiary for the first time are directed for release on full parole at their earliest eligibility *unless* the case can be made that they are likely to commit a violent offence while on parole. On the other hand the legislation contains provisions to detain violent offenders beyond their statutory release date (and up until expiry of sentence) if it is deemed that they are likely to commit an offence causing death or serious harm. There are other provisions in both policy and legislation which subject violent offenders to a more vigorous decision-making process.

Sentencing and Correctional Practise

From a correctional point of view there has always been a very definite distinction between the role of court, in imposing a sentence; and the role of a correctional system, in the administration of a sentence. Courts, in the main, respond to the offence - the sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender. The correctional system, in the main, responds to the risk posed by the offender.

Of course, the more recent move to incorporate into legislation a categorical, or offence based, response to risk has probably served to establish greater convergence in the roles of the court and the correctional system. Violent offenders, presumably dealt with in a severe fashion by the court, then have their sentences managed with considerable limitations on release discretion; while property offenders who may be sentenced less harshly have fewer barriers to release following sentence. For the most part the two systems operate in reasonable harmony with each other to the point that there is a likely amplification of the intent of the sentence upon its' administration by the correctional system. In recognizing this harmony, however, there is a need to be mindful of at least one underlying paradox. That is the fact that property offenders typically have a high base rate for recidivism while violent behavior typically has a very low base rate with prediction being much less reliable and with the distinct propensity, on the part of all professionals, to over predict the likelihood of future violence.

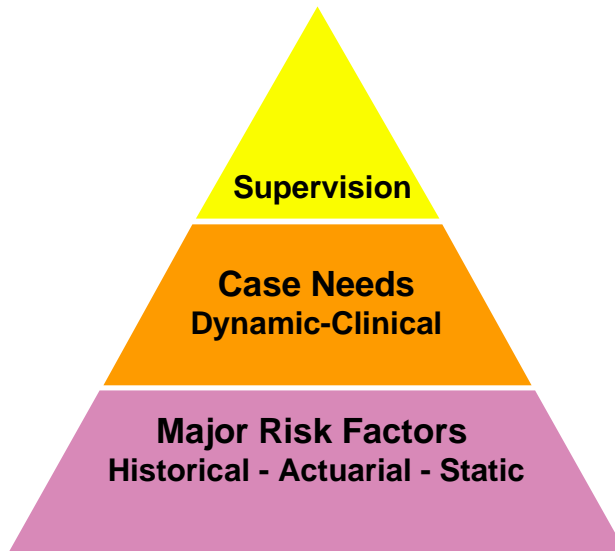
A Systematic Approach to Risk Assessment and Management

Beyond the limits and principles established in legislation which guide CSC's approach to risk assessment and management the federal correctional system still has much latitude to manage offenders in accord with the risk posed by the individual offender. To meet our overarching mandate for the protection of society we must constantly focus on and improve our ability to assess and manage risk. This very much requires a systematic approach so that the issue is tackled in all of its' facets. Of the many facets which ought to be considered some of the more important are:

- sustaining an organizational focus on the importance of risk so that our sensitivity to risk - and to the protection of society - is an ingrained part of our culture
- developing information gathering and reporting processes which contribute to quality in decision-making
- acquiring and employing empirical knowledge about criminal behaviour so that our determinations are understandable, and defensible
- implementing necessary organizational controls

As a correctional organization CSC has been a leader on the national and international scene with respect to research on identifying those factors which best predict future criminal behaviour; developing effective interventions to help offenders to reduce their risks of future criminal behaviour; and in developing information gathering and reporting systems for managing offenders.

Managing people and predicting future human behaviour is an extraordinarily complicated undertaking. Nevertheless, the approach for both CSC and for NPB is to work from as simple a model as possible.



A 3 Stages Model for Risk Assessment

Release decision-making has three major stages: the initial risk assessment which is based upon historical or actuarial risk factors; offender progress as measured against dynamic case need factors; and the assessment of a release plan which has been developed to manage risk.

A complete assessment of risk must integrate all three elements. There is, however, no absolute or numerical method for combining the various factors for a final result.

The triangular construction of this model does serve to graphically represent the relative importance of the three stages. The assessment of risk is strongly rooted in the actual history of the offender. The more criminal an offender has been in the past, the more likely he/she is to continue with criminal behaviour in the future. This obviously is no secret, nor should science be required to prove such a common sense notion that past behaviour is the best predictor of future behaviour. However, it is important for offenders and for correctional personnel to never lose sight of this. In all cases, discretion must be structured by using an actuarial assessment of risk to anchor clinical judgment. Professional judgment is valuable as a means of improving predictive accuracy once a systematic and structured assessment of risk has been completed.

Application of the Risk Assessment Model

The basic three stage model of risk assessment has been incorporated into the overall case management practises of the CSC. This approach is reflected in our initial assessment of offenders; ongoing correctional planning and intervention- and eventual release into the community.

Intake Assessment

Upon commencement of sentence, all offenders are received at *Reception and Assessment Centres* which are located in each region. During the 8 week reception process, offenders are oriented to the federal correctional system and are comprehensively assessed by multi-disciplinary teams of case managers, correctional officers, psychologists, educators and medical staff. Assessment has two core components:

1. Criminal Risk Assessment
2. Case Needs Assessment

The assessment of *criminal risk* for every federal offender is based on the following:

Criminal history record: A quantitative assessment of the extent and density of the offender's criminal history, including youth history.

Offence severity based upon both past and current offences. Offence severity is determined by type of offence, length of sentence, number and types of victims, degree of force and degree of physical and psychological harm caused to the victims.

A **sex offence history** is compiled for each offender based on past and current offences.

An **actuarial assessment of risk** based upon a multi-factor weighted instrument known as the General Statistical Instrument on Recidivism.

A **criminal profile report** providing a narrative account of the current offence, criminal history and analysis of factors contributing to criminal behaviour.

Most of the information gathered as part of the criminal risk assessment is historical or static. However, the risk picture is not complete without an assessment of the dynamic components of risk which are captured in the case needs assessment.

Case needs are assessed in terms of seven established target domains. These domain areas are 1) predictive of future criminal activity and 2) are also dynamic variables in that change is possible so that risk might ultimately be impacted through effective program intervention.

1. employment,
2. marital/family,
3. associates/social interaction,
4. substance abuse,
5. community functioning,
6. personal/emotional orientation; and
7. attitude.

The Assessment Summary provides:

- a bottom-line or overall risk/needs level ranging from low-risk, low-need to high-risk, high-need;
- a statement on each of the seven need areas ranging from factor seen as an asset to community adjustment to considerable need for improvement;
- a prioritization of needs;
- an estimate of motivation;
- a supervision strategy; and
- a custody rating designation of either minimum, medium or maximum security.

Intervention

Intervention and supervision of the offender begins immediately following placement to a penitentiary from the assessment centre with the development of a **Correctional Plan**. This plan is focused upon addressing those needs which were identified during assessment within the overall context of the risk/need profile presented by the offender. For instance, the Correctional Plan for a sex offender would not simply indicate that sex offender programming is required. It would be important also to specify the type and intensity of programming required; and whether that programming would necessarily have to be provided in an institutional setting or whether it could be provided in the community. The plan should also outline a sequence of interventions such as whether educational upgrading should precede sexual offender treatment; and the need for relapse prevention programming prior to and following release into the community.

Within the context of a **Correctional Strategy** CSC has aligned program offerings to meet criminogenic needs. Programming provided by CSC includes:

- Living Skills Programming
 - ◆ Cognitive Skills Training
 - ◆ Living Without Violence
 - ◆ Anger/Emotion Management
 - ◆ Family/Parenting Skills
 - ◆ Leisure Education
 - ◆ Community Integration
- Substance Abuse Programming
- Sex Offender Treatment
- Literacy
- Family Violence
- Mental Health Programs
- Violent Offender Programs

Assessment

Assessments of risk and offender progress must be made at various junctures in a sentence such as when applying for transfer to reduced security or for some form of conditional release. Again, reference must always be made to the static or historical risk factors; progress is then assessed against the seven identified case need areas; and the release plan is assessed in relation to the manner in which case needs will be addressed upon release.

Once released into the community, ongoing assessment of risk and need serves as the basis for determining programming interventions and the intensity of supervision.

National Risk Assessment Training Initiative

All case managers and decision-makers within the federal correctional system, including CSC, National Parole Board and our private agency partners, have been provided with specific training on risk assessment. This training package includes both the theory and practical application of the risk assessment model.

Over 2000 staff in CSC were implicated in this training. Many recognized it as being the most relevant training they had received in their careers. In addition to providing staff with additional knowledge and skills in the area of risk assessment, the training served to sharpen the organizational emphasis on, and concern for, careful risk assessment and management.

The training package was comprised of seven modules:

1. Theories of Assessment and Criminality
2. Prediction and Classification
3. Prediction of Violence
4. Management and Treatment of the Mentally Disordered Offender
5. Management and Treatment of Sex Offenders
6. Impact of Incarceration and Effective Intervention
7. Managing Offenders on Conditional Release

Our Service's belief is that the majority of offenders can change and can be managed safely in the community upon release - but this can only occur if decision-making to determine what constitutes a safe release is premised upon empirically based risk assessment. It is within this context that the Service has improved, and continues to improve, risk assessment and risk management.

Training for all professional staff as well as correctional officers is ongoing, such that they can appreciate why we practise risk assessment and risk management - and how each staff member personally can, and must, contribute to this process.