CHAPTER FOUR

4. INTERNATIONAL RESEARCH ON OFFENDER ASSESSMENT: RISK ASSESSMENT

4.1 Introduction

Chapter four deals with another dimension of offender assessment namely risk assessment, and outlines the purpose and accuracy of risk prediction for criminal and reoffending behaviour. This chapter provides a critical outlay of the various risk criteria that are associated with general, sex and other violent offenders.

The ability to define what may happen in the future and to choose among alternatives lies at the heart of contemporary societies. Risk management guides professionals in a vast range of decision-making processes, from intervention strategies to control mechanisms (Bernstein 1998:2). Through all this, practitioners should be aware of the likelihood of malfunctions, errors and their far-reaching consequences. Bernstein (1998:5-6) states that the tools utilised in risk management stem from the developments that took place between 1654 and 1760. That is, the study of risk began during the Renaissance when mathematicians (namely de Méré, von Liebniz and de Moivre) argued the importance and accuracy of risk prediction (Bernstein 1998:3-6). In modern society, there is little consensus about the term *risk* and how it should be assessed (Kemshall 1998:168). Assessments literally determine interventions, and as such, are integral to subsequent risk management strategies. Inadequate assessments are likely to result in inadequate or misdirected risk management strategies (Kemshall 1998:173).

In corrections, the authority to detain a particular individual to protect society is premised on the idea that it is at least reasonably possible for the courts to make predictions regarding the possibility that if the person were released, he would act in ways that would endanger other individuals or the community in general (Petherick 2001e:1). There is therefore, a need for professionals to assess the level of dangerousness that a certain individual poses to society. In this regard, Seiter (2002:138) purports that risk assessment is a subcomponent of offender classification as it attempts to predict future offending behaviour. However, Hollin (2001:79) is of the opinion that it remains a challenge to professionals to integrate the separate worlds of research on prediction with the practice of assessment.

Offender risk prediction has its origin in Canada and research on offender risk scales has existed since the late 1920s (Bonta 2002b:1; Gendreau *et al* 2002:423; Kemshall 1998:11; Simourd 2004:306-309). The United States and the United Kingdom have since also developed empirical risk assessment scales for determining recidivism (Andrews & Bonta 1998:223; Bonta 2002a:1-2; 2002c:375-376). According to Andrews and Bonta (1998:211) and Kemshall (1998:1, 9, 11), risk is an everyday preoccupation that is an important and a focused concern for corrections and Parole Boards - both in terms of its influence on programme allocation and in promoting the safe release of offenders into the community (Bonta *et al* 1996:61; Motiuk & Porporino 1989:3). The results of risk assessment include community safety, prevention, intervention, ethics and justice. Predicting who will reoffend guides police officers, judges, prison officials and Parole Boards in their decision-making (Andrews & Bonta 1998:211).

Social scientists are also interested in analysing, evaluating, examining, identifying, assessing and predicting behaviour. The field of criminology has become increasingly concerned with risk predictors for recidivism (Hollin 2001:8-9, 125; Kemshall 1998:11-12). In support of this, Dell and Boe (2000:2) hold that a large body of well-established research findings in criminology is devoted to the prediction of criminal behaviour.

During the past twenty years, there has been considerable research in the development of objective offender risk assessment instruments (Bonta 2002a:1; Kemshall 1998:2; Simourd 2004:306-323). These instruments measure the risk of an offender committing a new crime based on social and personal-demographic information. The ability to reliably differentiate higher risk offenders from lower risk offenders is of the utmost importance for intervention, programming and offender management (Bonta 2002a:1). This means that the results from offender risk assessments have profound effects on the freedom of the offender, the safety and security of staff, and the community at large (Bonta 2002:374; Howitt 2002:359; Mann *et al* 2002:3).

Professionals concerned with risk assessment rely on various measures (scales and indicators of risk) to understand criminal behaviour, and as a means of determining an offender's subsequent disposition (Champion 1994:72, 73; Howitt 2002:359-362). Assessment is an essential function for those who work with offenders in order to predict the relative likelihood of reoffending, the dangerousness of those being

assessed, and to ultimately reduce offending behaviour (Ferguson 2002:475; Hollin 2001:123; Toch 2002:121). This type of assessment is primarily based on events that follow predictor variables and is also a subcomponent of offender assessment (Andrews & Bonta 1998:81).

Risk includes both the danger posed by a person and the person's vulnerability to victimisation. The assessment of risk begins when an offender is transferred to a custodial facility (Gendreau *et al* 1996:5). Identifying the risk of serious harm and dangerousness requires a holistic approach. The assessment must explore the offender's present situation and behaviour, as well as his criminal convictions. It is also important to remember that risks may change over time and must be kept under review (Howitt 2002:358; Mann *et al* 2002:128). Thus, risk assessment is the cornerstone of good correctional practice - it is the engine of case planning, decision-making and rehabilitation measurement (Du Preez 2003:263; Simourd 2002:351).

The various issues raised by predication are relevant to the concerns of citizens (in terms of safety and security), the social and economic costs to society, crime victims, offenders and criminal justice professionals (Andrews & Bonta 1998:212). Appropriate decisions concerning whom to place into treatment are made by using information on offender risk (Bonta 2001:26). Through effective risk assessment, correctional systems can manage large numbers of offenders in a safe and cost-efficient manner (Andrews & Bonta 1998:222).

In this chapter, the interest falls on the prediction task, namely can professionals - and how do practitioners - assess and predict the likelihood of future criminal behaviour? Even more important is determining the basis of that prediction information and the outcomes of those actions (Andrews & Bonta 1998:211).

4.2   Categories of risk classification

Research (Bonta 2001:24; Duguid 2000:204; Hollin 2001:124-126; Mann *et al* 2002:6; Serin, Mailloux & Hucker 2000:1-2, 17; Wrightsman & Fulero 2005:126-129) distinguishes between the following three basic categories of risk classifications:

❑ *Anamnestic prediction*: This is a prediction of offender behaviour according to *past circumstances*. The circumstances which led to past behaviour are currently similar and therefore, it is likely that the offender will behave in the same way now. For example, a pre-sentence investigation report may show

that an offender was alcohol and drug-dependent, unemployed, inclined toward violence (because of previous assault incidents) and poorly educated. Recidivists convicted of new crimes may exhibit present circumstances similar to those that prevailed when they were convicted of their earlier offence. Professionals can therefore, rely heavily upon the *situational* similarity of past and present circumstances to measure offender risk. However, if some offenders have made a significant effort between convictions to obtain additional education or training for better job performance, or if they are no longer alcohol or drug-dependent, other types of behavioural forecasts will have to be made. According to Champion (1994:47), this type of risk assessment is reliable since it is based on empirical literature and research findings.

❑ *Actuarial prediction.* This type of prediction is based upon the *characteristics* of a class / type of offender and is similar to that of offenders being considered for probation, parole or inmate classification. This prediction compares offenders according to similar offence patterns, characteristics and circumstances. The premise is that individuals who exhibit similar characteristics will behave in similar ways. Like anamnestic prediction, actuarial prediction is based on scientific literature and relevant research findings. They are based on standardised, objective risk prediction instruments (Gendreau *et al* 1996:7). Actuarial approaches to risk assessment have developed as a result of the limitations of clinical / professional methods.

❑ *Professional / clinical prediction.* This type of prediction is based upon the assessor's professional training and experience working directly with the offender. Professional prediction is based upon extensive examinations / interviews, and the belief that the offender will behave in a certain way. The skills of the assessor are prominent and each prediction is individualised. The clinical model or first generation risk assessment is diagnostic and relies on professional judgement and intuition. The most common form of professional assessment is where a practitioner interviews the offender, consults previous records, and then forms a judgement about the offender's risk by using their own knowledge and experience to weigh the information they have collected. All research evidence however, finds this method to be unreliable (Mann *et al* 2002:5).

It is well established that practitioners in criminal justice agencies can identify offenders who are most likely to reoffend if they choose from what has become a wide array of risk prediction instruments to guide them in their assessments (Bonta 2001:28; Bonta 2002b:1; Wormith & Olver 2002:447-448). However, Champion (1994:48) cautions that all types of risk assessments are fallible. Bonta (2001:25; 2002a:1) indicates that the most reliable method in risk assessment is a combination of professional judgement and experience, reliance on actuarial scales, theoretical explanations of criminal behaviour and empirical findings on recidivism.

4.3 The purpose of offender risk assessment

Prison administration is the business of managing a multitude of risks. Almost every decision (such as the provision of medical and mental health care services) an administrator makes is designed to reduce the risks associated with detaining a potentially volatile, high-risk population (Sabbatine 2003:66). This makes effective offender risk assessment accountable for public safety and for the operation of a humane correctional system (Bonta 2002a:1; Benda *et al* 2001:589; Howitt 2002:356-358).

Leschied (2001:79) states that "the assessor must make meaningful assumptions about the general *level of risk* to guide the *intensity* of intervention, and specific statements of *areas of risk* to provide *relevance in case planning and targeting* for appropriate treatment to take place." From this statement it is evident that offender risk assessment serves the following purposes:

- ❑ Determining the risk to reoffend;
- ❑ Assessing the risk posed by an offender (such as risk of self-harm, escape and vulnerability);
- ❑ Identifying the factors that contribute to offending behaviour;
- ❑ Understanding an offender's background characteristics to enhance theory and etiology;
- ❑ Identifying the particular conditions under which an offender is likely to behave violently, aggressively or criminally;
- ❑ Assisting in an offender's case planning;
- ❑ Safeguaring fellow inmates from risk and dangerousness;
- ❑ Understanding childhood risk factors to improve treatment planning and treatment responsiveness;
- ❑ Selecting appropriate targets for effective service delivery;
- ❑ Managing offenders in such a way as to decrease their criminal activity;

❑ Determining the probabilities that correctional clients will engage in either dangerous or maladjusted behaviours;

❑ Minimising negative events and encouraging positive ones;

❑ Assisting in the safe reintegration of offenders (Andrews & Bonta 1998:88; Bonta 2001:26; Bonta 2002a:1; Benda *et al* 2001:589; Howitt 2002:356, 370; Leschied 2001:79; Mann *et al* 2002:1; Motiuk 2001:189; Sabbatine 2003:66; Starzyk & Marshall 2003:93-94).

These probabilities can be applied for placement, classification, management, intervention, programme design, and security decision-making purposes (Dell & Boe 2000:4). This can be accomplished through a sound knowledge and an understanding of corrections, the contributing factors to criminal behaviour, and variables (such as substance abuse) that may contribute to criminal recidivism (Andrews & Bonta 1998:88; Bonta 2001:26).

4.4   The risk principle

Differentiating higher risk offenders from lower risk offenders is important for the police, courts, correctional workers and the general public (Andrews & Bonta 2002:48; Bonta 1999h:1; Bonta *et al* 2000:314; Toch 2002:119, 120). There are two aspects to the risk principle. The first is that criminal behaviour can be predicted, and the second aspect of the risk principle involves the idea of matching levels of treatment services to the risk level of the offender.

This principle is supported by research that found that low-risk individuals who have received intensive services had no change or increases in their level of recidivism, whereas high-risk individuals who received intensive services showed reductions in levels of recidivism. This is referred to as the "risk principle" of effective treatment (Andrews 2001:10; Andrews & Bonta 1998: 48, 244; Birgden 2002:181; Bonta 1997d:2; Bonta 2001:26; Bonta *et al* 2000:314; Ferguson 2002:473-474; Serin & Kennedy 1997:2; Simourd & Hoge 2000:258). In order to reduce recidivism, intensive levels of treatment should be directed at higher risk offenders (Kennedy 2001:30).

Managing risk in custodial settings is accomplished through the assessment of known risk and evaluated needs – it implies that the level of risk can be assessed to contribute to a more accurate classification of offenders (Benda *et al* 2001:589; Sabbatine 2003:67, 69). By preventing escapes public safety is protected, while

institutional safety is promoted by preventing assaults and the introduction of dangerous contra-band into the facility (Sabbatine 2003:66).

Risk factors for criminal conduct may be associated with biological, personal, interpersonal, structural, cultural, political and economic influences and/or circumstances of the offender (Andrews 2001:9). Individual factors most frequently cited in the literature associated with risk of reoffending include: Criminal history, gender, unemployment, drug and alcohol misuse, negative childhood and family experiences, breach of sentence and/or parole, mental illness and personality disorders (Mann *et al* 2002:19). It is usually a combination of these risk factors which best predicts the risk of serious harm and recidivism. For example, a combination of current alcohol abuse and personality disorder is predictive of the risk of violence, and a combination of deviant sexual arousal patterns, failure to complete treatment, and current lifestyle problems increase the likelihood of sexual offending (Mann *et al* 2002:19, 37).

4.5   Different types of risk

Practitioners should be aware of the different types of risk that may be encountered in custodial settings. These types of risk can be categorised as risk to (Mann *et al* 2002:128-129, 132-133, 137):

- ❑ *The public*: Risk of harm, either of a general nature, or directed to a specific group, for example, a minority ethnic group, women or the elderly.
- ❑ *Fellow-inmates*: Harm to other prisoners in custody (for instance the possibility of displaying violent and/or aggressive behaviour while incarcerated).
- ❑ *Known adults*: Harm to a particular individual, for example, a previous victim, a partner, or someone against whom the offender has a grudge. This relates not only to past and current potential violence, but also to acts of bullying, exploitation and intimidation.
- ❑ *Children*: Any kind of harm to children, including violent and sexual behaviour, emotional harm and neglect.
- ❑ *Staff*: Harm to those working with the individual, for example, probation or prison staff, police, other agencies, partnerships or public officials. It can include any incident in which an employee is abused, threatened or assaulted in circumstances arising out of the course of their employment. It includes violence committed against an employee outside the work situation, physical force, verbal abuse and threats, and any sexual or racial harassment.

- *Self*: Suicide - suicidal thoughts or feelings may be associated with depression, severe mood swings, isolation, hopelessness, previous contact with psychiatric / mental health services, first time in custody and threats of bullying and/or rape. Self-harm (the possibility that the offender will deliberately harm himself irrespective of method, intent or severity of the injury) - may include injuries ranging from a self-inflicted scratch or cigarette burn, to a potentially life-threatening act such as hanging. Common forms of self-injury include cubing, head banging, cigarette burns, swallowing objects and tying ligatures (Mann *et al* 2002:134).

- *Vulnerability*: The assessor should consider whether the offender is vulnerable to personal victimisation, bullying, assault, and exploitation. Factors which might determine an individual's vulnerability include: Age (either youth or advanced age), physical and emotional immaturity, nature of the offence, previous offending, seriousness of the offence, media attention / notoriety, ethnic origin, foreign national status, mental health, learning difficulties, physical disability, a history of drug abuse and gambling, personal hygiene, lack of social skills, poor coping skills, known witness, and the nature of previous employment, for example, a police officer (Mann *et al* 2002:134-135).

- *Concerns in relation to escape / abscond*: Key factors to be considered when assessing this risk include previous escape / abscond attempts, and parole and supervision failure. Concerns might cover age, maturity, previous history of escape, severity of charge, faced with further charges, domestic circumstances, witness interference, victim bullying, outstanding debts and peer pressure (Mann *et al* 2002:135-136).

- *Control issues*: Control issues may have been experienced previously and resulted in warnings, breach actions or disciplinary adjudications. In prison, regular disciplinary reports and control problems may give an early warning of possible risks to staff and to the public. Research relating to male prisoners has indicated that the following characteristics have been found to predict the rate of disciplinary reports, and to be over-represented in prisoners who have control problems: They are mostly under 25 years of age, serving a sentence shorter than four years, and serving the present sentence for burglary or robbery. These factors will have to be taken into account when considering the risk of control problems (Mann *et al* 2002:136). Some offenders deliberately behave in an aggressive or challenging manner in an attempt to intimidate staff and others, to assert their own power. Others may have a

problem in accepting authority, feel powerless, frightened or desperate, but lack the skills to deal with these feelings in an appropriate manner (Mann *et al* 2002:144).

❑ *Previous behaviour*: Focus should be on patterns or similarities that can inform the future management of the case. Previous history might include: One or more previous episodes of violence, repeated impulsive behaviour, evidence of inability / difficulty in dealing with stress, previous unwillingness to delay gratification, and sadistic or paranoid traits (Mann *et al* 2002:140). Practitioners should consider previous behaviour which has not resulted in conviction, aggressive and sexually predatory behaviour, violent behaviour towards animals, a desire or intention to hurt other people, threats, fantasies, a fascination with violence, and a history of using or carrying weapons (Mann *et al* 2002:140).

4.6   The prediction of future criminal behaviour: An impossible task?

Loza (2003:176) argues that the issue is not whether practitioners should or should not be engaged in predicting recidivism, but how to improve the assessor's skills to make an accurate prediction. Hollin (2001:73-74) and Weiner and Hess (1987:206-207, 219) hold that it is possible to predict violence, dangerousness and recidivism and to have such predictions confirmed (true positives). Howitt (2002:371) maintains that good predictions can be obtained from relatively straightforward indicators. Predicting offenders' recidivism is a contribution that practitioners can make to prevent further criminal acts. This practice has, however, not been without controversy.

Supporters of the use of predictions argue that the benefits to society outweigh the costs to the individual, and that predictions could prevent a great number of violent acts (Loza 2003:176; Petherick 2001e:1; Weiner & Hess 1987:206-207). McGuire (1976) suggested that clinicians who make cautious predictions are making much safer recommendations than those who recommend release for someone who later commits violent acts. Similarly, Honig (1982) suggests that while a prediction that a person will not commit violent acts which turns out to be wrong, may result in severe and prolonged legal, personal, and professional repercussions on the predictor, whereas no negative consequences exist for making the safe prediction that the individual is dangerous (Loza 2003:178). McGuire and Honig's arguments are consistent with the findings of Petherick (2001e:1-2) and Sheley (2000:612), who hold that broad predictions of dangerousness and recidivism more readily protect

society than a void thereof. There is therefore, an increasing emphasis on professional liability where the provider "knew, or should have known" of an individual's tendency towards violent behaviour (Loza 2003:178). This supports the general principle that it is easier to predict relatively frequent events than uncommon events (Howitt 2002:366).

The tenet that dangerousness and future criminal behaviour cannot be predicted is held by many (Duguid 2000:202-203; Sheley 2000:612). The most important reason for the anti-prediction commentaries is that many studies of the prediction of violence and criminal behaviour use inadequate methods and models. Advocates (Duguid 2000:203; Loza 2003:176) against risk prediction argue that:

- ❏ There is no evidence that professionals can reliably and accurately predict violent and criminal behaviour.
- ❏ Prediction violates civil liberties because prediction may result in more individuals being punished, not for crimes that they have committed, but for those they might commit.
- ❏ Prediction destroys the helping role of mental health professionals, as their role should be to help their clients and not to act as agent of social control.
- ❏ It is not ethically appropriate to predict violent behaviour, given the doubts cast on this practice.

Most of the criticisms against prediction were made when professional judgment alone was the commonly used method (Duguid 2000:204; Howitt 2002:359, 364; Loza 2003:176). Research has demonstrated that prediction methods that rely solely on professional judgments and approaches perform poorly (Howitt 2002:359; Petherick 2001a:1). In this regard, Kemshall (1998:30) argues that the failure of practitioners to implement either theoretical knowledge or empirically proven risk indicators has led to claims of anecdotal and ineffective practice.

Performing risk assessment is a complex and volatile practice. The rate of false positives (those assessments that incorrectly identify an individual as a danger when he is not) is high, and this may result in some individuals being incarcerated or refused release when they in fact would not have committed another crime (Cornwell 1989:ix; Hollin 2001:73-74; Howitt 2002:365; Petherick 2001d:1; Petherick 2002e:1; Sheley 2000:612). Given that an inaccurate prediction could mean the difference between liberation and incarceration, these assessments must be conducted with great caution (Petherick 2002e:1-2; Sheley 2000:612). According to Cornwell

(1989:ix), the determination of future criminal conduct could result in the erroneous conviction and confinement of innocent people – the confinement of offenders predicted to engage in future criminal activities, but who in fact would not do so.

The last three decades have, however, witnessed many improvements in the ability to predict. These improvements are largely credited to the use of the actuarials, which have been demonstrated to improve the predictive accuracy of general recidivism and violent offenders. It is estimated that the predictive accuracy has been improved from 60 to 80 percent by using actuarial tools when predicting general recidivism, and as high as 53 percent when predicting violent recidivism. In addition, the actuarial tools provide several advantages, such as objectivity, uniformity, and consistency to improve the accuracy of predictions. They reduce the opportunity for litigation and make the decision-making process more transparent to all involved (Loza 2003:176). Such predictions also avoid most of the problems associated with the use of professional judgment alone, such as assessor bias and limitation, and the illusory correlates (appropriate but false correlations between a variable and an outcome) (Loza 2003:176-177).

According to Petherick (2001b:1), the majority of the literature indicates that neither statistical nor clinical or professional predictions have been very accurate, which presents a unique conflict for the professionals involved since these often-flawed predictions are all that is available. Consequently, most professionals will inevitably err on the side of caution, and over predict dangerousness as evidence suggests that even the most sophisticated methods yield a 60 to 70 percent rate of false positives (Petherick 2001b:1-2).

Bonta (1999h:1) and Hanson (1998:68) posit that perfect prediction is an unattainable goal and the serious consequences of incorrect risk decisions justify careful attention to the most appropriate methods of risk assessment. This argument is supported by Petherick (2001e:1) and Sheley (2000:612) who posit that predicting the dangerousness of a criminal is an imperfect science. Howitt (2002:357, 366) stresses that risk and dangerousness prediction is inexact, and that professionals are unlikely to ever produce perfect predictions because even the best methods and tests are likely to contain many mistakes.

While recidivism predictions are not as accurate or reliable as often depicted, there is some evidence to suggest that under certain conditions such predictions could be

accurate. These conditions include objective actuarial offender risk and needs scales (statistical assumptions), theories of criminal behaviour, professional judgement and personal experience regarding criminal behaviour (Howitt 2002:359; Petherick 2001d:1; Petherick 2002a:1; Petherick 2002b:1). Furthermore, the accuracy of any predictions will be greatly influenced by the behaviour in question, both in terms of its likelihood of reoccurrence and in the factors used to make a determination (Petherick 2001b:1).

Andrews and Bonta (1998:215) caution that practitioners and professionals should avoid getting caught in a situation in which prediction is no problem at all. These researchers emphasise the unreasonableness of demanding perfect predictive accuracy from criminal justice and other professionals. Andrews and Bonta (1998:217) furthermore claim that perfect prediction is impossible - but, if applied correctly (with a sound knowledge and understanding of criminal behaviour), prediction through risk assessment can make a significant contribution, and add practical value to the management of offenders (Andrews & Bonta 1998:217).

Hollin (2001:127) holds that the accuracy of risk prediction is influenced by the following factors:

- ❑ The type of violence predicted (physical assault, sexual assault, intimidation, suicide or property damage);
- ❑ The relation of the perpetrator to the victim(s); (strangers, intimates or acquaintances);
- ❑ The psychological status of the perpetrator (mentally ill, psychopathic or socially deviant);
- ❑ The time period of prediction (immediate or long-term).

Criminology is a multi-disciplinary human science, rather than an exact science related to precise and accurate prediction. This means that the criminologist cannot with certainty, accurately predict recidivism. Prominent research findings, actuarial risk indicators, and literature related to the prediction of criminal behaviour and recidivism, can guide and direct the criminologist in the likelihood and probability of prediction of reoffending within custodial settings. In this regard, Bonta (2001:28) states that experts in human and social sciences should accept the fact that prediction of criminal behaviour will never be perfect and that the complexity of human behaviour and the inherent errors associated with measurement are

liberating. Therapists and practitioners should no longer be "chained to false hopes and unrealistic expectations" regarding reoffending prediction (Bonta 2001:28).

Bernstein (1998:197) concludes that: "The essence of risk management lies in maximising the areas where we have some control over the outcome, while minimising the areas where we have absolutely no control over the outcome and the linkage between effect and cause is hidden from us." Traditionally, risk is a neutral concept, allowing for risk taking as well as risk avoidance. Assessors should consider issues of probability and the desirability of various outcomes, weighing up and trading off the merits of various options (Kemshall 1998:5).

4.7   Dynamic and static risk factors

Reviews of the literature show that both dynamic and static risk factors predict recidivism (Bonta 1999h:2; Bonta 2001:26). Improvements to offender assessment and risk prediction can be made with a more comprehensive assessment of both static and dynamic factors that are associated (theoretically and empirically) with criminal behaviour (Andrews & Bonta 1998:225). Theoretically, predictability therefore improves when a variety of predictors that include both static and dynamic variables are used (Andrews & Bonta 1998:225, 232).

4.7.1   Dynamic risk factors

During the past 20 years, researchers have identified dynamic risk factors (such as antisocial peers and procriminal attitudes) for general recidivism. These factors are organised into validated, meta-analyses and actuarial risk scales (Bonta 1999:1; Lowenkamp *et al* 2001:544-545; Wrightsman & Fulero 2005:130).

Dynamic predictors of criminal conduct are often called *criminogenic need factors.* (Andrews & Bonta 1998:84; Bonta 2002c:368; Nafekh & Motiuk 2002:7-8). The reason for this is that future offences may be prevented by altering criminogenic needs or dynamic risk factors (Benda *et al* 2001:590-591). A vital aspect of criminogenic needs or dynamic risk factors is that they serve as the targets for intervention. They form the goals for programmatic interventions and for reducing recidivism. As shown before, effective intervention with offenders requires the targeting of appropriate risk factors (Benda *et al* 2001:591).

Dynamic risk predictors are those factors identified by recidivism research that can be targeted and changed through correctional intervention (Andrews & Bonta

1998:83, 226; Bonta 1999h:2; Bonta 1999:2; Gillis *et al* 1998:4; Hanson & Harris 2000:7; Lowenkamp *et al* 2001:544). This means that dynamic risk factors are those that predict recidivism, have the potential to change and, when changed, are associated with corresponding increases or decreases in recidivism (Benda *et al* 2001:590-592; Bonta 2001:27; Hanson 1998:51; Hollin 2001:24; Howitt 2002:372; Mann *et al* 2002:12; Petherick 2001a:1).

Examples of dynamic risk factors most strongly related to criminal behaviour include (Andrews & Bonta 2002:2, 83, 223, 226; Bonta 1999h:2; Bonta 2001:24, 372; Bonta 2002c:368-369, 372; Dell & Boe 2000:3; Gendreau *et al* 1996:3, 24-25; Gillis *et al* 1998:4; Harer & Langan 2001:523-524, 529-530; Kennedy 2001:31; Lowenkamp *et al* 2001:545; Mann *et al* 2002:12, 120; Nafekh & Motiuk 2002:7-8; Petherick 2001a:1; Serin & Kennedy 1997:5-6):

- Aspects of the offender's personality (antisocial personality / sociopathy / psychopathy);
- Attitudes and behaviours that are causally linked to offending (poor self-regulation, lack of problem-solving skills, impulsiveness, risk taking, a callous disregard for others, restless energy, pathological lying and poor behavioural control);
- Companions (identification / socialisation with other offenders);
- Interpersonal conflict (family discord and conflict with significant others);
- Personal distress (anxiety, depression, neuroticism, low self-esteem, psychiatric symptomatology - psychotic episodes and schizophrenia);
- Social achievement (marital status, level of education, employment history, income and address changes);
- Substance abuse (recent history of alcohol / drug abuse);
- Accommodation;
- Education, training and employability (work skills);
- Financial management and income;
- Relationships and lifestyle (relationship skills);
- Emotional orientation and well-being (anger, hostility, cognitive impairment, prior treatment compliance and violent / sexual fantasies);
- Criminal history;
- Leisure and recreation;
- Community functioning;
- Motivation (low, moderate and high);
- Progress in treatment.

4.7.2 Static risk factors

Static risk factors are correlates of recidivism that hardly ever change. If they do change, then they only change in one direction (age at first arrest) (Bonta 2002c:367; Howitt 2002:371; Lowenkamp *et al* 2001:544). An over reliance on static risk instruments may prove to be counterproductive as static risk scales run the risk of diverting offenders away from treatment (Bonta 2002c:370).

Examples of static risk factors include: Early behaviour problems, age at first conviction, gender, race, criminal versatility, criminal history, current offending, offence severity, type of offence, security classification, sentence length, history of antisocial behaviour, behaviour problems at home and school, prior parole failure, childhood and family factors, family criminality, family rearing practices, family structure, family background, intellectual functioning and social class of origin (Andrews & Bonta 1998:223; Bonta 1997c:2; Bonta 1999:1; Bonta 2002c:372; Dell & Boe 2000:3; Gendreau *et al* 1996:3, 24; Howitt 2002:371; Mann *et al* 2002:12; Petherick 2001a:1; Wrightsman & Fulero 2005:130). These factors will rarely change during the period of supervision. Static factors cannot inform correctional staff what might be changed to decrease an offender's risk level (Benda *et al* 2001:590; Bonta & Cormier 1999:237).

Extensive research demonstrates that criminal history and static factors, such as gender and race are excellent predictors of persistent unlawful behaviour and, should therefore not be ignored in designing risk assessment instruments to predict recidivism. However, Howitt (2002:357) posits that the difficulty with non-dynamic factors is that: "They would give a prisoner the same likelihood of reoffending when his term of imprisonment starts as when it finishes."

Combining dynamic and static factors in risk assessment instruments serves two critical purposes. Firstly, the combination of these factors maximises the accuracy of prediction of recidivism, and secondly, they identify dynamic needs that influence recidivism, and they provide targets for intervention (Benda *et al* 2001:591). Thus, systematic meta-analyses indicate that all domains are predictive of criminal recidivism, using both static and dynamic factors to predict reoffending (Andrews & Bonta 1998:225; Benda *et al* 2001:592; Gendreau *et al* 1996:1).

4.8   Risk assessment for general recidivism

Hanson (1998:55) states that there is no longer any serious debate about whether general criminal recidivism can be predicted among criminal populations. It is important to determine risk to ensure effective intervention and to prevent recidivism. If not, as Sefara (2003:1) holds, approximately 50 percent of those who have been through custodial settings will revert to crime on their release. Some of the offenders revert to crime because of limited employment opportunities, while others are discriminated against on the basis that they have a criminal record, despite the skills they might possess (Sefara 2003:1-2).

4.8.1   Characteristics of general recidivists

Criminologists and other experts cite lengthy lists of characteristics describing recidivists. Risk assessments should ideally, and are mostly, based on these general characteristics (Champion 1994:91). Studies of recidivism are mixed and contradictory in their conclusions. Vital questions to ask are: "How useful are these characteristics in predicting recidivism?", "Can practitioners construct an accurate profile of typical recidivists?", and "Can professionals and Parole Boards identify with great accuracy inmates who will become recidivists?"

Champion (1994:94) and Howitt (2002:370-372) hold that the problem is that while these and other characteristics describe the general category of recidivists, these same characteristics are also found among many non-recidivists. Prediction measures based upon relevant information about offenders must therefore, be devised and tested to improve their validity and discriminatory power (Champion 1994:94). Despite this, Champion (1994:200) and Howitt (2002:372) suggest that scientists are becoming increasingly knowledgeable about recidivists and their characteristics, with the result that the sophistication of risk assessment devices is enhanced accordingly.

Andrews and Bonta (1998:82, 214), Champion (1994:92-93, 96-97), Hanson and Brussière (1998:348), Långström and Grann (2000:855, 857, 865-866) and Simourd (2004:316-317) list the following general characteristics of residivists:

1. Males are more likely than females to recidivate. Andrews and Bonta (1998:214) found the recidivism rate of males to be five times that of females;
2. Younger offenders are more likely to recidivate than older offenders;
3. In general, recidivism should decline with advancing age;

4. Higher recidivism rates occur among those with less formal education, compared to those with more formal education;
5. The longer the time served in prison, the more likely a person will be to recidivate when released;
6. Most recidivism occurs within the first three years of release from prison or placement on probation;
7. The greater the number of prior arrests, the more likely the recidivism;
8. Violent offenders on parole are rearrested more often than non-violent offenders on parole;
9. Black offenders tend to recidivate at a higher rate than other offenders;
10. The earlier offenders begin their criminal careers, the more likely the recidivism;
11. Recidivism decreases as participation in furloughs (authorised, unescorted leave from confinement granted for specific purposes and for designated time periods) increases;
12. Property offenders are more likely to recidivate than violent offenders;
13. Those offenders with previous stable employment records recidivate less frequently than offenders with less stable employment records;
14. Recidivists tend to be employed, either full-time or part-time, when committing new offences;
15. Prisoners with more disciplinary reports while incarcerated recidivate more frequently than those paroled who have fewer or no disciplinary reports filed against them;
16. Releasees who have a record of one or more juvenile arrests or convictions will recidivate more frequently than those releasees without juvenile arrests or convictions;
17. The younger the age of release, the more likely the recidivism;
18. Parolees who recidivate do so for similar crimes for which they were originally imprisoned;
19. Substance and alcohol abusers have higher rates of recidivism than those who do not use drugs or alcohol;
20. Recidivists tend not to commit progressively serious offences compared with their prior records;
21. Recidivists tend to be unmarried, widowed or divorced.

These listed characteristics may be useful in helping professionals and practitioners to identify "problem offenders". Champion (1994:97) posits that the odds probably

increase as the number of characteristics associated with recidivists increase, but warns that one can never be certain that specific offenders will commit new crimes.

According to Hanson and Brussière (1998:353), predictors for continued criminal involvement are measures of prior criminal involvement (as a youth and as an adult), a negative child-parent relationship, personality disorders, alcohol abuse, low motivation for treatment and antisocial personality disorder and/or psychopathy.

4.8.2   General risk assessment indicators for non-specific, sexual and violent offenders

Actuarial risk assessment scales (such as the Salient Factor Score (SFS) - the United States, the Statistical Information Recidivism (SIR) of Canada, and the Risk of Reconviction (ROR) scale of the United Kingdom) and research literature (Andrews & Bonta 1998:223-224; 2002:1) list items such as the type of offence, prior criminal history, age, prior parole failure, gender, security classification, sentence length, risk interval, drug abuse history, unemployment, marital status, number of dependants, companions, antisocial cognitions, antisocial personality, race, parenting practices, social achievement, interpersonal conflict, intelligence, and personal distress as important indicators and predictors of recidivism.

In addition, similar risk assessment indicators for offenders (non-specific, sex and violent offenders) include (Benda *et al* 2001:599, 604-605; Bonta 2001:25; Bonta 2002c:363-364, 366; Ferguson 2002:475, 481; Loza 2003:191; Mann *et al* 2002:7-8, 37; Motiuk & Porporino 1989:4; Nafekh & Motiuk 2002:26):

❑ *Demographic details*: Many researchers have reported findings about the existence of a relationship between age of onset of criminal behaviour and future acts (Benda *et al* 2001:588; Bonta *et al* 1998:128; Bonta *et al* 2000:323; Hanson 1998:63; Harer & Langan 2001:518; Hildebrand *et al* 2004:14; Hollin 2001:73, 75, 78; Loza 2003:181; Sullivan *et al* 2003:20, 33). Other factors to consider are marital status, gender, socio-economic status and health (Ge, Donnellan & Wenk 2001:731; Mann *et al* 2002:115; McGuire 2001:213).

❑ *Criminal history*: Numerous studies indicate that prior criminal history is one of the strongest predictors of persistent unlawful behaviour (Benda *et al* 2001:606; Dell & Boe 2000:4; Dowden *et al* 1999:10; Firestone *et al* 2000:212; Ge *et al* 2001:731; Howitt 2002:364; Mann *et al* 2002:14, 19, 36).

The criminal history category measures the quantity and recency of prior incarcerations for offences and has been found to be a powerful predictor of recidivism risk (Benda & Tollett 1999:111; Harer & Langan *et al* 2001:518-519; Hildebrand *et al* 2004:14; Hollin 2001:78, 131). Important factors to consider are juvenile delinquency (earlier harmful behaviours), admissions to corrections, prior rates of arrest and repetitive offending (McGuire 2001:213).

❑ *Crime analysis*: An analysis of offence issues is linked to risk of serious harm, risks to the individual and other risks (Mann *et al* 2002:54): The best predictor of future harm is previous offending behaviour that involved serious harm (Mann *et al* 2002:52). Details of how the current offence fits with the offender's previous criminal history should be considered. "Is this offence the last in a long list of similar offences?", "Does it mark a new departure for the offender?", "Is the current offence more or less serious than previous convictions?", "Does it suggest that the offender is becoming more criminally active or reaching the end of his/her criminal career?" and "Are the current offences an escalation in seriousness from earlier ones?" (Mann *et al* 2002:50-53). Assessors should also focus on force or injury to victim, related victims, child victims, offence severity and the pattern of offending.

❑ *Victim characteristics*: Repeated victimisation (of the same person) increases the likelihood of reoffending and informs who might be at risk of harm (Mann *et al* 2002:47). The primary victim may be a corporate body, a stranger or a known individual. The purpose of recording the victim's details is to establish whether there are any additional issues connected to the offender's choice of victims, which might indicate a risk of serious harm in future, or increase the likelihood of reconviction. The age and gender of the victim (especially children or elderly people) are also important (Loza 2003:187; Mann *et al* 2002:48).

❑ *Motive*: This concerns an offender's understanding of his motivation for his own offending – the probability that a person will enter into, continue, and adhere to similar behaviour (Kennedy 2001:31). "Are they able to recognise the factors that contributed to their offending, and are they motivated to address their offending?" (Mann *et al* 2002:113-114). It also concerns the degree to which an individual is willing to consider that he needs to behave differently in the future to avoid offending, to seek out, and to participate and persist with the means of bringing about change (Mann *et al* 2002:114). Different motivations exist for offending behaviour. An example is, an addiction motivation, where crime is committed because the offender requires

resources to support an addictive behaviour (such as drug taking or gambling). Other crimes may be the result of an offender perceiving a need to achieve something, for example, to assert their authority or exercise control over members of their family (Mann *et al* 2002:50-51). The reasons for the crime, and what satisfaction was gained from it, should be recorded as far as possible (Mann *et al* 2002:50-53; White & Smith 2004:183).

❑ *Developmental history*: Parent-child relationship, child-rearing practices, childhood trauma and abuse, conflict, psychologically disadvantaged parents, presence of parents, guardians and/or siblings, family ties, type of care, separation from parents or siblings, staying with friends or relatives, being fostered or staying in children's homes, inconsistent care and parental criminality should be considered (Benda & Tollett 1999:111; Goggin *et al* 1998:8; Haapasalo & Moilanen 2004:127, 141; Mann *et al* 2002:72-74; Starzyk & Marshall 2003:95).

❑ *School experience*: This concerns historical information about school attendance and participation, which has been found to be highly relevant in the prediction of reconviction. School failure can have serious consequences for an individual's social and psychological development (Mann *et al* 2002:62). Indicators such as episodes of truancy, school exclusion, expulsion, periods in which school attendance was disrupted, different types of schools attended, academic achievement, popularity among peers and teachers, and interaction between the individual, the school, peers and teachers are important to assess (Mann *et al* 2002:62).

❑ *Education*: Level of education, problems with reading, writing or numeracy, learning difficulties, attendance of a special school, attitude to education and training, beliefs about the value of education, qualifications gained in custody, and a history of starting courses and failing to complete them without a valid reason. (Andrews & Bonta 1998:143; Mann *et al* 2002:63-65). Research demonstrates that offenders are less well educated and less well trained than other groups in society. This link is thought to be mainly due to poor educational abilities, limiting the opportunity to obtain work (Mann *et al* 2002:15). According to Harer and Langan (2001:523) and Stevens (2001:58), there is a positive link between low education levels and recidivism.

❑ *Employment*: Unemployment has long been associated with recidivism and an unstable employment record is associated with reoffending (Mann *et al* 2002:66; Motiuk & Porporino 1998:10). Offenders are more likely to be unemployed, to have a poor or spasmodic history of employment, and to

express views unsupportive of the work ethos (Mann *et al* 2002:15). A history of unstable commitments to work and employment status (full-time / part-time employed, self-employed, temporary or casual work, full-time education or training, unemployed or unavailable for work such as retired or disabled) should be considered. Other factors to include are: Employment history, different types of jobs, reasons for leaving, regularity of employment, work-related skills (undertaken in the prison setting), the relevance of skills, work attendance, performance, satisfaction, motivation and attitude to employment (Andrews & Bonta 1998:115, 143; Hollin 2001:73, 131; Loza 2003:184; Mann *et al* 2002:59-61).

❑ *Responsibility*: This concerns accepting responsibility for the action involved in the offences, rather than the effect that the offence had on other people. Some offenders do not accept the responsibility for harm they cause to others (Mann *et al* 2002:52; Prentky & Righthand 2003:7, 32, 34). "Does the offender accept responsibility for the current offence?", or "Does he excuse it, shift the blame to others, minimise the seriousness of the offence, their involvement, or partially deny the offence?" (Hollin 2001:78, 132; Mann *et al* 2002:52).

❑ *Substance abuse*: Ge *et al* (2001:731) and Motiuk and Porporino (1989:8, 12) report that most recidivists have a history of either alcohol or drug abuse and the more dysfunctional an offender's substance usage, the more likely that the offender will reoffend (Motiuk & Porporino 1989:12; Sumner 2004:222-223). Factors include: Alcohol and drug misuse, past and current use, frequency and quantity of uses (past and present), detoxification, the effect that the substance has on their life, the use of a substance to avoid a hangover or withdrawal, blackouts, evasiveness about the quantity of use, hiding the substance, suffering health problems related to the substance, missed work, substance related relationship and financial difficulties, convictions related to substance abuse, symptoms related to substance dependence and type of drug used (Mann *et al* 2002:84-85, 89-92).

❑ *Intelligence*: The notion that criminals are less intelligent than non-offenders has been prevalent for decades (Siegel 2004:166). Over the years, a number of studies have demonstrated a correlation between intelligence and delinquency (Gendreau *et al* 1996:6). In support of this, Andrews and Bonta (1998:87, 179, 192) and Ge *et al* (2001:734) state that there is a definite relationship between intelligence and crime. One popular interpretation is that the less intelligent are more likely to be apprehended and a low IQ predicts future criminality (Andrews & Bonta 1998:180; Hanson & Harris 2000:20, 29;

Loza 2003:184). It is stated in the *The Bell Curve*, (Richard Herrnstein and Charles Murray (1994)), that IQ is a major determinant of crime and that the cognitively deficient are overrepresented among chronic and serious offenders (Andrews & Bonta 1998:184).

❑ *Criminal associates*: This considers the degree to which the offender is influenced by others in relation to their offending. The criminal associates domain is a powerful predictor of recidivism (Andrews & Bonta 1998:143, 225; Goggin *et al* 1998:7). If offenders had been gang members, it is likely that they are susceptible to peer group pressure (Loza 2003:183-184; Mann *et al* 2002:80). Within the prison environment offenders do have some choice as to whom they associate with. Questions about their future plans may reveal whether they intend to return to the same area and mix with the same company (Benda *et al* 2001:592; Mann *et al* 2002:80-81). The more negative an offender's associations (pro-criminal) in the community, the higher the probability of being revoked (Motiuk & Porporino 1989:12). Andrews and Bonta (1998:83) note that offenders who maintained moderate levels of identification with criminal friends and/or associates have a recidivism rate of between 38 tot 57 percent. Indicators to consider are: Peer group association, gang membership; relationships with groups or individuals outside prison which may increase risk, committing crime in the company of others, a follower rather than a leader, and peer pressure (to gain status or acceptance in a group, or to avoid losing face) (Benda & Tollett 1999:111; Mann *et al* 2002:50, 77-78, 80-81; 131).

❑ *Psychopathy / antisocial personality disorder*: A history of antisocial behaviour correlates to criminal and reoffending behaviour (Grann *et al* 2000:97; Harris *et al* 2001:421; Hemphill & Hare 2004:203-204; Hollin 2001:75, 78, 131-132; Howitt 2002:362-363; Mills & Kroner 2003:325). Arguably, the construct that has so far contributed most to understanding criminal violence is psychopathy (Harris *et al* 2001:405; Hemphill & Hare 2004:203-204). Psychopaths, or individuals with APD, show significantly increased risk to reoffend than non-psychopaths (Gretton *et al* 2001:428; Hildebrand *et al* 2004:13-15; Porter *et al* 2000:218-219; Simourd & Hoge 2000:256; Sumner 2004:221-222). Research (Andrews & Bonta 1998:305) indicates that the probability of recidivism after three years was 90 percent for psychopathic offenders. Although not all criminal behaviour is committed by psychopaths and not all psychopaths commit crimes, psychopaths are disproportionately represented among offenders (Harris *et al* 2001:405; Loza 2003:185). Extensive research

literature indicates that psychopathic criminals reoffend more quickly, more often, and more violently following release from custody than do other offenders (Gretton *et al* 2001:428; Hollin 2001:339; Loza & Loza-Fanous 1999:498; Porter *et al* 2000:218-219). Other research findings demonstrate that within six years of release from prison between 77 to 80 percent of psychopathic offenders had violently reoffended (Andrews & Bonta 1998:306; Hollin 2001:339). Those offenders who are temperamental, energetic, adventurous, pleasure-seeking, compulsive, egocentric, and who lack problem-solving skills are at high-risk of reoffending (Harris *et al* 2001:405-406, 418-419; Loza 2003:185).

❑ *Reckless and risk-taking behaviour:* This considers the offender's need for excessive stimulation and proneness to boredom. Such offenders will be 'thrill-seeking' and 'risk-taking' in all areas of their lives, and more likely to reoffend. They will often take part in dangerous activities, which may be life-threatening to themselves or others (Mann *et al* 2002:82; Mills & Kroner 2003:230; Sullivan *et al* 2003:18, 25). They may not appear to recognise the risks they take, or deliberately ignore them. The offender may describe a desire to live life on the edge or constantly need new challenges. They will get bored and distracted easily, and may have difficulty maintaining concentration on everyday tasks (Mann *et al* 2002:83; Motiuk 2001:190). There will be a thrill-seeking or risk-taking element to their offending, and often offending will involve taking greater risks than absolutely necessary to achieve their aims (Mann *et al* 2002:83).

❑ *Manipulative and predatory lifestyle*: This examines whether the offender's lifestyle exploits others. Some individuals endeavour to maintain a level of superiority over others through fraudulent representation (conning) and manipulation. They might do this by being deliberately misleading and untruthful, exploiting weaknesses through bribery, or threatening to reveal information. Whether the offender abuses friendships, relationships or positions of trust for personal gain without concern for the effects it may have on others should be assessed (Mann *et al* 2002:81-82). "Do they use and live off others without reciprocation?", "Do they use deceit or deception to cheat, defraud or manipulate others?" and "Do they prey on weaker or vulnerable members of the community?" Some types of offences, such as blackmail and fraud, fall naturally into this category of behaviour. In other cases, the behaviour will be demonstrated towards family and friends in a manner which does not result in a criminal conviction. Prisoners with this trait will attempt to

manipulate both staff and inmates, they will seek out other offenders who are easily influenced and try to manipulate them to their advantage (Mann *et al* 2002:82).

❑ *Cognitive functioning*: There is a definite relationship between recidivism and mentally disordered individuals (Hildebrand *et al* 2004:14-15; Loza 2003:184; Sullivan *et al* 2003:17, 25, 32). Toch and Adams (1994:33, 42, 51) claim that an estimated 5 percent of the offender population experience mental illness. An example is a career in which early emotional problems are followed by a long, rootless existence (unemployment, homelessness) that eventually leads to criminality and is followed by a psychotic breakdown (Toch & Adams 1994:45, 55). Some offenders have long histories of mental health problems and records of offences that are associated with career criminals. Most of the mentally disordered individuals who are involved in crime have accumulated substantial criminal records and have long-standing treatment histories (Andrews & Bonta 1998:191; Ge *et al* 2001:734). Factors such as mental illness, schizophrenia, manic depression, obsessive-compulsive behaviours, psychological and psychiatric observation, treatment and medication (past and current), aggressive behaviour at home or in school, impulsivity, anxiety, a history of starting fires, cruelty to animals, vandalism, low self-control, inappropriate social networks with individuals, social isolation (either through choice or an inability to form friendships or keep friends), shy or withdrawn, limited social skills, early onset or inappropriate sexual behaviour, intervention by the police or social services, removal from the parental home, a history of severe head injuries, fits, periods of unconsciousness, a history of epilepsy, other fits (drug-induced fits), an indication of morbid jealousy and paranoid beliefs are known psychiatric and psychological problems that occur in prison settings (Mann *et al* 2002:17, 98-99, 139). Impulsive behaviour, low self-control and a lack of self-management are important predictors of future criminality (Hanson & Harris 2001:4).

❑ *Problem-solving skills*: This section examines how the offender thinks, his general style of behaviour and how he applies reasoning, especially to social problems. There is a great deal of research evidence that indicates that recidivists tend not to think things through, they do not plan or consider the consequences of their behaviour and are unable to see things from other people's perspectives. This leads them to be poor problem solvers and means that they often repeat the same mistakes and are unable to achieve their goals (Mann *et al* 2002:101, 105, 108-109).

❑ *Interpersonal skills*: Social interpersonal skills are the repertoire of behaviours that are used to interact with others. These include the simple non-verbal cues people use to send messages to one another (for instance maintaining appropriate levels of eye contact during conversations or adopting certain postures to emphasise moods), through to the more complex skills (such as starting and maintaining conversations and conducting negotiations) (Mann *et al* 2002:101). Assessors should take into account how the individual appears in the formal interview situation, how appropriate their interpersonal skills are for their age, background and usual circumstances, shyness, withdrawn, uncommunicative, unable to maintain eye contact (taking cultural differences into consideration), over-aggressively maintaining eye contact for too long, butting in and interrupting, coming across as loud and over-bearing, inarticulateness and departure from the nominal conventions of conversation (Mann *et al* 2002:101-102).

❑ *Relationship skills*: The assessor should consider the offender's current relationship with close family members and significant others, the value they place on their family, the dynamics of the relationships, whether the family's influence on them is positive or negative, support whilst in prison, rewarding, satisfying, non-judgmental, supportive relationships and whether any close family members or significant others have a criminal record (Mann *et al* 2002:72; Mills & Kroner 2003:330).

❑ *Coping skills*: Researchers have identified a host of negative emotions, such as hopelessness, depression, isolation, anger, frustration, anxiety and loneliness, as antecedents to recidivism (Hildebrand *et al* 2004:24; Loza 2003:186; Mills & Kroner 2003:330-331; Sullivan *et al* 2003:25). Recidivists have less effective skills for coping with problems (McGuire 2001:214). They more often experience and have poorer strategies for managing negative emotional states, such as anger, anxiety and depression. They also more frequently abuse substances and experience greater fluctuation in emotional states in the 48 hours preceding a reoffence (McGuire 2001:214). Difficulties in coping can be identified through evidence that the offender becomes easily upset, gets over anxious, feels depressed, over-reacts, lack of sleep, poor appetite, inability to concentrate, physical symptoms (such as loss of weight, nausea and headaches), appears stressed or agitated at the interview, or becomes upset for no reason (Mann *et al* 2002:94-95).

❑ *Self-esteem / attitude to self*: This is concerned with how offenders see themselves. "Do they demonstrate an appropriate level of self-efficacy and

self-confidence?" Factors such as poor self-image, unhappiness and discontentment with themselves as individuals, a high self-image but based on inappropriate factors (such as how good they are at fighting, the number of knives they own, their standing in a criminal sub-culture, the amount of money they make from crime), unawareness of the inappropriate basis of their self-image, personal distress, a sense of grandiosity and a self-image which is not grounded in reality (makes entirely unrealistic claims about themselves or what they have done), are important for consideration in this section (Andrews & Bonta 1998:143; Gendreau *et al* 1996:10, 12-15; Mann *et al* 2002:97-98).

❑ *Financial management and income*: Research demonstrates that there is a strong correlation between income and reconviction, with those who re-offend having lower incomes (Mann *et al* 2002:16; Mills & Kroner 2003:330). The finance section deals with the amount of income, the way income is managed, the main source of income, financial situation (before entering prison, and whilst in custody), problems in the past with income or finances, financial stability (debts, outstanding court costs and fines with little prospect of paying them off), regular source of income, reliance on benefits, budgeting skills (competence and problems), a history of bad debts, poor credit rating, no savings or financial contingency plans, illegal earnings (as a source of income, for example, selling illegal drugs, or handling stolen property) and an over-reliance on family / friends or others for financial support (including behaviour in prison) (Mann *et al* 2002:16, 66-69). Examples of such demands include indebtedness to loan sharks, paying protection money, a long-term gambling problem, supporting a partner's addictive behaviour and excessive financial demands (Bonta et al 1996:42-43; Mann *et al* 2002:70).

❑ *Leisure time*: Poor use of leisure time is a predictor of recidivism. A lack of productive leisure pursuits and uplifting social interests and/or hobbies are associated with participation in organised antisocial activities and criminal conduct (Andrews & Bonta 1998:226). According to Loza (2003:186), aimless and unproductive use of leisure time is a reliable predictor of recidivism.

❑ *Accommodation*: The less stability the offender has in his living situation, the greater the likelihood of that offender being revoked (Motiuk & Porporino 1989:12). This section examines: The quality of the offender's accommodation, the appropriateness and adequacy of the accommodation, the condition of the residence, overcrowding, whether the offender lives with the victim(s), frequently changes address, the safety of the area, permanent

independent housing, halfway house, supported housing, short-term accommodation (staying with friends or family), closeness to criminal associates, level of criminal activity, accessibility to possible victims, accessibility of drugs in the area, homeless, no postal address, use of night hostels, sleeping in a different place every night and the likelihood of returning to the same area after imprisonment (Mann *et al* 2002:54-55, 56-58). Goggin *et al* (1998:8) found that a neighbourhood associated with crime can be linked to reoffending.

❑ *Responsivity*: A growing body of research demonstrates that offenders who fail to complete programmes do not reduce their offending. Some research has even indicated that starting programmes and not completing them can be harmful in terms of increasing the likelihood of reconviction (Mann *et al* 2002:117; Motiuk & Porporino 1989:12). Factors to consider include failure to complete treatment, low motivation for treatment, willingness to complete programmes and commitment to attend all the sessions (Bonta *et al* 1996b:42-43; Harer & Langan 2001:519; Hollin 2001:78, 132; Mann *et al* 2002:117).

❑ *Absconding / escape*: To assess escape risk, the offender's prior history of escape and breach of parole should be considered. Assessors may also focus on factors such as death in the family, divorce, family, financial or other problems that raise or lower the escape risk (Harer & Langan 2001:515; Mayzer Gray & Maxwell 2004:138-139). According to Mayzer *et al* (2004:138-139), absconding behaviour is associated with reoffending behaviour.

❑ *Attitudes*: This considers the offender's attitude towards offending, society, authority, significant others, family, recreation, employment and criminality in general. Assessors should note any beliefs that criminal behaviour is normal and acceptable. "Does the offender make wide generalisations to justify criminal behaviour such as 'everybody's doing it', or that victims 'only have themselves to blame'?" and "Do they excuse the levels of offending in terms of wider general factors such as levels of unemployment, the government's policies' or inequalities in society?" (Mann *et al* 2002:109; Serin *et al* 2000:4, 12). "Are they anti-authoritarian, dismissive of the judicial and law enforcement systems?" and "Do they view those who abide by the law as being weak, inferior or foolish?" (Andrews & Bonta 1998:225; Mann *et al* 2002:109-110). Whether the offender holds discriminatory attitudes or displays discriminatory behaviour towards other groups within society, openly expresses discriminatory attitudes, committed an offence that is racially

motivated, or is known to be involved in the abuse of minority groups should be assessed (Mann *et al* 2002:110-111). The offender's attitude towards staff, fellow inmates, and criminal justice personnel is also important. "Has his attitude to staff been appropriate and polite?" and "Does he display negative, dismissive, aggressive, or threatening attitudes towards staff, see no advantages in co-operating with staff, is rude and refuses to co-operate?" (Mann *et al* 2002:111). "Does the offender show general support for views held in the community and wider society?" For example, "Does he respect other people's property, the rights of others, limits on personal freedom and the value of having certain rules and regulations?" (Loza 2003:186).

❑ *Social support structure*: This section deals with emotional support from significant others, such as family and friends. According to Andrews and Bonta (1998:226), a lack of a social support structure is an indicator of involvement in future criminal conduct.

❑ *Goal achieving*: Goals can be personal, practical or achievement-oriented. Ideally, an individual should have a series of goals, some short-term and some long-term, but all realistic and supported by planning (Mann *et al* 2002:107). Whether the offender tends to live day-to-day, has no goals, has entirely unrealistic goals, is very vague about his goals, and does not understand the steps he needs to take to achieve his goals should be considered (Mann *et al* 2002:107).

❑ *Community integration*: This relates to the level of attachment the offender demonstrates to individual(s), community group(s), or organised activities that are not associated with offending (Mann *et al* 2002:78-79). The offender's lifestyle immediately before imprisonment, any organised voluntary activities, hobbies, belonging to clubs or less formal social groups not associated with offending, the types of people chosen to associate with, and whether a lot of time was spent in situations that provide the opportunity to offend should be considered (Mann *et al* 2002:78-79).

❑ *Suicide*: "Does the offender have a record of attempted suicide and suicidal thoughts?" The protective factors to reduce the risk of suicide (such as good support networks and appropriate coping skills) should be considered (Mann *et al* 2002:146). Other factors to concentrate on include a history of self-harm, attempted suicide, suicidal thoughts or feelings of self-mutilation, pharmaceutical overdoses, attempted hanging / strangulation and swallowing of foreign objects (Andrews & Bonta 1998:143; Gendreau *et al* 1996:10, 12-15; Mann *et al* 2002:97-98).

Howitt (2002:364) notes that the stronger the relationship between these predictor variables and recidivism, the more useful the characteristics will be in predicting recidivism in other seminal offences.

4.9   Risk assessment for specific types of offenders

Individual risk assessment of violent and sex offenders has received considerable attention in recent years. Researchers in Canada and the United States have devised instruments to estimate sex and violent recidivism risk and have published studies demonstrating the reliability and validity of such methods (Hanlon, Larson & Zacher 1999:71; Lea *et al* 1999:10; Quinn, Forsyth & Mullen-Quinn 2004:223-226).

Reflecting the increasing demand for sex offender risk assessments, the number of available instruments increased drastically in recent years (Barbaree *et al* 2001:491-492). Evidence suggests that the factors that predict sexual recidivism are distinct from the factors that predict other forms of violent crime (Gendreau *et al* 1996:21; Hanson 1998:51, 60; Quinn *et al* 2004:223-226). Not only should sex offenders be assessed separately, but Bonta (1997b:2) also confirms that the risk for sexual recidivism and non-sexual recidivism should be considered separately as different factors predict different types of recidivism. Quinn *et al* (2004:223-226) and Serin *et al* (1997:3) concede that sex offenders and non-sex offenders differ with respect to various important risk factors and treatment responsivity variables.

Some researchers have demonstrated that there is little distinction between the variables that are predictive of violent and general recidivism (Loza 2003:181). Apropos to this, Hanson (1998:50-51) suggests that there appear to be specific factors that predict violent behaviour. Howitt (2002:357) and Leschied (2001:82) propose that violence and aggression are considered more complex events and that the accurate prediction of violent recidivism remains an elusive concept. An important consideration is the risk that a particular individual poses to reoffend generally and violently. The law in Canada requires that offenders convicted of a "Schedule 1" offence (violent or sexual) must undergo a risk assessment prior to hearings for discretionary release. Courts, Parole Boards, and correctional personnel depend on this information to assist in decisions at key points in the criminal justice process (Serin *et al* 2000:1).

Howitt (2002:357, 362) holds that different indicators exist for different types of behaviour. Predictors that work for one type of offence may be relatively poor at

predicting recidivism for another type of offence or in a different type of prisoner group. For example, predictors of rape are not the same as indicators of non-violent and violent (excluding rape) criminality (Howitt 2002:357). Different types of risk factors are relevant for different types of risk decisions, and this necessitates the importance of assessing violent and sex offenders separately (Bonta 1999h:1; Hanson 1998:55; Långström & Grann 2000:855-871).

4.9.1   Risk assessment of sex offenders

The need for empirically based instruments for the assessment of risk for reoffending among sex offenders have repeatedly been pointed out (Council on Sex Offender Treatment 2004:3; Långström & Grann 2000:855; Quinn *et al* 2004:223-226). Sex offender recidivism risk is a multi-faceted phenomenon requiring consideration across multiple risk factor domains (Scalora & Garbin 2003:309). The dynamics of sexual violence are often complex and assessing chronicity is crucial for clients whose sexual behaviours have brought them into conflict with the law (Hanson & Brussière 1998:348; Quin *et al* 2004:225-226).

Relapse prevention originally developed in the area of addictions (drug addiction), but was modified by Pithers and his colleagues for use in sexual aggression (Pithers, Marques, Gibat & Marlatt, 1983). In contemporary society, there is significant research demonstrating that sexual recidivism can be well predicted (Blanchette 1996:29; Gretton *et al* 2001:428-429; Hesselink-Louw & Schoeman 2003:169-170; Khanna & Malcolm 1998:635; Porter *et al* 2000:219).

One consistent finding is that a sex offender is more likely to recidivate with a sexual crime than a non-sex offender (Andrews & Bonta 1998:310). This is supported by Bonta et al (1996:4) who found that 78 percent of sex offenders were reconvicted of another and/or a similar sexual offence. Other research (Langan, Schmitt & Durose 2003:1) indicates that released sex offenders are four times more likely to be rearrested for a sex crime. However, recidivism studies found that older sex offenders, when released, have a lower recidivism rate (Langan *et al* 2003:1). The effective intervention and management of sexual offenders require the targeting of appropriate risk factors and accurate information about their risk for recidivism (Hanson 2003b:1; Hanson & Harris 2001:2, 6; Hesselink-Louw & Schoeman 2003:166-170). Furthermore, sex offender risk assessments aid in decisions made about these individuals including institutional placement, case planning, treatment planning, management decisions, recommendations with regard to parole, and the

restrictiveness of conditions attached to supervision in the community (Barbaree *et al* 2001:490).

According to Hanson and Harris (2000:6-7), all those who provide treatment, community supervision, or risk assessments for sexual offenders must identify the factors that are related to sexual offence recidivism. Hanson and Brussière (1998:349) state that sexual offender risk assessments should concentrate on sexual deviance. Specifically, deviant sexual interests are most prevalent among those who victimise strangers, use overt force, select male child, or victims much younger than themselves. The assessment of sexual recidivism should also consider factors particularly related to the offender (contributing factors and triggers) and the offending behaviour (for instance, sexual deviance, arousal paterns and victim type) (Hesselink-Louw & Schoeman 2003:167-168; Hanson & Brussière 1998:357; Quinn *et al* 2004:225).

A further consideration in the assessment of sexual offenders is symptoms of general psychological maladjustment. Hanson and Brussière (1998:349) postulate that sexual offenders rarely meet diagnostic criteria for major mental illnesses, but often show signs of low self-esteem, substance abuse problems and assertiveness deficits. These authors maintain that much of the current treatment and theory concerning sexual offending emphasises poor coping strategies and negative emotional states as precursors to offending. Once detected, sexual offenders' motivation to change may also be related to recidivism. Those offenders who accept responsibility, express remorse, and comply with treatment (good clinical presentation), should be at lower risk than those who deny any problems and actively resist change (poor clinical presentation) (Hanson & Brussière 1998:349).

4.9.1.1 Risk criteria for sex offenders

Hesselink-Louw and Schoeman (2003:162-163), Schlesinger (2000:233) and Wrightsman and Fulero (2005:132) advocate that sex offenders including paedophiles, infant rapists, child molesters, incest perpetrators, rapists, exhibitionists an/or serial rapists should be assessed individually to accurately determine reoffending probabilities. In this regard, Hesselink-Louw and Schoeman (2003:170) mention that the accuracy of a prediction will be influenced by the behaviour in question – in other words, the type of offender, offender characteristics and personality.

Risk assessment targets such as marital status, victim characteristics, offence history, family and developmental background (childhood abuse), employment, risk-taking behaviour, attitudes, treatment history, cognitive functioning and psychopathy correspond with the general and non-specific risk assessment criteria that is discussed in Section 4.8.2 (page 159). These risk assessment targets are included in this section to highlight the different focus areas that are applicable to sex offenders.

Literature (Barbaree, Seto & Maric 2002:2; Barbaree *et a*l 2001:497-501; Benda *et al* 2001:599, 604-605; Bonta 2001:25; Bonta 2002c:363, 366; Council on Sex Offender Treatment 2004:3-4; Hanson 2003b:2; Hanson & Harris 2000:6, 9, 18-19, 20, 22-25, 29; Howitt 2002:363; Långström & Grann 2000:855, 857, 860-862, 865, 867-868; Loza 2003:191; Quinn *et al* 2004:225-226; Roberts 2003:85-87; Wrightsman & Fulero 2005:132-133) suggests that practitioners should concentrate on offence characteristics consistent with sex offenders, to assess their risk of reoffending. The salient factors that professionals should consider for risk assessment are:

❑ *Marital status and social class*: Sexual recidivists are more likely to be unmarried and single (Scalora & Garbin 2003:310; Schlesinger 2000:232-233; Serin *et al* 1997:4-5). This is also confirmed by Hanson and Harris (2001:3) who found that sex offenders who have never been married are at increased risk for recidivism. Furthermore, Scalora and Garbin (2003:317) and Serin *et al* (1997:4-5) suggest that sex offenders from a low social class of origin are more also likely to reoffend.

❑ *Victim characteristics*: This identifies specific victim characteristics relevant to assessing risk of serious harm. Assessors should consider the number of victims, gender of victims, specific victim characteristics (such as disability and relationship to offender), the different age groups victimised, direct contact with the victim, evidence of stalking (either in person, by telephone or other means), and evidence that the offender targeted a particular victim for a specific reason (Council for Sex Offender Treatment 2004:3; Mann *et al* 2002:47). The risk of sexual offence recidivism increases for those who had victimised strangers, had had an extra familial victim, began offending sexually at an early age, had selected male victims, or had engaged in diverse sexual crimes (Howitt 2002:363; McGrath *et al* 2003:7; Scalora & Garbin 2003:310; Schlesinger 2000:232-233; White & Smith 2004:183). Related to this, research (Council for Sex Offender Treatment 2004:3; Hanson & Harris 2000:20, 29; Prentky & Righthand 2003:6; Serin *et al*

1997:4-5) found that in comparison to non-recidivists, the sex recidivists had more diverse victims (in age and/or gender), fewer related victims, more strangers as victims and more juvenile sexual offences.

- *Sexual sadism*: According to Petherick (2002b:3) and Schlesinger (2000:232), offenders who exhibit a preference for sadism or violence during rape are more likely to reoffend. Sexual offenders who are likely to be sadistic are those who sexually assault adults, or who molest children (Prentky & Righthand 2003:6, 19). Marshall and Kennedy (2003:3-4) estimate that between five to ten percent of sex offenders are sadists. Research found that 71 percent of rapists, and 58 percent of child molesters, used more force than was necessary to secure victim compliance (Marshall & Kennedy 2003:7). In these cases coercion of some form was present and varied from mockery, to threats, to sufficient force to gain compliance, to instrumental gratuitous violence, to expressive violence (which is often displaced anger) and to sadistic violence (Marshall & Kennedy 2003:7). Other indicators of sadism are violence, brutality, threats, coercion, the use of weapons, torturing and kidnapping (Bonta *et al* 1996:44; Mann *et al* 2002:45; Motiuk 2001:192).

- *Behavioural triggers and high-risk situations*: This concerns any trigger events and high-risk situations associated with sexual offending. Included here are predisposing factors such as problematic intimate relationships, stress, non-compliance with medication for psychiatric problems, anxiety, use of pornography, unemployment, a history of childhood trauma and abuse, substance abuse and social isolation (Council for Sex Offender Treatment 2004:3; Hodge *et al* 1997:68-69; Mann *et al* 2002:51-52, 139; White & Smith 2004:183-184). According to Mann *et al* (2002:79-80), sexual recidivists place themselves in situations that increase their risk of reoffending. This means that the assessor should concentrate on factors such as how well the offender recognises high-risk situations (nursery schools, playgrounds) and activities (baby-sitting) that should be avoided after release, as well as any anticipated opportunity to reoffend in the community (Hanson 1998:57-60, 62, 63, 66).

- *Sexual preference for children*: Research (Bonta *et al* 1996:44; Hanson 1998:57-60, 62, 63, 66; Prentky & Righthand 2003:6; Scalora & Garbin 2003:310) confirms that sex offenders who exhibit a sexual preference for children (specifically very young children, and male child victims) are more likely to recidivate. Furthermore, sexual interest in specifically children (boys) and sexual interest in rape are strong predictors for reoffending. Research (Hanson & Brussière 1998:351; Langan *et al* 2003:1; Scalora & Garbin

2003:310, 317) also confirms that child molesters are more likely to be rearrested for child molesting.

- ❑ *Offence history*: Research (Hanson & Harris 2000:29; Howitt 2002:363; McGrath *et al* 2003:7; Rabinowitz *et al* 2002:329; Scalora & Garbin 2003:310; Schlesinger 2000:232-233; White & Smith 2004:183-184) indicates that sexual recidivists have long histories of diverse sexually deviant behaviour. Langan *et al* (2003:11, 13) found that 78.5 percent of sex offenders had a criminal history prior to their current incarceration and that 43 percent of these offenders recidivated. Hanson and Brussiè (1998:351), Mann *et al* (2002:40), Motiuk (2001:192) and Prentky & Righthand (2003:6, 25) cite that the risk for sexual offence recidivism increases for those with a history of prior sexual offences. Hanson and Brussière (1998:352) and Prentky and Righthand (2003:25-26, 28) state that sex offenders with records of juvenile delinquency are more prone to reoffend than those with no juvenile records. Roberts (2003:91) reports that 60 to 80 percent of adult offenders admitted that they had began their deviant sexual behaviours as adolescents. Research furthermore shows that the number of offences with which an offender is charged and convicted of is an indication of future reconviction (Mann *et al* 2002:37; Scalora & Garbin 2003:310). The assessor should focus on prior sexual offences, any sexual offence committed in a public place, a offence history of violence, any sexual offence that involved multiple acts perpetrated on a single victim, and specific sex acts committed (such as fellatio, anal penetration) (Hanlon *et al* 1999:75; Hanson 1998:57-60, 62, 63, 66; Motiuk 2000:192; Serin *et al* 1997:4-5). Previous sex offences are found to be one of the most salient factors for sexual recidivism (Nafekh & Motiuk 2002:1; Scalora & Garbin 2003:310).

- ❑ *Family background*: Hanson and Harris (2000:20) and Roberts (2003:92) report that sexual recidivists do not acknowledge a close, nurturing relationship with their fathers (who seem to be either abusive or physically or emotionally absent from their lives). These offenders had never developed a sense of boundaries, they have difficulty with attachments, little sense of empathy or remorse, and can be abusive and take advantage of others. Sex offenders who commit self-harm are more likely to have experienced loss, abandonment and hurt as a child, and those who attempt suicide are more likely to have experienced multiple family breakdowns and school bullying resulting in truancy (Mann *et al* 2002:77; Prentky & Righthand 2003:6; Scalora & Garbin 2003:310; White & Smith 2004:182-184). In support of this,

Lee *et al* (1999:230) and Starzyk and Marshall (2003:95-96) strongly suggest that attachment style is an important risk factor for sexual reoffending. Although poor parent-child attachments are partly responsible for unfortunate outcomes such as sexual offending, other factors such as parental modeling of violence, especially toward women, are also influential (Starzyk & Marshall 2003:96; White & Smith 2004:183-184).

❑ *Childhood abuse*: Hanson and Harris (2000:20, 29) report that the early family background of sex recidivists are significantly worse than that of non-recidivists in terms of sexual, emotional and physical abuse. Haapasalo and Moilanen (2004:141), Roberts (2003:92) and Starzyk and Marshall (2003:93-95, 101) found that sex offenders who are at risk of reoffending are more likely to have experienced maltreatment that included neglect, physical and sexual abuse, and that this damage incurred in childhood was maintained through to adulthood. Mann *et al* (2002:77) and White and Smith (2004:183-184) cite that offenders who commit rapes were found to be more likely to have been victims of child sexual abuse, and those who murdered their victims were found to be more socially and emotionally isolated as children than non-murdering rapists. Offenders who committed child sex offences were more likely to have experienced neglect, family instability and problematic parenting (Mann *et al* 2002:77; Prentky & Righthand 2003:6, 21; White & Smith 2004:183-184). Sexual-violent recidivists, compared with non-recidivists, were more likely to have had a history of violence in the families in which they were raised, and were raised in more psychologically harmful family environments, compared with non-recidivists (Firestone *et al* 2000:203; Haapasalo & Moilanen 2004:141; White & Smith 2004:183-184). This is sustained by research reports that indicate that as many as 75 percent of sexual offenders were themselves sexually victimised as children, compared to a non-offender community sample prevalence of 15.5 percent (Starzyk & Marshall 2003:96). Sexual abuse by a man rather than a woman is said to have a greater negative impact on boys. Childhood sexual abuse by men, but not women, predicts adolescent sexual offending (Starzyk & Marshall 2003:97). Furthermore, most research reports reinforce the idea that physical abuse increases the likelihood for sexual offending. Research found that adolescent sexual offenders and adult rapists (as compared to non-offenders), were exposed to a greater degree of violence in their homes (Starzyk & Marshall 2003:98). Some reports also indicate that even witnessing physical abuse during childhood increases the likelihood of sexual

offending (Haapasalo & Moilanen 2004:141, 143). Research (Starzyk & Marshall 2003:98) also reports that male children who witness physical abuse during childhood are more likely to use physical force with their dating partner.

❑ *Employment*: Research (Hanson & Brussière 1998:351; Hanson & Harris 2000:23, 29; Mann *et al* 2002:65-66; Scalora & Garbin 2003:310) indicates that compared to non-recidivists, sexual recidivists were more frequently unemployed. Education, training and employability issues are linked to the risk of serious harm and risks to the individual. For example, it may be that employment as a nursery worker is inappropriate for someone who has a series of convictions for sexual assault of children. Also, a prisoner convicted of sexual offences may report that he would like to start a course in photography, and during the interview he gives the impression that this might be an aid to his reoffending on release (Mann *et al* 2002:66). Important factors such as employment record, employment experience and skills, employment instability (specifically related to performance problems), and a lack of conventional ambition should also be considered here (Gillis *et al* 1998:4; Serin *et al* 1997:4-5).

❑ *Paraphilias*: Sexual recidivists display more paraphilias (for example voyeurism, exhibitionism, and fetishes) than non-recidivists, and these deviant sexual urges increase before reoffending (Council for Sex Offender Treatment 2004:3; Hanlon *et al* 1999:72, 76; Hanson 1998:57-60, 62, 63, 66; Hanson & Harris 2000:20, 29; Scalora & Garbin 2003:310; Schlesinger 2000:232; Serin *et al* 1997:4-5). These offenders also display inappropriate behaviour such as over familiarity, aggressive eye contact, and attempts to manipulate or to create divisions between their own or other inmates' visitors (Mann *et al* 2002:131).

❑ *Sexual preoccupations*: Pornography or other sexually stimulating material are often found to be a precursor to offending. Sex offenders are frequently discovered to have large collections of pornography, which can include hard-core or child pornography (Haapasalo & Moilanen 2004:132; Prentky & Righthand 2003:20; Roberts 2003:85). Sexual recidivists most often arrange their lifestyle to facilitate, or be congruent with, their sexual deviance (such as works in an adult book store). In addition, Hanson and Harris (2000:24-25, 29) and Hollin (2001:358) found that sexual recidivists are more likely than non-recidivists to engage in socially deviant (although not necessarily illegal) sexual activities, such as the use of prostitutes, excessive masturbation, and

self-reported deviant sexual fantasies and/or urges. These sexual preoccupations appear to be a stable factor before reoffending (Hanson 1998:57-60, 62, 63, 66; Serin *et al* 1997:4-5). Also, sex offenders with severe courtship disorders appear to be at particularly high-risk for recidivism (Council for Sex Offender Treatment 2004:3; Hanson & Harris 2001:3; Serin *et al* 1997:4-5).

❑ *Sexual fantasies*: According to Hanson and Harris (2000:9, 29), deviant sexual fantasies tend to follow episodes in which sex offenders felt stressed or upset (this is also a common precursor to sexual reoffending). In support of this, research (Hodge *et al* 1997:67; Hanson & Harris 2001:4) found that sexual offenders are most likely to engage in deviant sexual and violent fantasies following stressful events, and the existence of deviant sexual fantasies increase the risk for reoffending (Hanson 1998:57-60, 62, 63, 66; Serin *et al* 1997:4-5). According to Hodge *et al* (1997:67), the rehearsal of violent and sexual fantasies increases an individual's chances to reoffend.

❑ *Deviant sexual arousal*: Chronic sex offenders mostly demonstrate a repetitive pattern of abuse related to deviant arousal, while episodic offenders display a situational pattern of sexual abuse related to non-sexual problems (Danni & Hampe 2000:491; Scalora & Garbin 2003:310). Sexual recidivists, compared with the non-recidivists, exhibited greater sexual arousal by assaultive stimuli involving children, than by mutually consenting stimuli with children (Firestone *et al* 2000:203; Hodge *et al* 1997:69; Marshall & Fernandez 2003:135).

❑ *Anger and hostility*: Firestone *et al* (2000:203), Hanson and Brussière (1998:353) and Hanson and Harris (2000:29) found that sex recidivists showed an increase in anger, hostility and subjective distress just before reoffending. Lee *et al* (1999:228), Prentky and Righthand (2003:23, 41) and Serin *et al* (1997:4-5) claim that anger and hostility often precede and facilitate sexually aggressive behaviour, because these factors are so compelling and powerful that other factors such as guilt, anxiety, or empathy for the victim fail to inhibit them. Hodge *et al* (1997:68) report that anger is associated with the offence in 94 percent of rapists and in almost 90 percent of other tpes of sex offenders.

❑ *Impulsivity and risk-taking*: Research literature suggests that impulsivity and risk-taking are important distinguishing characteristics of sex offenders and the impulsivity exhibited by these offenders are likely to severely limit the deterrent value of criminal penalties such as incarceration (Motiuk 2001:190;

Prentky & Righthand 2003:22). The reason for this is that chronic sex offenders "seldom consider the consequences of their acts, many underestimate the risk, some are indifferent to risk and some thrive on it. Many are sublimely optimistic; they believe that they will not be caught; if caught, not convicted; if convicted, not sentenced; if sentenced, not imprisoned; if imprisoned, quickly released" (Council for Sex Offender Treatment 2004:3; Motiuk 2001:190). Therefore, impulsivity and risk-taking behaviour are directly related to sexual recidivism (Bonta *et al* 1996:44).

❑ *Intimacy and relationship problems*: The importance of intimacy deficits for sexual offenders is supported by various research reports (Hanson & Harris 2001:3). According to Hanson and Harris (2001:3) and Scalora and Garbin (2003:310), sexual recidivists often report little satisfaction from their intimate relationships and pursue sex in uncommitted relationships. Hanson and Harris (2000:24, 29) further state that intimacy problems (the lack of an intimate partner and relationship conflicts) are more commonly observed among recidivists than non-recidivists. Some sex offenders chronically feel lonely and rejected. Such characteristics are associated with the risk of sexual recidivism (Hanson 2003a:1). Adult sexual offenders, compared to non-offenders and other offenders, have more problematic relationships (Starzyk & Marshall 2003:99). Moreover, findings suggest that sexual recidivists' difficulties in forming and maintaining friendships began in childhood. Sexual reoffenders display higher levels of anxiety and a greater feeling of estrangement from others. Indicative of this social distance, research found that 86 percent of rapists and 74 percent of child molesters had few or no friends during childhood (Haapasalo & Moilanen 2004:141, 143; Mills & Kroner 2003:329; Starzyk & Marshall 2003:99). Other factors to consider are social isolation, social adjustment, grave difficulties in establishing meaningful relationships with adult females and dysfunctional social relationships (Hanson 1998:57-60, 62, 63, 66; Hanson & Brussière 1998:353; Hanson & Harris 2001:3; Serin *et al* 1997:4-5; Sumner 2004:222-223).

❑ *Low empathy*: Hanson and Brussiè (1998:352) and Hanson and Harris (2001:3) found that sexual recidivists display no empathy for their victims. Empathy deficits increase the likelihood that a person will behave in a harmful way and increase reoffending behaviour (Starzyk & Marshall 2003:101). Research (Starzyk & Marshall 2003:101) suggests that deficiencies in parent-child bonds are responsible for problems in displaying empathy. Abused

children fail to display empathic responses because they are unable to understand the feelings of others. Research furthermore suggests that sexual recidivists may have the ability to be empathic to others, but have specific difficulties responding empathically toward their own victims (Starzyk & Marshall 2003:100-101). Research found that 94 percent of North American sex offender treatment programmes regard the development of empathy as an important goal in reducing recidivism (Starzyk & Marshall 2003:101).

❑ *Psychopathy / antisocial personality disorder*: Research (Hanson & Harris 2000:20, 29; Hemphill & Hare 2004:203-204; Schlesinger 2000:232; Sumner 2004:222-223) contends that sexual recidivists are more likely than non-recidivists to meet the diagnostic criteria for psychopathy. According to Andrews and Bonta (1998:306), Bonta *et al* (1996:44), Firestone *et al* (2000:203), Hanlon *et al* (1999:75), Hanson (1998:57-60, 62, 63, 66), Hanson and Brussière (1998:351), and Serin *et al* (1997:4-5), an antisocial personality disorder is the strongest predictor for sexual recidivism. Research (Hollin 2001:339; Sumner 2004:221-222) suggests that psychopathy and deviant sexual behaviour are related to reoffending among rapists. Sadistic rapists scored higher on a behavioural measure of psychopathy and reflected a longer history of criminal behaviour. Gretton *et al* (2001:429) are of the opinion that psychopathy generally ranges from about 10 to 15 percent in child molesters to about 40 to 50 percent in rapists. The offences of psychopathic sex offenders are likely to be more violent or sadistic than are those of other sex offenders (Gretton *et al* 2001:429). Psychopathy is therefore predictive of violent recidivism in a large sample of sex offenders (Gretton *et al* 2001:429).

❑ *Attitudes tolerant of sexual behaviour*: Hanson and Harris (2000:3, 24, 29) and Prentky and Righthand (2003:40) report that sexual recidivists show little remorse or concern for their victims, they believe that their sexual crimes can be justified and they feel that they are entitled to express their strong sexual drive.. Other attitudes, such as hostility to others, an unwillingness to acknowledge the necessary limits of personal freedom, victim blaming, total denial of offence, and negative attitudes towards supervision are associated with an increased risk of serious harm and recidivism (Council for Sex Offender Treatment 2004:3; Mann *et al* 2002:18).

❑ *Self-management strategies*: One of the most distinctive risk factors for sexual offenders is a problem with sexual self-regulation. Sexual offenders perceive themselves to have strong sexual urges and feel entitled to act out

their sexual impulses (Prentky & Righthand 2003:7). Sex is overvalued in the pursuit of happiness. Sexual offenders believe that sexual activity (normal or otherwise) increases their social statue and mitigates life stress (Hanson & Harris 2001:3). Poor behavioural controls can directly contribute to sexual reoffending and given the opportunity, some offenders will impulsively commit sex offences (Fisher *et al* 1999:474; Hanson & Harris 2001:4).

❑ *Treatment history*: Hanson and Harris (2000:20, 29) and Schlesinger (2000:232) note that sexual recidivists are more likely than non-recidivists to have dropped out of treatment, or to have been considered a treatment failure. Research (McGrath *et al* 2003:12-13; Scalora & Garbin 2003:309-310) illustrates that failure to complete treatment is consistent with sexual reoffending. Important factors to assess are the number of treatment programmes attended before the current (index) offence (including sexual offence specific treatments), treatment failure, compliance, motivation, (specifically a lack of motivation to change), treatment readiness, denial, minimisation and victim blaming (Bonta *et al* 1996:44; Hanlon *et al* 1999:75; Hanson 1998:57-60, 62, 63, 66; Serin *et al* 1997:4-5).

❑ *Difficulties cooperating with supervision*: Research (Hanson & Harris 2000:25, 29) indicates that non-recidivists are more cooperative with supervision than sexual recidivists. The recidivists tend to be disengaged from treatment and community supervision, attempt to deceive and manipulate the officers and to miss scheduled appointments. Hanson and Harris (2000:25, 29) describe sex recidivists as generally not cooperative, and state that their compliance deteriorated just before reoffending. The officers monitoring the recidivists perceived them to become increasingly disengaged, absent, or generally not cooperative during the course of supervisions.

❑ *Cognitive functioning*: Research (Fisher *et al* 1999:475; Hanson & Brussière 1998:353; Prentky & Righthand 2003:37) suggests that sex recidivists suffer from profound cognitive distortions. Hanson and Harris (2000:24, 29) state that sex recidivists tend to view themselves as being at little risk for committing new sexual offences and take few precautions to avoid high-risk situations. This means that they are more likely than non-recidivists to create, or expose themselves to situations in which access to potential victims are likely (such as child-oriented hobbies). Toch and Adams (1994:93) found that 28 percent of sex recidivists are mentally disturbed. According to these researchers, individuals with mental health and/or substance abuse histories are overrepresented among offenders who commit sexual assaults against

adults or (more so) against children. Data indicates that offenders with psychiatric histories more often stand convicted of murder, assault, rape and sodomy (Hanson 1998:57-60, 62, 63, 66; Toch & Adams 1994:64-65).

❏ *Parole failure*: Researchers and the Correctional Service of Canada view general parole failure as an important indicator among sexual recidivists (Hanson & Brussière 1998:357; Mayzer *et al* 2004:138-139). According to Barbaree *et al* (2002:5), 31,8 percent of sex offenders in their study failed their conditional release for one of the following reasons: A relapse in which no official action was taken; suspension for the breach of a condition related to their relapse plan; or revocation of their conditional release. MacAulay (2001:6) claims that 73 percent of sex offenders had previously failed on a period of community probation or parole. Other factors to assess are breach of probation, bail and an institutional disciplinary history (Hanlon *et al* 1999:75; Mann *et al* 2002:39).

Hollin (2001:358) found that a history of prior sex offences, a variety of sex offences, deviant sexual preferences, victim-offender relationship, children victims, age (younger) and some aspects of developmental adversity are positively related to sexual recidivism. Andrews and Bonta (1998:311-312) cite that an antisocial personality, criminal history and antisocial cognitions are the best predictors for sexual recidivism.   In addition, Hanson and Harris (2001:6) report that sexual recidivists are more likely than the non-recidivists to have diverse types of victims, paraphilias, a lower intellect and to suffer from an antisocial personality disorder. Thus, offenders who rate highly on many risk factors can reasonably be considered more dangerous than offenders having few risk factors (Hanson 1998:62; Howitt 2002:363).

4.9.2 Risk assessment of violent offenders

Researchers use the concepts of "dangerousness" and "risk" interchangeably because both these concepts convey propensities to cause harm to others or to oneself (Champion 1994:19; Hollin 2001:73). However, Howitt (2002:370) claims that the assessment of risk is different to the assessment of dangerousness. The assessment of risk (of occurrence) involves predicting how *likely* it is that the individual will in the future commit another crime. Dangerousness is more about the level of the danger or adverse consequences to the victim of such a crime (Howitt 2002:370).   For example, an offender might be adjudged to be greatly at risk of reoffending, but that the offence is likely to be no more than getting involved in a

modest brawl. On the other hand, a person may have a low risk of reoffending but, if they do, very serious consequences are expected for the victim.

The preoccupation with violent offenders has heightened the emphasis on risk assessment and a renowned interest in corrections exists to attend to the intervention, reduction and management of high-risk and violent behaviour (Bonta *et al* 1996:4; Hollin 2001:72-73; Serin & Preston 2001:145). Violent offenders can be distinguished in terms of their anger problems, the degree of instrumental violence employed, age of onset, context of violence, the multi-determined nature of the seeds of violence, their use of weapons, their attributions towards others, the degree of planning in their crimes and their level of impulsivity - this array of variables gives a heterogeneous sample of violent offenders (Leschied 2001:82; Serin & Kennedy 1997:7). Besides these variables, offenders are influenced by an unique prison environment (for instance gang involvement and overcrowded conditions), individual inmate characteristics (such as anger, aggression and challenging behaviour), various cultures and environmental conditions - all of which may increase or decrease prison violence and individual risk to violent behaviour (Harer & Langan 2001:533). Current research emphasises the importance of violence as a *learned* behaviour. Violence can also be vicariously learned as a result of experiencing the rewards that are perceived to be associated with exercising power through others (Leschied 2001:82).

Considerable research has focused on violence in prisons (Seiter 2002:234). Reasons cited for such violence include overcrowded conditions, tension between inmate gangs, powerlessness, boredom, sexual frustration, retaliation, machismo and disrespect. The overall conclusion is that the prisons hold violent people who will continue to act out in violent ways, and that the prison culture and environment adds to the tension and threat of violence by inmates. It is important to conduct risk assessments so that custodial staff can manage these offenders effectively (Seiter 2002:234-235).

More accurate predictions of dangerousness can be made by knowing more about the conditions that encourage violence (Howitt 2002:357). In addition, Hollin (2001:71) states that "Questions surrounding the prediction of dangerousness seem to change each decade or so. Also, the language in which those questions are framed alters subtly with the accumulation of scientific knowledge, altered professional practice, and changing political and legal realities".

4.9.2.1   The purpose of risk assessment for violent offenders

Risk assessment of violent offenders helps to determine the initial institutional classification, security placement, intervention strategies, inmate management, early release eligibility and the level of supervision required under conditions of probation or parole (Champion 1994:19). Another major purpose is to protect the citizenry by managing the risk that violent and aggressive offenders pose for reoffending (Benda *et al* 2001:589).

Furthermore, risk assessment can assist in the prevention of violence in prisons. In this regard May and Pitts (2000:134) state that:

> "Prisons are violent places, and prisons teach violence. For an inmate who must make the prison his or her home, whether for months, years, or even a lifetime, avoiding a violent attack becomes a daily concern. The need to maintain constant vigilance creates stress, tension and chronic anxiety. Even in their sleep, they do not feel safe. They almost instinctively react to provocation with violence, as adjustment to this sense of vulnerability. They learn to solve conflicts through force. Jails and prisons also teach control as a means to achieving ends."

Risk assessment also determines what should be done when violent predators are incarcerated. Key questions relevant to violent offenders are (Mann *et al* 2002:145; Sabbatine 2003:67): "Should they be transported in restraints?", "Should they be transported with more than one officer?", "Should they be housed alone or with other offenders?", "What intervention strategies are beneficial to violent offenders?", "Should they be commingled with non-predatory offenders in housing units, programmes, during visitation, meals or recreation?'", "Should they receive a greater level of supervision, more frequent observation and be placed in a living environment void of instruments of assault?", "Should they undergo frequent shakedowns to prevent the possession of dangerous contraband (such as illegal weapons)?", "What is the likelihood that any particular offender will be violent toward others?", "Does an offender pose any risk to public safety?" and "What is the likelihood that any particular offender will commit suicide or attempt it?" Furthermore, "What circumstances are likely to increase the risk?" and "What are the current circumstances (for example social isolation, unemployment or lack of stable accommodation) of the offender?"

Risk must be considered each time a person is accepted into custody or moved within or outside the facility. Officers must know the level of danger to determine appropriate restraint and supervision during movement. Every housing assignment,

even temporary intake holding, requires knowledge of risk to prevent assault, escape or victimisation (Mann *et al* 2002:145; Sabbatine 2003:67). However, Kemshall (1998:290) and Hollin (2001:73-74) propose that whilst risk assessment for dangerousness is now more prominent, the reputation of dangerousness prediction remains poor. That is, procedures for identifying harm and dangerousness have proliferated, but there have been few successful attempts to integrate these assessments in practice (Kemshall 1998:267).

4.9.2.2   Risk assessment criteria for violent offenders

Risk assessment targets such as social class, offence analysis, motivation and developmental history correspond with the general and non-specific risk assessment criteria discussed in Section 4.8.2 (page 159). These criteria are discussed in this section because the focus areas of these targets differ from the general and non-specific risk assessment criteria.

Research (Andrews & Bonta 1998:298; Benda *et al* 2001:599, 604-605; Bonta *et al* 1996:42-43; Bonta 2002c:363, 366; Corrado *et al* 2003:180-181, 185; Gendreau *et al* 1996:3; Goggin et al 1998:1, 4, 7; Hanson & Brussière 1998:353-354, 357; Hollin 2001:73, 128, 131-133; Howitt 2002:357, 362-363; Loza 2003:191; Motiuk & Porporino 1989:4; Weiner & Hess 1987:206-237; Wrightsman & Fulero 2005:128-132) indicate the following variables associated with violent recidivism:

- *Race and culture of violence*: Research (Bonta *et al* 1996:42-43; Bonta *et al* 1998:132-134; Hanson & Brussière 1998:353; Sullivan *et al* 2003:20) reports a connection between minority race and violent and aggressive behaviour and recidivism. Howitt (2002:368) states that cultural perspectives and influences play a vital role in violent behaviour. Howitt (2002:368) found that classification of the likelihood of future violent convictions was 82 percent accurate using cultural origin.
- *Socio-economic status*: Individuals who come from a criminal family background and who rely on the welfare system (poor socio-economic status), are at risk of offending and reoffending (Bonta *et al* 2000:323; Hollin 2001:73; Loza 2003:184).
- *Types of violent crimes*: This section focuses on various types of violent and aggressive crimes that are indicative of future criminal acts. The assessor should consider whether the offender has ever been arrested and/or convicted for any of the following crimes: Blackmail, harassment, stalking,

child neglect, domestic violence, abduction, death by dangerous driving, threats directed at prisoners or staff, hate-based behaviour (verbal and physical assault directed towards an individual and/or a specific group), racially-motivated crimes, homophobic offending, violent outbursts, threats and coercion directed at victim(s), threatening language or bullying (Mann *et al* 2002:130-131).

- *Offence analysis*: Important factors to consider are: The planning of the offence (did the offence occur spontaneously or was there detailed planning); the use of violence, such as extreme violence, loss of control, sadistic violence (such as torture), mutilation, coercion, deliberate arson, physical damage to property (including the offender's own), the pattern of reoffending, the number of occasions on which the offence occurred, the location, a lack of provocation, any targeting, grooming, vulnerability of the victim(s), evidence of a very sophisticated *modus operandi*, the brutal nature of the crime and the severity of the current offence (Bonta *et al* 1996:42-43; Hanson 1998:63; Harer & Langan 2001:518; Hollin 2001:76; Mann *et al* 2002:14, 36, 46-47, 139).

- *The use of weapons*: This section concerns the future availability of means for committing future violence to predict criminal behaviour (Loza 2003:187). It includes the use of weapons, a preoccupation with weapons (guns and knives) and violent media, the carrying of a weapon (or any implement the offender used as a weapon such as a hammer, screwdriver, brick, piece of wood), an obsession with military paraphernalia and any violence or threat of violence or coercion (Benda & Tollett 1999:111; Loza 2003:187; Serin *et al* 2000:4, 12).

- *Motivation*: The motives of violent crimes are important to determine the future risk to individuals, groups, custodial staff, known persons and the public. Motivations to consider include: Racial hatred and indications of behaviour which are driven by a desire for revenge, power, control, or by discriminatory beliefs, homophobic behaviour, jealousy, anger, physical violence towards a partner (domestic violence), physical violence against other relatives or members of the household, financial gain and motiveless cold-blooded crimes (Mann *et al* 2002:46-48, 51, 146; McMurran & Hodge 1994:87-88).

- *Aggressive and controlling behaviour*: This involves the use of violence, or the threat of violence in a calculated manner in order to achieve one's own objectives. Characteristics to consider include: Threats or bullying behaviour

in prisons, a history of aggressive behaviour as a child, threats of violence towards family or partners, a reputation for bullying, has involved violence or threats of violence in order to gain compliance, has made threats to police, or to the staff, reputation defending behaviour, norm enforcing behaviour, self-image compensating, self-defending, exploitation and self-indulging behaviour (Bonta *et al* 1998:128, 132-134; Harer & Langan 2001:518; Loza 2003:182, 185; Mann *et al* 2002:103; Sullivan *et al* 2003:17-18).

❑ *Bizarre aspects*: McMurran and Hodge (1994:89) suggest that assessors should focus on bizarre events and/or behaviour such as satanic overtones to behaviour, photographing violent behaviour and/or the victim, sado-masochism, urination, defecation, and/or discarding of own clothes.

❑ *Developmental history*: One of the best predictors of embarking on a violent criminal career is troublesome childhood behaviour, such as stealing, lying, and being aggressive or truant from school (Benda & Tollett 1999:111; Haapasalo & Moilanen 2004:141; Loza 2003:183). Research has indicated that conduct problems during childhood are among the best predictors of later offending and the development of a violent criminal career (Loza 2003:183). A history of childhood problems, such as hyperactivity, being separated from parents under the age 16, enuresis, temper tantrums, fighting, school problems and an inability to get along with others, increase the risk of reoffending (Hollin 2001:76, 131; Loza 2003:183; Sullivan *et al* 2003:20). According to Loza (2003:183), aggression at the age of eight is the best predictor of aggression at the age of 19 or later. Research reports that 36 percent of the incidences of later violence could be accounted for by childhood predictive factors (Loza 2003:183). These factors include a lack of parental supervision, a lack of self-confidence of parents, being exposed to parental conflicts and aggression, negative family management techniques, harsh or erratic parental discipline, cruel, passive, or neglecting parental attitude, negative parent-child relationships, familial criminality, parental illness, separation from parents, broken homes, low family income, unsatisfactory housing, antisocial parents, parental substance abuse, pyromania and cruelty to animals (Bonta *et al* 1996:42-43; Bonta *et al* 1998:132-134; Harris *et al* 2001:413-414; Hollin 2001:73; Loza 2003:183; Motiuk & Brown 1996:1; Serin & Preston 2000:146).

The abovementioned predictors are congruent with research literature on the prediction of violent criminal behaviour. Howitt (2002:372) yields that very little

research addresses the factors that reduce high-risk violent offenders. This author reports that preventative factors include intense social isolation, a strong family orientation, physical disability and experience of shock, such as those due to committing crime, being arrested or incarceration.

4.10 Evaluation of risk assessment criteria

This section evaluates the risk assessment targets applicable to general, non-specific, sex and other violent offenders.

The following diagram underlines specific risk assessment criteria applicable to sex and other violent offenders.

4.10.1 Specific risk assessment criteria associated with sex and violent offenders

Sex offenders	Violent offenders
Marital status and social class	Race and culture
Victim characteristics	Socio-economic status
Sexual sadism	Types of violent crime
Behavioural triggers and high-risk situations	Offence analysis
Sexual preference for children	The use of weapons
Offence history	Motivation
Family background	Aggressive and controlling behaviour
Childhood abuse	Bizarre aspects
Employment	Developmental history
Paraphilias	
Sexual preoccupation	
Sexual fantasies	
Deviant sexual arousal	
Anger and hostility	
Impulsivity and risk-taking	
Low empathy	
Psychopathy	
Attitudes tolerant of sexual behaviour	
Self-management strategies	
Treatment history	
Difficulties with supervision	
Cognitive functioning	
Parole failure	

According to this outlay, the risk assessment criteria for sex offenders include a more comprehensive focus on offence-specific (sexual preference, triggers and high-risk situations) and offender-specific (empathy and cognitive functioning) areas than that of violent offenders.

4.10.2   Corresponding risk criteria for general, sex and violent offenders

Various overlapping risk targets exist for general, sex and other violent offenders, namely demographic details (age, gender, marital and social status), criminal history, crime analysis, victim characteristics, motive, intelligence, developmental history, school background, education, employment, responsibility, guilt, remorse, substance abuse, intelligence, cognitive functioning, psychopathy and/or antisocial personality disorder, skills, responsivity and treatment, attitudes, criminal associations, parole breach and escape.

Risk assessment targets such as behavioural triggers, high-risk situations, childhood abuse, anger and hostility, impulsivity and risk-taking behaviour correspond with both sex and other violent offenders. However, the focus of these criteria differ, for example, *childhood abuse* among sex offenders entail a more in-depth discussion on sexual, physical and emotional abuse, while *anger and hostility* among violent offenders include a detailed discussion on temper control.

4.10.3   Corresponding needs and risk assessment targets for general, sex and other violent offenders

This section highlights the overlapping needs assessment (Chapter Three) and risk assessment criteria (Chapter Four) for general, sex and other violent offenders.

Overlapping needs and risk assessment criteria for general offenders include: Demographic details (age, gender, marital and social status), criminal history, offence analysis, family background, developmental history, cognitive functioning, responsivity and treatment, financial management, education, employment, criminal associates, substance abuse, intelligence, attitudes, skills, leisure and recreation, psychopathy and/or antisocial personality disorder, breach of prole and escape.

Similar needs and risk assessment targets for sex offenders include: Demographic details (age, social and marital status), education, employment, criminal history, victim characteristics, developmental history, childhood abuse and trauma, psychopathy and/or antisocial personality disorder, attitudes, criminal associations, sexual deviancy, deviant sexual arousal patterns, sexual fantasy, deviant sexual preoccupations, anger and hostility, intimacy problems, substance abuse, skills, triggers, impulsivity, paraphilias, responsibility, cognitive functioning, victim empathy, sexual preferences, responsivity and treatment.

Corresponding needs and risk criteria for other violent offenders include: Age, socio-economic status, intelligence, criminal history, offence analysis, victim characteristics, developmental background, childhood abuse, school achievement, employment, impulsivity, anger, aggression and hostility, substance abuse, cognitive functioning, psychopathy and/or antisocial personality disorder, risk-taking behaviour / opportunity to offend, skills, responsibility, attitudes, criminal associations, parole and escape problems.
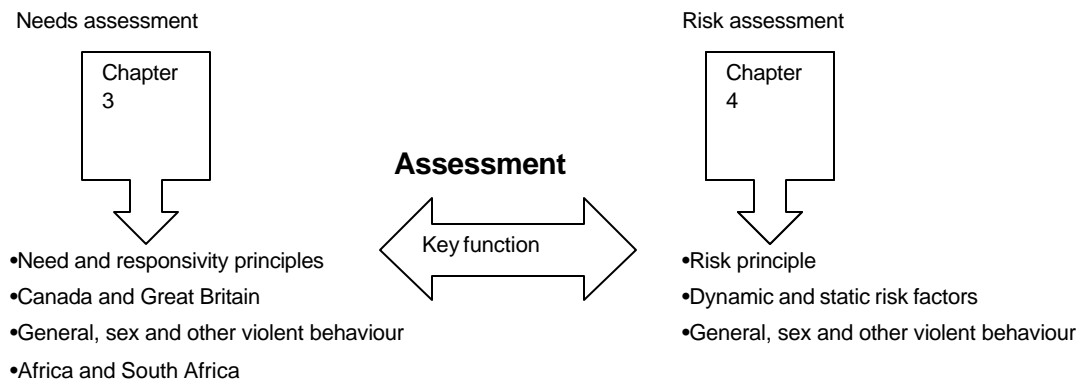
An analysis of these targets show little difference between needs and risk assessment criteria. Similar and corresponding targets are utilised to assess the various types of offenders for needs, risk and responsivity purposes – except that different descriptions, meanings and foci area are attached to these criteria. This means that research findings are not consistent with the division, description and discussion of the various needs and risk assessment targets associated with general, sex and other violent offenders.

4.11   Concluding comments

In this chapter, current knowledge and research findings concerning risk assessment practices for general, sex and other violent offenders are reviewed. Categories of risk classification, the purpose of offender risk assessment, different types of risk as well as the accuracy of risk prediction are evaluated. Corresponding needs (Chapter Three) and risk targets (this chapter) are analysed to outline the difference between these two assessment practices.

In sum, Figure 4.1 illustrates the international and national research on offender assessment discussed in this study.

Figure 4.1   International and national research on offender assessment

Needs assessment

Chapter 3

•Need and responsivity principles
•Canada and Great Britain
•General, sex and other violent behaviour
•Africa and South Africa

Assessment

Key function

Risk assessment

Chapter 4

•Risk principle
•Dynamic and static risk factors
•General, sex and other violent behaviour

This figure outlines the difference (needs and risk) in foci and highlights assessment as the key function to both these practices.

Against the background of information provided on needs and risk assessment, as set out in the first section of this study, an empirical research project was undertaken within parameters of criminological assessment and addressed in Section B of this study.