





Sentencing options

Custodial

Community Order

Suspended Imprisonment Order

Intensive Supervision Order

Community Based Order

Fine (pecuniary)

Conditional Release Order

Drug Court



Offence types

Broad description

Generalist

Substance, traffic

Property (burglary, stealing)

Nuisance, fraud, breach

Violence

Common assault

AOBH

GBH

APO

Sexual

Child

Adult

CEM

Firesetting

- Criminal damage by fire
- Wilfully Lit Fire Likely to Injure or Damage
- Failed to Reasonably Ensure that Fire/ignition Source did/would not Cause a Fire that could not be Controlled



Most common...

Violence offences

Excluding sexual

Common assault

Aggravated > 60
Child present Racial
domestic pregnant

Assault Occasioning Bodily injury
Bodily Harm

Unlawful Wounding Wounding – bleeding
Penetrative wound

Grievous Bodily Harm
More serious injury
Hospitalisation?

Assault Public Officer

Serious:

Factors: theft of car
Work role (health, Court)

Case Study

John, a 44 year-old man convicted of AOBH against his brother-in-law in late 2021. Both highly inebriated at the time – argument over ‘being told what to do’ (BBQ) – a chair used - bruising face and chest. Entered plea of Guilty and Remanded on Bail.

Personal details:

Witnessed some DV as a child; 4 x juvenile offences at age 17 – 2 x Disorderly, 1 x Common Assault, 1 no bike helmet; some fighting at school and young adult, but minimal since marrying at 26 – although becomes angry under the influence of alcohol – impacts relationship. 3 adult children. History of excessive drinking. Good work history; described as a ‘loner’. Prior AOBH in 2017 after an argument and while inebriated. No counselling at that time or until currently.

You commenced counselling him 3 weeks after 2021 offence: seen him 8 times.

Focus of counselling: assist with:

1. distress he was experiencing – guilt re offending
2. relationship/family dysfunction (exacerbated by offence)
3. understanding of offending behaviour

Case notes snapshot: good rapport; cooperative although frequently late – carries out all homework tasks; lowered self-esteem; generally acquiescent personality; DASS D score 16; good work ethic and history; alcohol = social confidence; abstinence since offending; highly remorseful.

His Solicitor has asked you to write a report / letter on his behalf outlining:

1. The counselling he has received
2. Your thoughts on what caused him to offend
3. Your thoughts on his risk of reoffending

Offender Risk Assessment

A generational approach

FIRST GENERATION

Professional Judgement

- Clinical
- Knowledge of client
- Clinician's experience

SECOND GENERATION

Actuarial

- Static – historical **risk** factors
- Unchanging
- Reasonable predictive accuracy
- eg: Static-99R

THIRD GENERATION

Dynamic risk factors

- Dynamic = criminogenic
- Dynamic = risk/**need**
- eg: Stable-2007

FOURTH GENERATION

Structured Professional Judgement

- Combines static & dynamic
& case management plan

STATIC 99R TALLY SHEET (2016 VERSION)

Offender name:					
Date of Birth:		TOMS/CBIS ID:			
Date of Release from Index Sex Offence:		Date of Assessment:			
		Name of Assessor:			
Risk Factor		Codes	Score	Enter Score:	Comments, assumptions:
1	Age at release from index sex offence	Aged 18 to 34.9	1		
		Aged 35 to 39.9	0		
		Aged 40 to 59.9	-1		
		Aged 60 or older	-3		
2	Ever lived with a lover	Ever lived with a lover for at least two years?			
		Yes	0		
		No	1		
3	Index non-sexual violence – any convictions	No	0		
		Yes	1		
4	Prior non-sexual violence – any convictions	No	0		
		Yes	1		
5	Prior sex offences	Charges	Convictions		
		0	0	0	
		1-2	1	1	
		3-5	2-3	2	
		6+	4+	3	
6	Four or more prior sentencing dates (excluding index)	3 or less	0		
		4 or more	1		
7	Any convictions for non-contact sex offences	No	0		
		Yes	1		
8	Any unrelated victims	No	0		
		Yes	1		
9	Any stranger victims	No	0		
		Yes	1		
10	Any male victims	No	0		
		Yes	1		
TOTAL SCORE		Add up scores from individual risk factors			

	Total	Risk Level
Nominal Risk Levels (2016 Version)	-3, -2	I – Very Low Risk
	-1, 0	II – Below Average Risk
	1, 2, 3	III – Average Risk
	4, 5	IVa – Above Average Risk
	6 and higher	IVb – Well Above Average Risk

There was/was not sufficient information available to complete the Static-99R score following the coding manual (2016 version). I believe that this score **fairly represents/does not fairly represent** the risk presented by at this time.
 Comments/Explanation:

STABLE-2007 - TALLY SHEET

Client Name:

Place of Scoring: Date of Scoring: Assessor: Steve Jobson

Scoring Item	Notes	Section Total
Significant Social Influences		
Capacity for Relationship Stability		
Emotional ID with Children	(Only score this item for child molesters)	
Hostility Toward Women		
General Social Rejection		
Lack of Concern for Others		
Impulsive Acts		
Poor <u>Problem Solving Skills</u>		
Negative Emotionality		
Sex Drive Sex Preoccupation		
Sex as Coping		
Deviant Sexual Preference		
Cooperation with Supervision		
Sum for Final Total		
(Out of 24 for those without a child victim, i.e., younger than 14 years old)		<input type="text"/>
Deviant Sexual Interests in Possible Remission 1) Is the <u>offender</u> in an age appropriate, consensual, sexual relationship of at least one year's duration while "at risk" in the community? Yes/No 2) Is there an absence of <u>behavioral indicators</u> of Deviant Sexual Interest for two years? Yes/No If both questions have been answered "Yes" award a "-1" in this box and reduce the total score by one point as long as the Deviant Sexual Interest score is greater than zero. Note: The "over-ride" has not been validated and does not count in the total score entered above. The adjusted score can be recorded for future empirical validation. However, the original unadjusted score should be reported and should be used when combining the STABLE-2007 score with STATIC-99R, STATIC-2002R or other risk tools.		
Revised Total Taking "Deviant Sexual Interests in Possible Remission" Into Account		

**Violence Risk Scale (VRS)*
Treatment Assessment**

Offender's Name:		<input type="text"/>		
DOB:		<input type="text"/>	Date/s of Assessment:	<input type="text"/>
TOMS/CBIS ID		<input type="text"/>	Name of Assessor:	<input type="text"/>
Violent Offences:		<input type="text"/>		
STATIC FACTORS		Stage	Score (or I/N)	Comments
Include a detailed rationale for the scoring of each item, plus the relevant information that led to that particular score being assigned. (Note: if adding comments to a previously completed form, insert the date first and follow with comments e.g. 02/08/12 – comments)				
1	Current age	Pre	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>
2	Age at first violent conviction	Pre	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>
3	Number of juvenile convictions	Pre	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>
4	Violence throughout lifespan	Pre	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>
5	Prior release failures/escapes	Pre	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>
6	Stability of family upbringing	Pre	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>
Total Static Factor Score		Pre	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>

DYNAMIC FACTORS		Stage	Score (or I/N)	Stage of Change (PC, C, P, A, M) OR N/A	Comments
Include a detailed rationale for the scoring of each item, plus the relevant information that led to that particular score and stage of change being assigned. (Note: if adding comments to a previously completed form, insert the date first and follow with comments e.g. 02/08/12 – comments)					
1	Violent lifestyle	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>

DYNAMIC FACTORS		Stage	Score (or IN)	Stage of Change (PC, C, P, A, M) OR NA	Comments Include a detailed rationale for the scoring of each item, plus the relevant information that led to that particular score and stage of change being assigned. (Note: if adding comments to a previously completed form, insert the date first and follow with comments e.g. 02/08/12 – comments)
2	Criminal personality	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
3	Criminal attitudes	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
4	Work ethic	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
5	Criminal peers	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
6	Interpersonal aggression	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
7	Emotional control	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
8	Violence during incarceration	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
9	Weapon use	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
10	Insight into violence	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
11	Mental illness	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
12	Substance abuse	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
13	Stability of relationships	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
14	Community support	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>

DYNAMIC FACTORS		Stage	Score (or I/N)	Stage of Change (PC, C, P, A, M) OR N/A	Comments Include a detailed rationale for the scoring of each item, plus the relevant information that led to that particular score and stage of change being assigned. (Note: if adding comments to a previously completed form, insert the date first and follow with comments e.g. 02/08/12 – comments)
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
15	Released to high risk situations	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
16	Violence cycle	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
17	Impulsivity	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
18	Cognitive distortions	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
19	Compliance with supervision	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
20	Security level of release institution	Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total Static + Total Dynamic		Pre	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total Static + Total Dynamic		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>
Clinical override used (Y/N)?			<input type="text"/>	<input type="text"/>	<input type="text"/>

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Case Study...

Your thoughts?

Case Study

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1	Current age	Pre	1	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>
2	Age at first violent conviction	Pre	2	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>
3	Number of juvenile convictions	Pre	3	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>
4	Violence throughout lifespan	Pre	1	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>
5	Prior release failures/escapes	Pre	0	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>
6	Stability of family upbringing	Pre	3	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>
Total Static Factor Score		Pre	10	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>

DYNAMIC FACTORS		Stage	Score (or I/N)	Stage of Change (PC, C, P, A, M) OR N/A	Comments
Include a detailed rationale for the scoring of each item, plus the relevant information that led to that particular score and stage of change being assigned. (Note: if adding comments to a previously completed form, insert the date first and follow with comments e.g. 02/08/12 – comments)					
1	Violent lifestyle	Pre	0	<input type="text"/>	<input type="text"/>
		Post	<input type="text"/>	<input type="text"/>	<input type="text"/>

DYNAMIC FACTORS		Stage	Score (or IN)	Stage of Change (PC, C, P, A, M) OR N/A	Comments Include a detailed rationale for the scoring of each item, plus the relevant information that led to that particular score and stage of change being assigned. (Note: if adding comments to a previously completed form, insert the date first and follow with comments e.g. 02/08/12 – comments)
2	Criminal personality	Pre	0		
		Post			
3	Criminal attitudes	Pre	0		
		Post			
4	Work ethic	Pre	0		
		Post			
5	Criminal peers	Pre	0		
		Post			
6	Interpersonal aggression	Pre	2		under influence - monitor
		Post			
7	Emotional control	Pre	2		suppressed? inappropriately expressed
		Post			
8	Violence during incarceration	Pre	omit		
		Post			
9	Weapon use	Pre	3		chair use
		Post			
10	Insight into violence	Pre	2		some related to use of alcohol - little underpinning
		Post			
11	Mental illness	Pre	omit		
		Post			
12	Substance abuse	Pre	3		alcohol
		Post			
13	Stability of relationships	Pre	2		some prior dysfunction
		Post			
14	Community support	Pre	2		only family

DYNAMIC FACTORS		Stage	Score (or I/N)	Stage of Change (PC, C, P, A, M) OR N/A	Comments Include a detailed rationale for the scoring of each item, plus the relevant information that led to that particular score and stage of change being assigned. (Note: if adding comments to a previously completed form, insert the date first and follow with comments e.g. 02/08/12 – comments)
		Post			
15	Released to high risk situations	Pre	2		could identify few future plans and goals
		Post			
16	Violence cycle	Pre	2		inebriation - inappropriate expression of anger
		Post			
17	Impulsivity	Pre	1		not normally - but when inebriated
		Post			
18	Cognitive distortions	Pre	1		remorseful
		Post			
19	Compliance with supervision	Pre	0		
		Post			
20	Security level of release institution	Pre	omit		
		Post			
Total Static + Total Dynamic		Pre	32		36 pro rated - Medium - 24.6% violence; 44.7% general
Total Static + Total Dynamic		Post			
Clinical override used (Y/N)?			N		

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Offending Risk Assessment

Key points:

- Understand and use correct terminology when writing / communicating
- Offenders to be sentenced will usually present favourably
- Be wary...VERY wary of using clinical judgement to determine risk
- Acknowledge when you don't know / aren't sure – ask for help