

Assessment within Criminal Justice

Assessments within the criminal justice setting tend to take a cognitive-behavioural approach. Professionals invite offenders to explore the influence of their cognitions (thoughts) upon their feelings and behaviours. The impact these have on subsequent thinking (and feeling) and behaviour is considered in turn. Using this approach (sometimes called the ABC model: Antecedent → Behaviour → Consequence), a comprehensive behavioural, or functional, analysis is made. This systematically investigates the influence of an offender's beliefs and thinking upon their behaviour. Alongside the application of family and systems models, the influence of an offender's historical and current social environment upon their thinking – and ability to develop pro-social problem solving strategies – is explored.

Assessments within a criminal justice setting are largely similar to many other kinds of assessment. However, the following three are unique to, and thematic throughout, a thorough criminal justice assessment:

1. Risk

Static (things that can't change, e.g.: age, gender, history (family, schooling, offending))

Dynamic (things that can change, e.g.: substance use, violence propensity, peer group)

Level (e.g. cannabis use (low risk to public), vs "P" use (high risk))

Likelihood (e.g. more likely to offend under certain circumstances)

2. Need

Criminogenic (crime-causing, e.g.: substance use, peer group)

Reintegrative (rehabilitative, e.g.: housing, employment)

3. Responsivity

Factors that impact upon offenders' ability to respond to intervention (e.g. membership of a community group (supportive) versus membership of a gang (barrier))

Some practitioners talk about offenders being "pre-contemplative" and lacking motivation to engage. However, such manifestations are often as a result of offenders lacking confidence both in their own ability to change and in the "system's" ability to support them. Indeed, most offenders are strongly motivated to be free from criminal justice intervention.



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Reframing offenders' presentation in this way is more likely to facilitate change conversations, even at the assessment stage.

Conducting an accurate, balanced and relevant assessment of offenders is a complex and demanding process (see Figure 1 for a diagrammatic representation of the context of criminal justice assessment). It is essential that careful and concise notes are recorded precisely *because* the assessment is conducted for a forensic – often court-directed – purpose. It is also likely to have a significant impact upon the future of the individual being assessed, as well as upon the community.

Criminal justice assessment interviews are formal, structured and goal-directed conversations. The role of the professional is to discover how a particular person behaves under what circumstances and how these influence the level and likelihood of their risk to the community. The skill in identifying the diverse aggravators and reducers of risk is considerable. In addition, professionals need to develop hypotheses and explore questions around offenders' individual strengths and pro-social support networks.

Using the acronym SPUR¹ the following four-stage process is used as a guide to a thorough criminal justice assessment:

SPUR

Sources of information	Prepare for assessment interview	Undertake assessment interview	Review assessment interview, review information sources, write report
Court or Public Prison Service request	Prepare questions for interview	Appropriate opening	Check all questions covered
Summary of Facts	What is the key issue/problem being assessed	Identify purpose	Check information given against other sources
Criminal and traffic history	Clarity of purpose	Maintain focus	Write report
Fines statement	Generate hypotheses	Relevant history (social relationships)	
Demographic (gender, age and cultural information)	Safety and risk issues (domestic violence, child protection)	Detailed investigation of problem behaviour (ABC* and context)	
Previous CPS history (date of recent versus less recent history)	Prepare self for interview	Content and process issues	
Victim impact statement	Prepare room for interview	Assess strengths as well as problem areas	
Psychiatric/ Psychological reports		Summarise thinking and possible outcomes	
Alcohol and drug assessments		Appropriate closure	
Letters/statements			

* Antecedents, Behaviour, Consequence



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1. Sources of information (S)

From where can other information be obtained?

Is anyone else conducting an assessment on the same person?

2. Preparation (P)

Who is/are the person/s to be assessed?

Who is asking for the assessment?

What kind of assessment is required – what is its purpose? (Ongoing or one-off?)

What is your role in the assessment?

What is the context of the assessment? (see Figure 1)

What do you already know about assessing people with similar referral profiles:

What does research tell you?

What does your professional experience tell you?

What are your skills in this area?

What are your emotional strengths?

3. Undertaking the assessment (U)

Power and how you use it are highly influential in creating an assessment that balances the needs of the public, the offender and the legal body requiring the report. Issues relating to confidentiality, difference³ and avenues for complaint must be discussed with the offender at the start of an interview.

Research tells us to focus on what people tell us as well as how they tell us. BUT, remember that these factors depend significantly upon *how you* conduct the interview and *what you* say. Consequently, another crucial early step toward balancing the differences between criminal justice professionals and the people they are interviewing is to build rapport thus establishing:

- A springboard for the discussion that follows
- Your interest in aspects of the interviewee other than their offending
- An understanding of the learning style of the interviewee (including what they understand of the purpose of the assessment)
- Confidence and trust in you and the assessment process
- Insight into how the interviewee relates to others
- An opportunity for you to model professionalism and respectful communication skills

Managed professionally, an assessment interview is an opportunity for offenders to evaluate/re-evaluate their situation

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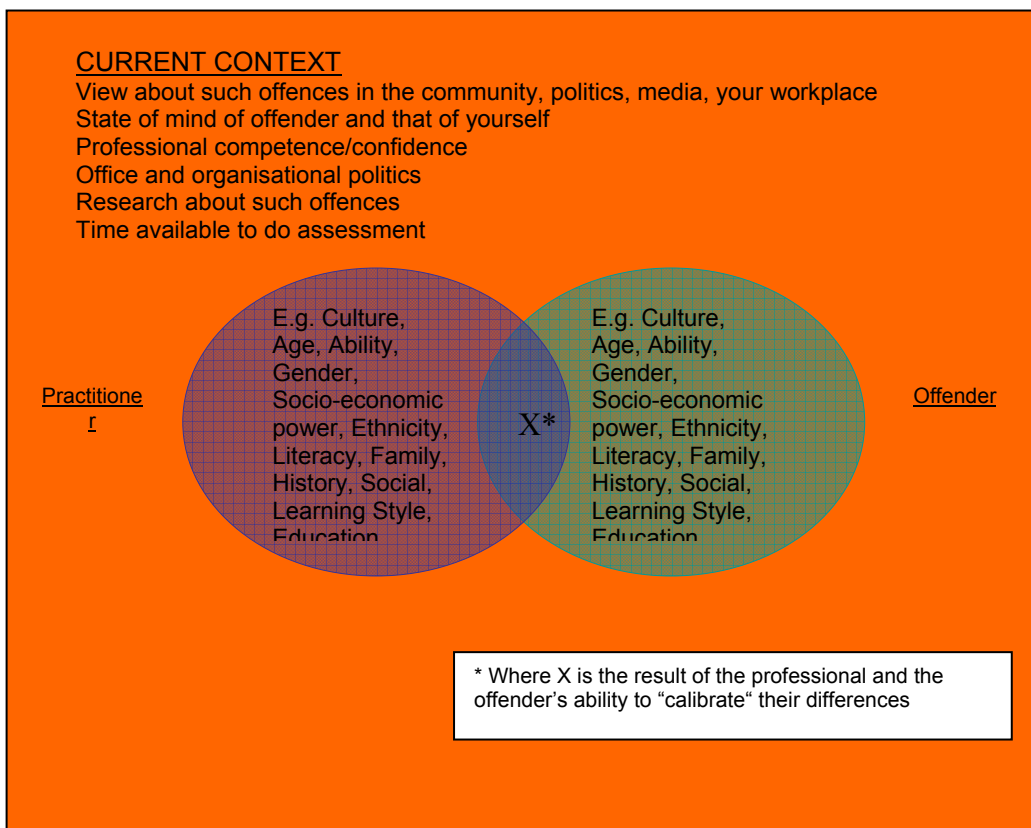
and build confidence in their ability to explore options for change. Part of this can be to encourage the offender to consider how others might describe them and their behaviour.

4. Review (R)

Toward the end of the assessment process, professionals need to consider whether all the information they have gained (from the interviewee as well as other sources) is:

- Current
- Relevant
- Valid and reliable
- Objective

Figure 1 Context for a Criminal Justice Assessment



Sam Farmer is a forensic psychologist working as part of the HMA team. For more information about how HMA can help you with your assessment training contact info@hma.co.nz

Endnotes

¹ Taken from the model HMA developed for NZ Dept of Corrections



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² The steps that follow are not exhaustive. Depending upon the nature of the assessment, further specific areas would need to be addressed within each element of SPUR.

³ Difference – for instance, in terms of culture, ethnicity, gender, age, social access, ability, sexuality. See Figure 1



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