Risk Assessment by Statistics? A Critical Examination of the Clinical and Actuarial Risk Assessment Approaches used within the Probation Service to Assess Sexual Offenders.

The thesis is submitted as partial fulfilment of the requirements for the award of the Degree of Doctorate of Criminal Justice of the University of Portsmouth.

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Declaration:

Whilst registered as a candidate for the above degree, I have not been registered for any other research award. The results and conclusions embodied in this thesis are the work of the named candidate and have not been submitted for any other academic award.

Signed:

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Abstract

This Doctorate research study has aimed to critically review the concepts of risk and risk assessment processes of sex offenders within the Probation Service. It has sought to critically examine the uses and application of the risk assessment tools of the Offender Assessment System and Risk Matrix 2000 in relation to sexual offenders, and examine practitioners opinions and perspectives regarding the effectiveness of these tools for aiding in understanding and managing the risks posed of sexual offenders. It has also aimed to critically examine the level of practitioners experience and training as well as the support available to Probation staff and how this impacts upon their use of clinical and actuarial approaches to assessing the risk that sex offenders pose. Lastly it has aimed to critically discuss these aims in light of the changes that have taken place due to the Transforming Rehabilitation policies implemented by the coalition Government. The research has been undertaken using qualitative methods of semi structure interviews and quantitative data in the form of questionnaires.

This Doctorate research has identified there is an increasing trend to focusing on actuarial risk assessments, and these being used to determine intervention / allocation of resources. The clinical assessment skills of Probation Officers can be very valuable, and further attention needs to be given in terms of ensuring that these are developed. This research has identified that there was a lack of formal training available, and there was not consistent levels of support available to Probation Officers.

This Doctorate has contributed to academic knowledge, and has provided a frontline perspective on the risk assessment tools used by Probation Officers to assess the risk that sex offenders pose. It provided an investigation of the use of Offender Assessment System and Risk Matrix 2000 as part of the risk assessment process and there has been limited coverage of this previously within academic circles. It was written at a time when the Probation Service was undergoing radical reforms, and provides a critical examination of how these reforms have impacted on the assessment and management of sex offenders.
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List of Abbreviations

**ARMS:** Active Risk Management system

**CRC:** Community Rehabilitation Company

**IPP:** Indeterminate Sentence for Public Protection

**FDR:** Fast Delivery Report

**MAPPA:** Multi Agency Public Protection Arrangements

**NAPO:** National Association of Probation Officers.

**NPS:** National Probation Service

**NOMS:** National Offender Management Service

**OASys:** Offender Assessment System

**OGRS:** Offender Group Reconviction Scale

**OGRS4:** Offender Group Reconviction Scale Version 4

**OM:** Offender Manager

**PSR:** Pre Sentence Report

**RMP:** Risk Management Plan

**RM2000:** Risk Matrix 2000

**RSR:** Risk of Serious Recidivism tool

**SARN:** Structured Assessment of Risk and Need

**TNA:** Treatment Needs Analysis
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Chapter One

Introduction

Sex offenders are considered to be one of the most difficult groups of offenders which Probation Officers work with. They are emotionally challenging and can create many anxieties for staff when they are undertaking risk assessments. This group of offenders will also often present the highest risk of serious harm to members of the public. Their acts of abuse are often extremely dangerous, and victims more often than not find it difficult or impossible to recover from the act of abuse (Harris & Hanson, 2010, p. 296). In a changing economic and political environment, the Probation Service is facing increasing pressure to demonstrate that it is an effective service in terms of preventing further harm and protecting the public. However, at the same time, there is also increasing pressure for the service to evidence that it is cost-effective and value for money. One way for the Probation Service to ensure that it is an effective service is by ensuring that they are using risk assessment tools that provide the most accurate prediction of future behaviour (Meloy, 2005, p. 232).

It is one of the main roles of the Probation Service to assess the risk that offenders pose in terms of the likelihood of reoffending and the level of serious harm that they pose. It is the responsibility of the Probation Service to take into account the risk assessment and to formulate a robust risk management plan. One way this is achieved is by having a clear emphasis on addressing offending behaviour and protecting the public from future harm. This has seen an increase in emphasis on risk assessment and the creation of risk management plans to work to reduce further acts of serious harm. This can be seen to be as a result of the changing attitudes and ethos of the Probation Service which include imposing restrictive licence conditions, such as curfews and conditions to engage in accredited interventions to address offending behaviour. Indeed, the aims have shifted from a rehabilitative stance where the role of the Probation Officer was to advise, assist and befriend to risk assessment and risk management of offenders (Fitzgibbon, 2008, p. 55).

Therefore, it is clear that as a service, Probation is more and more preoccupied with the notion of risk. Beck (1992, pp. 19-20) commented on the fact that we are now living in a risk society. During day to day life, we are surrounded by risks and hazards. There is an increased preoccupation with the future and our ability to predict events and behaviour. More recently, Prins (2010, pp. 16 – 18), has argued that society is now becoming overly concerned with the
notion of risk. He has argued that society is now so aware of ‘risk’ that they seek to avoid it, for example, a teacher avoiding comforting a child for fear that they will be accused of being a paedophile.

The subject of risk assessment within the Probation Service has been a constant debate in academic circles over the last 10 years. The majority of debates began in academic journals, such as the Probation Journal. A key piece of critical work was undertaken by Mair, Burke and Taylor in 2006, who described the offender assessment system tool as being worse than a tax form. In 2006, Manderville-Norden and Beech raised concerns over the amount of pressure placed on staff when completing risk assessments. This subject has been analysed by Williams in 2010, who criticised the tool and argued that it failed to recognise changes in dynamic factors.

This Doctorate research study was undertaken in recognition that further investigation into this subject could add new ideas and theories to existing academic debates. Within current academic research, there is an increasing emphasis on the risk assessment process which is complex and complicated (Craig, Browne & Beech, 2008, p. xi –i), and this interest has led to an increase in the amount of research in this area as well as increased recognition of what makes a good risk assessment tool (Meloy, 2005, p. 232). This is an interesting area to examine as to date there has been little research conducted looking at the risk assessment process used by the Probation Service. There has been research looking at the tools individually, but no research has been conducted that considers probation risk assessments as a whole. There seems to be a gap in the knowledge and little focus has been given to the current risk assessment process within current Probation practice. More specifically, there have been few attempts that examine the use of OASys and Risk Matrix 2000 used together to provide an overall risk assessment.

Aims and Objectives

The first aim of this Doctorate is to critically review the concepts of risk and risk assessment in relation to their uses and application in the offender management of sexual offenders housed within the Probation Service. There is now a focus on the concept of risk and the process of risk assessment with Probation, which can be demonstrated by the shift in emphasis from rehabilitation to a focus on risk assessment and management (Mair & Burke, 2011, p.185).
The second aim is to critically examine the uses and application of the risk assessment tools of OASys and RM2000 in relation to sexual offenders and examine practitioners’ opinions and perspectives regarding the effectiveness of these tools in aiding understanding and managing the risks posed by sexual offenders. The current tools are based on the clinical and actuarial approaches which both have their advantages and disadvantages. Sexual offenders will have specific static and dynamic risk factors, and it will be examined whether these tools can contribute to a wider risk assessment (Canton, 2011, p.136). Previous research has identified that the risk assessment of sex offenders can be a difficult process and Probation Officers are not able to predict the future (Kemshall, 2008, p. 48).

The third aim is to critically examine the level of practitioners experiences and training as well as the support available to Probation practitioners and how this impacts upon their use of clinical and actuarial approaches to assessing the risk offenders pose. Sex offenders can be a difficult group of offenders to manage and to work with, there can be emotional consequences, and a sense of dread of the implications of a wrong assessment being made. When there are failures of risk management, these are often widely reported in the media and blame is placed on the Probation Service (Mawby & Worrall, 2013, p.88).

The last aim of the thesis is to critically discuss these aims in light of the changes that have taken place due to the Transforming Rehabilitation policies implemented by the coalition Government. The Probation Service has faced unprecedented reforms which have significantly changed the management of offenders. The proposals first introduced in 2013 have resulted in the service being spilt into public and privately owned organisations (Napo & Unison, 2014, p.2).

The first objective of the thesis focuses on a critical review of the current academic research and will review the literature with the core topic areas of this thesis. The literature review will provide a critical analysis of current academic research on Probation practice and the assessment of sex offenders. Within this review, the concept of risk will be critically explored and it will be examined how this has impacted on the wider criminal justice system. The origins of risk assessments and the importance of understanding why sex offenders commit crimes will be critically examined. Lastly, the risk assessment tools currently used by the Probation Service will be discussed, and explored.
The second objective focuses on the methodologies used in this thesis. The first section of this chapter will critically examine how knowledge is gained and the issues relating to epistemology and ontology will be investigated. The philosophical underpinnings of induction and deduction will be examined, and exploring how new theories are developed. The quantitative and qualitative research methods will be critically examined. The research design of the thesis will be introduced along with the use of semi-structured interviews and questionnaires. The last section will present the ethical considerations made within this thesis, and the methodological limitations will be presented.

The third objective is to present the results from the quantitative and qualitative research undertaken. It will explore the results received from the questionnaires and the semi-structured interviews. This will begin by looking at the results relating to the use of OASys and RM2000. More specifically results relating to the assessment of risk, and the specific risk factors will be presented. The last section will present these results in relation to operational issues, such as support and training available.

The last objective is to provide a critical analysis of the primary data and the discussion chapter will provide an exploration of these issues. It will begin by critically examining the use of OASys in assessing the risk posed by sex offenders. The use of actuarial and clinical approaches will be explored along with the use of static and dynamic factors. Issues surrounding operational concerns such as support and training will be critically investigated. There have been significant changes within the Probation Service since this research began, and the impact of the Transforming Rehabilitation policies will be critically examined. This chapter will also provide an opportunity for further implications to practice to be explored, including increased training and support available to practitioners. This will also examine the development of practitioner skills will be explored in relation to risk assessment. The last section of the discussion chapter will explore at areas for future research.
Chapter Two

A Risky Business - Developing a History of Risk and Modernity

Introduction

This chapter sets the scene for the core concepts that will be utilised throughout this rest of this thesis, by critically assessing the concept of risk through the sociological prism of modernity and post-modernity. The first section reflects on the processes undertaken in the course of creating this criminological literature review, the results of which can be found in this and the following chapter. The second section provides a critical review of the wider social, economic and political contexts in which the risk idea developed. It examines the major changes that took place from the Enlightenment period, which created modern modes of social life. In order to achieve this, the second section considers the concepts of modernity and post-modernity and demonstrates how these notions can be linked; for example, in terms of a transition from modernity to post-modernity (Giddens, 1990). The third section of this chapter provides a critical history of the concept of risk as it developed within the project of modernity. The final section includes an examination of the rise of technology and the use of expert knowledge as part the project of modernity and links the issues outlined in sections two and three to the debates regarding the wider processes of bureaucratisation and professionalisation (Cohen, 1985; Garland, 1991; Crawford, 2004). Overall, the chapter’s central aim is to provide the conceptual backdrop and necessary link to the third chapter, which focusses on risk assessment tools within the criminal justice system.

Literature Research – A Reflection

A literature review is a process of setting the scene and laying the foundations for the academic research of the chosen topic (Oliver, 2012, p.2). It allows the researcher to critically evaluate knowledge and through reviewing literature current knowledge of the topic can be established. As a result, the researcher will be able to identify if there are any gaps and it can allow new themes to develop and emerge (Walklate, 2011, p.79). However, the literature review is more than a summary; it must go beyond this and provide a critical evaluation of the academic literature (Oliver, 2012, p. 36). There are two types of literature reviews. A narrative review (used within this review) is a critical analysis; it can provide contributions to current knowledge and can also update the field. Systematic reviews focus on bringing
Hodges and Thomas (2010) states that there are four main stages of a literature review. The first concerns the researcher exploring the subject area, refining this in line with the chosen objectives and aims. The next stage is searching, which includes accessing library catalogues, specific subject databases and internet search engines. The third stage is reading the material which can begin with skim reading to identify key pieces. The last stage is writing up the findings which include assessing the quality of the knowledge and the development of themes relating to the chosen topic area (Hodges & Thomas, 2010, p. 5).

The literature review can demonstrate an understanding of the subject area, and conducting the review can aid in the development of an understanding of the current academic research (Hart, 1998, p.4). This exploration stage can help the researcher understand how the subject can fit within the wider academic world (Oliver, 2012, p.5).

For this literature review, various sources were searched for information and knowledge, including academic books, journals, research reports and Government reports. These were searched via the University databases including Discovery, the Library catalogue and Google Scholar. Due to the fast changes which were occurring at the time of the research, Twitter provided a useful way to source up to date publications and frontline perspectives of issues.

The search terms had to be fairly creative, starting broadly and focusing more specifically on key themes. To achieve more results Boolean logic was used in order to link the search terms, for example ‘Risk’ and ‘OASys’. This method can result in more focused results and can be an efficient method for obtaining literature (Hodges & Thomas, 2010, p.111). To develop the search terms, a focus was paid to the different elements of the aims and objectives. Focusing on broad terms such as ‘Risk’, ‘Risk Matrix 2000’ and ‘Probation’, search terms became more specific when key themes were identified, for example, ‘Risk’ and ‘Modernity’. By being creative with the search terms, more literature was obtained, and increasing the depth the literature review.

The literature review brings together all of the current research, providing a critical analysis which is sorted into themes. There needs to be a clear plan of how the information will be examined, such as in this case by developing distinct themes for the subject area to be
assessed. In this case, whilst searching the literature key themes became apparent such as how risk was developed and how this fitted in with the wider criminal justice domain. It is also written in a clear and manner which can be understood by non-experts which are free of jargon, and easily understood (Walklate, 2011, p. 94).

Risk, Modernity and Post-Modernity

When it comes to understanding the notion of ‘risk’ in the context of its use in the criminal justice system (e.g. through risk assessment tools such as OASys and RM2000), it is necessary to highlight the origin and development of this important idea. However, before doing so it is perhaps useful to heed to Crawfords (2004) warning, where he notes that any excursion into history will be littered with inevitable pitfalls involving the oversimplification of complex and uneven historical developments ‘by reducing history to neat dichotomies…and conflating diffuse, fragmented patterns’ (2004, p. 15). In short, any history of the concept of risk is necessarily a form of what Crawford calls ‘strategic reductionism’ (2004, p. 15).

The origins of the concept of risk can be traced back to the dramatic changes that took place in the eighteenth and nineteenth centuries, as many Western societies went through the immense modernisation processes of industrialisation, secularisation, and democratisation. These changes transformed life and created new structures of social, political and economic life which became known in common parlance as the condition of ‘modernity’. Berman describes modernity as follows:

To be modern is to find ourselves in an environment that promises adventure, power, joy, growth, transformation of ourselves and the world – and, at the same time, that threatens to destroy everything we have, everything we know, everything we are…modernity can be said to unite all mankind. But it is a paradoxical unity, a unity of disunity…perpetual disintegration and renewal, of struggle and contradiction, of ambiguity and anguish (Berman, 1982 cited in Harvey, 1990, pp. 10-11).

Walklate (2007) describes modernity as a key feature of everyday life that developed from the Enlightenment period, which focused on a move away from traditional forms of knowledge, power and social organisation (e.g. religious ideology and traditional power structures), towards the ideas of ‘reason’, rationality and ‘science’. For Walklate (2007, p. 2-
3), the ‘age of reason’ demonstrated the transition from a pre-modern world to a modern world. Auguste Comte (1798–1857), writing in the context of post-revolutionary France, which was divided into a conflict between the ‘Enlighteners’ (made up of the middle class) and the ‘Traditionalists’ (the established landed nobility and clerical elite), devised a universal system of societal development - the theological, metaphysical, and positive. Seidman’s (1998) analysis of social theory uses the ‘Enlighteners’ to denote the philosophers of the ‘project’ of the Enlightenment. In the theological stage, humans are still governed by the institutions of the military and priesthood. It is here that Gods, Spirits and Divine Beings hold precedence over the origins and purpose of phenomena. According to Comet, society would eventually develop towards what he called the metaphysical stage, which was governed by lawyers and the clergy. The origins and purpose of things were transformed into essences and abstract forces in the hope of finding human reason and natural laws. The Enlighteners can be identified at this stage. Finally, in the positive stage humans abandon the previous stage in favour of an explanation of the interconnection and succession of facts. Governance is by the major industrialists and scientists who utilise natural and social laws to progress (Zeitlin, 1969, pp. 70-79; Seidman, 1998, pp. 26-32). Comte’s *The Course of Positive Philosophy* (1830-42) sought to uncover universal laws of social static’s and dynamics; whilst his *System of Positive Polity* (1851-54) addressed the moral role of sociology. Both were attempts to reconcile the principles of order, based on the Catholic-Feudal (theological) stage, with the principles of progress, within the Enlightenment and Reformation (metaphysical) stage (Zeitlin, 1969; Swingewood, 1991; Seidman, 1998).

As mentioned above, this progressive, scientific project saw its operational zenith in the eighteenth and nineteenth centuries, under the aforementioned banner of modernity. The central concern for many writers of this period (e.g. Goethe, Marx, Baudelaire, Dostoevsky etc.) was the transitory and arbitrary nature of time, space and causality (Giddens, 1990; Harvey, 1990). The question that arose here was how is it possible to gain some form of coherence from this incoherence? The Enlightenment thinkers attempted to generate a philosophical and practical answer to the question, by developing an objective science and a universal morality and law (Harvey, 1990). They held the strong conviction that the mind of beings could comprehend the universe and subordinate it, via the control of nature, to human needs. It was argued that if universal laws were produced for nature then similar laws could be discovered in the social and cultural world. Reason and observation became the twin pillars underlying the goal of intellectuals, which was the attempt to obtain ‘truth’ through
empiricism, based on the logic of reason (Zeitlin, 1969; Seidman, 1998). This has become known within social science theoretical paradigms as a ‘grand narrative’, with other grand narratives including Marx’s Historical Materialism and Freud’s Psychoanalytical approach (Seidman, 1998). The idea of risk and its widespread use across many areas of economic, political and social life originated in this same period of transformation (see below for an expansion). Furthermore, as will be shown in chapter three, it can be argued that risk assessment processes of the twenty-first-century criminal justice system attempt to follow these basic ideas of the scientific method that developed from the Enlightenment.

Giddens (1990), who provides a history of the history of modernity, defines modernity as ‘modes of social life or organisation which emerged in Europe from about the seventeenth century onwards’ (1990, p. 1). He identifies three dynamics to this process: the separation of time and space; the development of disembodiment mechanisms; and the reflexive appropriation of knowledge (Giddens, 1990, pp. 1–54). Giddens starting point is Lyotard’s tautological definition of modernity:

I will use the term modern to designate any science that legitimates itself with reference to a metadiscourse…making an explicit appeal to some grand narrative, such as the dialectics of spirit, the hermeneutics of meaning, the emancipation of the rational or working subject, or the creation of wealth (Lyotard, 1979 cited in Callinicos, 1989, p. 3).

Giddens (1990, p. 4) notes how the modern world put into existence modes of life which ‘swept us away from all traditional types of social order, in quite an unprecedented way’. In doing so, Giddens suggests that rather than human history developing in a linear and smooth way, it is instead full of ‘discontinuities’ that ‘separate modern social institutions form the traditional social orders’ (1990, p. 6). He identifies several features of such discontinuities (1990, p. 6): first, is the ‘sheer pace of change’ that modernity sets in motion and which can be characterised by rapid periods of change, especially in the modes of production and technology. Secondly, is the ‘scope of change’, which Giddens suggests was a precursor to globalisation, with ‘waves of social transformation...(crashing)...across virtually the whole of the earth’s surface’ (1990, p. 6). A third discontinuity is the ‘nature of modern institutions’, which is illustrated in the creation of nation-states and the ‘commodification of products and wage labour’ (1990, p. 6). Finally, Giddens examines the themes of ‘security versus danger and trust versus risk’ (1990, p. 7). Security and danger were ideas used to
demonstrate that modernity brought with it the double-edged sword of both an increase in ‘opportunities for human beings to enjoy a secure and rewarding existence’ whilst at the same time creating increased dangers and risks (1990, pp. 7-11). In short, modernity could be seen as a period where there were security and comfort in the structure of the community, whilst at the same time creating ever increasing dangers to these very same communities. When it comes to the ideas of trust versus risk, Giddens, (1990, pp. 21-27), used the concept of ‘disembedding mechanisms’ which he defines as ‘the “lifting out” of social relations from local contexts of interaction and their restructuring across indefinite spans of time-space’ (1990, p. 21). Modernity creates two main types of disembedded mechanisms (Giddens, 1990, pp. 22-27): ‘symbolic tokens’ such as money, and ‘expert systems’, which involve an intricate labyrinth of expert systems of knowledge that are increasingly relied upon by members of society to negotiate their daily lives. It is here that Giddens is referring to the idea that in the modern world, we use and engage with various technological artefacts, yet most of us are disembedded from the knowledge intrinsic within these artefacts. For example, many members of advanced societies drive cars, watch television, use computers and smartphones; yet we have little to no idea about how they are made or how they work. We, therefore, put trust in expert systems of knowledge, or as Giddens puts it:

Trust is precisely the link between faith and confidence, and it is this which distinguishes it from “weak inductive knowledge.” The latter is confidence based upon some sort of mastery of the circumstances in which confidence is justified. All trust is in a certain sense blind trust! (1990, p. 33).

Giddens then goes to conceptually link trust to the notion of risk. He highlights how risk was a term that only came into being in the modern period, having ‘found its way into English in the seventeenth century…(probably coming)…from a Spanish nautical term meaning to run into danger or to go against a rock’ (1990 p. 30). The notion of risk originated with the idea that an individuals’ activities and decisions could have unanticipated results and consequences. This was modernity’s way of replacing the fortune or fate of nature or the ‘ineffable intentions of the Deity’ with the more tangible ergo calculable concept of risk (1990, p. 30). However, before moving to a review of the concept of risk, it is important to briefly examine the notion of post-modernity.

At the turn of the twentieth century, it was argued that we were moving beyond modernity into a new era. Unfortunately, and as with many social scientific ideas, a huge number of
terms were used to refer to this transition (e.g. post-industrial society, post-capitalism, the information society, the consumer society and so forth). Of all these terms, ‘post-modernity’ has perhaps become the most popular, and is used to denote an infinite number of subjects covering the whole economic, political, social and cultural spectrum. Regrettably, this has meant that this alleged ‘condition’ of society has become an all-encompassing nebulous entity (Callinicos, 1989; Harvey, 1990; Lash, 1990). There are debates as to whether the subsequent era should be labelled ‘post-modern’ or whether it should be classed as ‘late-modernity’. Again, Lyotard was primarily responsible for popularising the former term, with Giddens (1990, p. 2) interpreting his ideas as follows:

Post-modernity refers to a shift away from attempts to ground epistemology and from faith in humanly engineered progress. The condition of post-modernity is distinguished by an evaporating of the “grand narrative” - the overarching “story line” by means of which we are placed in history as beings having a definite past and a predictable future. The post-modern outlook sees a plurality of heterogeneous claims to knowledge, in which science does not have a privileged place.

As can be inferred from the above quote, the debates regarding post-modernity centre on the concerns around the nature of knowledge and the increase in available technology, and a decrease in faith in human sciences (Giddens, 1990, p. 2). The central idea here is that humans have discovered that the promise laid down by the natural philosophers of the Enlightenment in the age of reason is a house-of-cards; or as Giddens puts it, ‘we have discovered that nothing can be known with any certainty, since all pre-existing “foundations” of epistemology have been shown to be unreliable (1990, p. 46). However, he quickly, and rightly, dismisses this claim, which has its origins in cultural relativism, semiotics, structuralist and post-structuralist theory. Since the 1960’s, all four of these areas have grown to dominate the social sciences, sharing the following three commonalities: first, they reject the key aspects of the scientific method of the Enlightenment (namely observation and the inductive argument); secondly, the hold a relativist view of truth and knowledge by arguing that you cannot know anything for certain; finally, through linguistic idealism, they deny individual’s and society’s ability to access reality (Windschuttle, 1996, pp. 1-37). In short, the move to post-modernity could be seen as a reaction to the growing dissatisfaction of science aiding progress (Bhasker, 2008, p. 25). Giddens actually rejects the idea of post-modernity and argues that the instead of entering a ‘post’ period, we have entered a period known as
‘late-modernity’; a term which can be used to describe a period where the consequences of modernity are continuing (Giddens, 1990, p. 3). He suggests that late-modernity is not a new period, as in the move from previous traditional to post-traditional cultures. Whilst he does agree that societies rely less and less on previous traditions, they have, instead, become more reflexive and less rigid to previous rules and structures (Gauntlett, 2008, p. 105). Giddens considered that pre-modern societies were focused on immediate surrounding relationships which were determined by the local community. The disembedded mechanisms mentioned above have enabled society, through the rise of technology to communicate more effectively, meaning that the creation of flexible yet reflexive social relations could be conducted across broad geographical areas and indefinite time spans (Giddens, 1990, p. 53). This is a clearly a move towards what Beck et al. (1994) call ‘reflexive modernization’, which is defined as ‘the possibility of creative (self-) destruction for an entire epoch: that of industrial society’ (1994, p. 2). This is a distinct second phase of modernity – the ‘modernization of modern society’ (Beck et al., 2003, p. 1) – which the authors use as a means to express the idea that when modern society reaches a certain stage it begins to transform for the second time and radicalise itself.

Regardless of which term is used, what can be demonstrated is that modernity project created a society that generated the conditions for an increased focus on the concept of risk, a phenomenon which is undesired but also something which has become a key part of everyday life (Hudson, 2003, p. 43). Within society, debates on concerns and issues facing society such as welfare, crime, employment all can be seen to focus on the issue of risk (Mythen & Walklate, 2006, p. 1).

**The Coming of the Risk Society**

So far this chapter has examined the ideas of modernity and post-modernity in relation to the wider developments that took place from the Enlightenment project through to the nineteenth century. This section examines in more depth the concept of risk, which, as previously mentioned, originated in the same period. According to Giddens (1990, p. 35) the concepts of risk and trust are intrinsically linked, where trust normally serves ‘to reduce or minimize the dangers to which particular types of activity are subject’. As the processes of capitalism created the conditions of urbanisation and industrialisation, this leads to dramatic technological advances as well as increases in population densities that formed around major metropolitan cities. Beck (1992, pp. 1-19) argued that such developments created immense
changes to the production of wealth and that all of these factors created a rise in potential risks and hazards. He used the term ‘risk society’ to signify the ‘unwelcome return of frightening uncertainties’ (Sorensen & Christiansen, 2012, p. 9), which, ironically, was a result of the ‘complete success of the project of modernity – the sheer technological and scientific progress of industrial society’ (Sorensen & Christiansen, 2012, p. 9). As previously mentioned, modernity sought to rid society of uncertainty through the implementation of science and rationality. According to Beck (1992), what the project of modernity has actually achieved is the creation of new risks, which are the unintended consequences on the effects of industrial society. This idea links to Giddens notions of ‘security versus danger’ and ‘trust versus risk’:

Risk is not just a matter of individual action. There are “environments of risk” that collectively affect large masses of individuals-in some instances, potentially everyone on the face of the earth, as in the case of the risk of ecological disaster or nuclear war. We may define “se-curity” as a situation in which a specific set of dangers is counteracted or minimised. The experience of security usually rests upon a balance of trust and acceptable risk. In both its factual and its experiential sense, security may refer to large aggregates or collectivities of people-up to and including global security-or to individuals (Giddens, 1990, pp. 35-36).

Deering (2011) states that the idea of the risk society was linked to the growth in the ‘consumer society’ within the cosmopolitan world. In this sense, risk has increased with access to wealth (Deering, 2011, p. 13). Nevertheless, Beck did recognise that whilst risk can be influenced by class status, in reality, risk can affect all members of society, regardless of their social status (Beck, 1992, p. 46). In Beck’s view, the risk society is a departure from a society which had been heavily focused on industry. He considers that within late-modernity members of society face more risks and hazards because of industrialisation, urbanisation and globalisation. In this sense, the threats and risks in modernity were as a result of natural causes such as diseases, whereas in late-modernity, risks are created through this increase in available technology available which are caused by human activity (Lupton, 2006, p. 12). The move to the risk society has also meant that previous social bonds disappeared and instead of a focus on the individual making their own way in life, individuals are inextricably linked to a global network of social relations (Heiskala, 2011, p. 9). This global network results in increased risk and dangers to the individuals involved.
Another important aspect of the risk society is not whether a risk will occur, rather that it may (or is likely) to occur in the future (Adam, et al., 2000, p. 3). Tied to this is a long list of different types of potential risks; for example, voluntary risks such as the use of alcohol and smoking, human-made ones including the threat of nuclear annihilation or global warming, or hazards which may occur as a result of external events such as natural disasters (e.g. earthquakes or Tsunamis). What is important to note is that the wide range of potential risks have different levels of probability and numerous consequences, with a wide variance in the level of tolerance one has to each of these risks (Kemshall, 2003, p. 4). For instance, and despite the current technology, natural disasters are often difficult to predict, so the individual is not always able to safeguard and prevent harm (Sorensen & Christiansen, 2012, p.14). Giddens (1990, p. 35) argues the same point when he notes that what ‘is seen as “acceptable” risk - the minimising of danger - varies in different contexts, but is usually central in sustaining trust’. The view of risk and how it presents is fast moving in the modern world, which is also a central issue in the debate (Mythen & Walklate, 2003, p. 2). Beck’s work allowed for further examination of this problem (Heiskala, 2011, p. 10). He also considered the irony that if society and individuals increased their understanding of risk through the development and application of scientific knowledge, this in and of itself creates more risk. Knowledge of the risk can be changed, increased or reduced by increasing understanding and information of the subject (Beck, 1992, p. 23). This has become one of the greatest paradoxes of the use of risk assessment tools with the criminal justice system (see chapter three for an expansion).

What is clear is that the concept of risk and the notion of a ‘risk society’ has become a key social, political and academic past-time. Part of the debates regarding risk concerns members of society weighing up what the dangers are, what harm they could pose, and whether the hazards of new technology, such as increased pollution, are indeed worth the risk (Sorensen & Christiansen, 2012, p. 10). Unfortunately, when it comes to the project of modernity, as we have seen the coming of the risk society is tied to the production of wealth, which makes this is an economic ergo political issue. Adam et al., (2000, p. 5) suggest that risk can be influenced and defined by those in power which can include the mass media, politicians and the legal profession. Indeed, Kemshall (2003, p. 8) has also argued that the concept of risk can be a highly politicised area, and the definition has been altered through history, depending on which group has the power to define. Not only can definitions of risk be altered over time, the way that risk is dealt with has also changed. In modern society, the view was
that certain risks could be assessed and predicted, which resulted in the idea that risk could then be managed. This is why many insurance companies originated in the eighteenth and nineteenth centuries, making their fortunes by selling insurance policies to merchant ships against losses at sea; and can be seen in today’s car insurance industry. Giddens referred to this aspect when he suggested that ‘patterns of risk are institutionalised within surrounding frameworks of trust (stock-market investment, physically dangerous sports)’ (1990, p. 35). However, in late-modernity, risk and its associated level of harm is seen as largely hidden and unknown (Kemshall, 2003, p. 8). During the initial project of modernity, risk was dealt with by increasing the knowledge and scientific understanding of the danger (Sorensen & Christiansen, 2012, p. 9), whereas, in the period labelled as late-modernity, there has been a move from risk management to risk control, with greater emphasis on individual members of society being more aware of potential dangers. In short, there is a clear move from a shared responsibility towards individuals being in charge of protecting themselves from future dangers (Hudson, 2008, p. 75). This, it could be argued, is the epitome of the concept of reflexive modernisation. Individuals, therefore, need to recognise risks and be able to consider what the consequences of certain actions will be (Adam et al., 2000, p. 3). In this sense, individuals in society need to take into account the information and knowledge available to them and then make the necessary adjustments. Furthermore, this relates to an individuals’ ability to demonstrate self-control, self-knowledge and self-improvement. The emphasis is placed on members of society to self-protect themselves and those who do not could be subject to stigma and judgement from others (Lupton, 2006, p. 14).

To finish this section, it should be noted that a key feature of risk is that it is unwanted in society. However, the concept has also become a routine part of life in late-modernity. It was earlier argued that the use of expert knowledge is still an important element, but the crucial difference is the level of confidence and trust of this knowledge (Hudson, 2003, p. 44). Indeed, failures in the criminal justice system, such as miscarriages of justice can often accentuate the inherent risks in criminal investigations and trials, thereby creating the illusion that experts should no longer be trusted (Kemshall, 2003, p. 14). Although there is a reliance on expert knowledge and understanding to allow members of society a greater understanding of the cause of the risk, there are also concerns regarding whether to trust this information (Lupton, 2006, p. 12). The knowledge experts become similar to guidance counsellors; their expertise status remaining but with the individuals deciding whether to take the information on board (Heiskala, 2011, p. 11). The focus is not about avoiding risks but using the scientific
knowledge to focus on future potential risks. The previous level of optimism and trust in scientific knowledge, for example, is slowly disappearing. Instead, late-modernity has seen a focus on the assessment of future problems (Sorensen and Christiansen, 2012, p. 19). A seminal case of this can be seen in the professionalisation of risk and control practices within the criminal justice sector.

**The Rationalisation of Risk and Control**

The professionalization of risk and crime control, Garland (2001) argues is linked to the concept of late modernity. The way, in which crime is dealt with, linking to the idea of late-modernity, Garland (2001) argued that how crime is dealt with has been influenced by new emerging issues. The development of crime control has seen the ethos of punishment being reshaped as a consequence of new objectives which have been developed from new sources of knowledge and new social interests (Garland, 2001, p.3). The way in which crime is dealt with is influenced by a number of factors, such as increased crime rates, and in late-modernity, there are more opportunities for crime; an unfortunate by-product of living in a consumer based society. Crime is an emotive subject for society, and the criminal justice system is seen to be ineffective in controlling crime, and there are less situational controls present (Garland, 2001, p. 90).

The shift in crime control has seen members of society amend their own behaviour habits as a direct consequence of increased worry about the prospect of being a victim of crime (Owen, 2007, p. 4). Indeed, there has been a refocus on victims becoming more central in policy making. Garland (2001) argues that the values of victims must be heard and addressed. In terms of the sentencing of offenders, the focus of crime control focuses more on rehabilitation rather than pure punitive sentencing (Garland, 2001, p.11).

Historically, within penal policy, there has been a shift in the focus which has been paid to rehabilitation. Although this is no longer a pivotal factor in the ways in which offenders are dealt with still has connections to the concept of rehabilitation. Nevertheless, the move away from the emphasis on rehabilitation model demonstrates the departure from modernity and penal policy was no longer based on values and faith (Garland, 2001, p.8). Indeed, the focus is no longer on the rehabilitation of individual person, but interventions are tailored to the risks of the offenders and treating the risk factors in order to protect members of the public (Garland, 2001, p.176). Probation practice has moved away from ‘advise, assist and befriend’
to a focus on risk assessments, reducing crime and changing offender behaviour (Garland, 2001, p.177).

Here, a focus on risk assessments to determine categories of offenders, and using risk assessments to determine when offenders should be eligible for parole and an increased focus on public protection (Garland, 2001, p. 35). The risk assessment process has also been influenced by an emergence of a new discourse and a new way of understanding the criminal justice system. Feeley and Simon’s (1992) groundbreaking piece of work which identified that there is increased managerial and administration of offenders in society. This piece of work identified a move from the old penology where it was about determining guilt to the new penology and a focus on effectiveness. They state that there have been changes in three areas. First, a new discourse sought to replace the clinical judgement. Second, the use of new objectives included a tighter focus on the internal systems. Last, they identified the use of new techniques and identifying and focusing on different types of offenders. Feeley and Simon argue that the new penology is about identifying different types of offenders and classing them in terms of dangerousness (Feeley & Simon, 1992, pp. 449 – 452). The concept of the New Penology represented a change in the emphasis from seeking blame and deterrence to identify and categorising offenders (Sparks, 2001, p. 166).

This change in emphasis coincided with the increased use of technology methods, including actuarial and statistical to deal with crime. Indeed, Garland (1990) argued that the late modernity saw faith in science being replaced with faith in technology and knowledge (Garland, 1990, p.179). Information technology has become a key element of the Criminal Justice System, data systems such as OGRS are now being used to determine sentencing and interventions available. Technology is also used as a way of monitoring and assessing staff and provides accountability in the ‘smart’ crime control (Garland, 2001, pp.115 -116).

The administration emphasis of criminal justice also saw the introduction of professional groups to work with and manage the categories of offenders, such as psychiatrists, social workers and Probation Officers. Each agency will have their own values and aims within their own jurisdictions, and as a consequence, this can cause conflict with professional claiming their own expertise and wanting to influence criminal policy (Garland, 1990, p. 182). The introduction of professionalization with the criminal justice system started to be established in the late eighteenth century and from the mid-twentieth century where it began to be attacked (Cohen, 1985, p.17). Garland (2001) has noted that there has been a decline in
the influence in which the experts held. He argues that this could be as a result of the professional groups not being as successful in influencing policy and may have lost some of their status and credibility. At the same time, professional groups, such as Probation staff, are also associated with rising crime rates, and apparent failures in methods to protect members of the public (Garland, 2001, pp.150 – 151). Indeed, as they become agents of social control, professionals themselves also begin to become critical of their roles and contributed to a wider theoretical and political realignment of crime control (Cohen, 1985, p.6).

It can, therefore, be considered that work with offenders is driven by the powers of Government and the decisions of rule makers. When discussing the theoretical underpinnings, it is important to consider how these risk assessments can be affected by other factors. The tools and the way work is undertaken with sex offenders can be influenced by external factors such as political issues. For example, it has been argued that the use of OASys and the focus on interventions are constantly changing in responses to changes in the political sphere. It has been argued that certain interventions are favoured over others, and there a push towards more punitive sentences (Fitzgibbon, 2008, p. 451).

When the ideas of the New Penology were being discussed, the Probation Service was going through an overhaul based on new understandings of the theory underpinning what worked well with addressing offending behaviour and reducing the risk of harm. There was an increased emphasis on improved practice which stemmed from the notion that ‘nothing works’ when he came to work with offenders. In 1997 when New Labour came into power the Probation Service has been described as a failing service (Morgan, 2007, p. 95). The operational and professional influences began to refocus the Probation Service into Offender Management where there was an increased emphasis on supervision, management and administration (Burnett, Baker & Roberts, 2007, p. 220)

Alongside the introduction of the new penology, the way the Probation Service was working began to have new influences, for example there was much more of a focus on criminology and understanding why offenders commit crimes (McNeil, 2000, p.108) There has been an increased focus on evidence, and there is a continuing urge as a service to ensure that the knowledge available is current and of good quality (Newman & Nutley, 2003, p.551). The increased focus on evidence and knowledge can be seen by the emphasis on risk assessment tools to identify ‘risky’ offenders which will be critically examined in the next section.
Conclusion

This chapter has set the scene for the core concepts which will be utilized throughout the thesis. To achieve this, it has critically assessed the concept of risk through the sociological prism of modernity and post-modernity. The first section provided a reflection of the literature review undertaken, its importance and how it was achieved. The second section provided a critical overview of risk and how it was developed. The concept of risk was critically examined in a social, economic and political context. The transition from modernity to post-modernity and an increased emphasis on risk was analysed. The third section of this chapter critically discussed the risk society and that risk has become a key social, political and academic past time. Risk has become a part of daily life, but it has become a routine part of life in late modernity. The final section examined the rise of new penology and the rise of professionalism in relation to crime control.
Chapter Three

Risk in Criminal Justice Practice

Introduction

The previous chapter outlined the origin of the concept of risk from its beginning as part of the wider developments of industrialisation and the modernity project that took place in the nineteenth century. It was noted how the growth of capitalist society gave birth to the consumer society, and this, in turn, created the need for risk management. As technological developments created cleaner and safer communities, they also helped create even larger risks, such as nuclear proliferation and global warming. Whilst these risks are important, this chapter now focuses on the concept of risk as it used in the criminal justice system, and more specifically, how it is used within probation practice to manage offenders.

This is the second of the literature chapters and begins with a brief review of the key drivers for the risk agenda that has become a central ethos in criminal justice practice. It includes a brief overview the ‘what-works/nothing-works’ dangerousness debates, and how such debates influenced the development of the risk agenda. The second section critically looks at risk assessment and the Probation Service and considers the rise of actuarial methods and the emerging two epistemologies of risk assessment tools (Kemshall, 2003). The development of risk assessment tools will be examined in the third section, and will examine the first to the third generation of risk assessments tools. The fourth section of this chapter will consider the use and development of the fourth generation of tools, what are currently used with the Probation Service to assess the risk that sex offenders pose. The last section of this chapter will examine practitioner skills and the importance of practitioners remaining knowledgeable and highly skilled.

Drivers of the Risk Agenda

Risk has become a ‘lexicon to describe actions, events, or games of chance’, used on an industrial scale in terms of prediction and minimisation (Kemshall, 2003, p. 5). As a result, ‘risk’ is now a key priority of Governments, especially within the criminal justice system of public protection (Nash, 2006 & 2010). In recent years, our concerns over ‘dangerousness’ merged into attempts to identify dangerous situations and people, operationalised through the
notions of risk prediction and risk management (Nash, 2006 & 2010). To achieve this, ‘risk assessments’ have become the central tool in terms of assessing, or predicting, future offender and level of harm and now aid in determining sentencing of offenders (Deering, 2011, p. 15).

In terms of definitions of risk, this is a subjective process as it is something that can be based upon the perceptions of the victim, the disclosures of the offender, and investigations carried out by professionals, such as Police and Probation Officers. In terms of the notion of ‘risk assessment’, this involves identifying what the nature of the risk is and investigation into whether this risk will take place, is imminent and what level of harm may be caused (McEwan & Sullivan, 1996, pp. 146–147). In the risk society, every member of society can be a potential victim and/or perpetrator, so the focus of risk assessment is to offer a level of protection from the potential harm people can commit (Hudson, 2003, p. 46). What is of importance here is there were a number of key drivers behind these issues of risk penology. The first driver is the often fiercely fought over struggle between proponents of punishment and those that advocate rehabilitation (Andrews & Bonta, 2010, pp. 351-356). These conflicting ideas saw their zenith during the 1970’s in the ‘what works/nothing works’ debate. Prior to the 1970’s, rehabilitation was seen as the most legitimate correctional model to follow, with numerous offender rehabilitation programmes being developed. Bottoms (1977) notes how the 1970’s saw a disillusionment with the effectiveness of the ‘rehabilitative ethic’ and perceived failures in the social sciences to develop such programmes. Part of these concerns came from a body of literature that began to question the research that many of the rehabilitation programmes were based on. For example, and perhaps the most often quoted, Martinson’s 1974 paper What Works? Questions and Answers About Prison Reform provided a meta-analysis of two hundred and thirty-one studies and whilst the were some positive effects on some offenders, ‘the dominant message…(was that)…“nothing works”’ (Andrews & Bonta, 2010, p. 351). This message soon became a doctrine for those more interested in punishing rather than rehabilitating offenders, and it is no coincidence that support for this doctrine increased in the 1980’s as both right-wing Regan and Thatcher Governments took control of the law-and-order agenda. Interestingly, five years later Martinson recanted his notion of ‘nothing-works’ and admitted that some programmes did work (Andrews & Bonta, 2010, p. 353). The ‘what works/nothing works’ debate has raged in one form or another ever since and the pessimistic doctrine of nothing works has
indeed led to an unwillingness of Governments to invest in resources pertaining to the rehabilitative efforts of organisations and practices such as the probation service.

At the same time the ‘what works/nothing works’ debate was raging in the UK, another driver for change was adding to the concerns that the rehabilitation model was failing. The ‘dangerousness debate’ opened up a number of issues regarding the supervision and management of dangerous offenders (Bottoms, 1977; Floud & Young, 1981; Bottoms and Brownsford, 1982; Nash, 2006; Brown, 2010). After the notorious Graham Young case and the publication of the Aarvold Report in 1973 (*Report on the Review of Procedures for the Discharge and Supervision of Psychiatric Patients Subject to Special Restrictions*), which was the public inquiry into the problems with Young’s supervision, there was what Bottoms (1977) called, a renaissance in dangerousness in the UK. This report, amongst others (e.g. Butler, 1975; SCC, 1975 and Floud and Young, 1981) highlighted the problems with managing offenders after release from custody and called for a number of preventive sentencing reforms which clearly fell within the ‘nothing-works’ paradigm. However, there were also a number of ‘what-works’ ideas which would eventually become part of the ‘new penology’ discourse of risk management (see below for an expansion on this). For example, Floud and Young (1981) noted how it was situations people find themselves that are dangerous and need to be risk assessed and managed; and that dangerousness can only be reliably predicted after an event has taken place (also see Castel, 1991 cited in Harrison, 2011, p. 34). Harrison (2011, p.34) argues that as the concept of dangerousness was quite broad and difficult to predict, there was a need to ‘to focus on something other than mere dangerousness’. This ‘something other’ was ‘risk’: and the change in focus from dangerousness to risk is a third major driver for change which came in the form of what has been labelled the ‘new model’ of parole; what has become known as the ‘new penology’ (Simon, 1993). The ‘new model’ of parole moved away from the traditional philosophies of reform, transformation and reintegration and combined the following key elements:

Classification into specialised caseloads through statistical instruments; auditing procedures to coordinate and document decision making about problems; and a systematic emphasis which highlighted the functioning of the organization as a whole…the idea of continuous assessment of parolee’s risk and needs (Simon, 1993, p. 130)
In short, the penal discourse had dramatically shifted from concentrating on individual’s criminal motivation and moral character using actuarial risk assessment tools. When the ideas of the new penology were being discussed, the Probation Service was going through an overhaul based on new understandings of theories underpinning what worked well with addressing offending behaviour and reducing the risk of harm. This largely came out of the increasing dominance of the psychological profession, which has become very powerful and has taken control and ownership of the jurisdictional boundary of offender behaviour and rehabilitation (Cohen, 1985; Andrews & Bonta, 2010). In 1997 when New Labour came to power the Probation Service had been described as a failing service (Morgan, 2007, p. 95).

The operational and professional influences began to refocus the Probation Service into Offender Management where there was an increased emphasis on supervision, management and administration (Burnett et al., 2007, p. 220). Alongside the introduction of the ‘new penology’, the way the Probation Service was working began to have new influences; for example, there was much more of a focus on criminology and understanding why offenders commit crimes (McNeil, 2000, p. 108). There has been an increased focus on evidence, and there is a continuing urge as a service to ensure that the knowledge available is current and of good quality (Newman & Nutley, 2003, p. 551). This increased focus came from a reinvigoration of the ‘what works’ agenda, which was kick-started by a range of evidence from numerous meta-analytical studies from Canada that studied the effectiveness of various interventions in addressing an offender’s behaviour (Chui, 2003, p. 59).

Certain principles for effective practice were formulated as a result of this research, and the research defined what makes a good intervention. To be effective in reducing an offender’s criminal behaviour, the interventions should be matched to the level of risk they pose. Therefore, the higher the risk of serious harm, the more intense the level of supervision should be. Interventions should also address factors relating to actual behaviour such as drug use, and should not just concentrate on welfare issues. Practitioners have to be able to understand how to also deliver work that is responsive to an individual offender’s learning style. The research also showed that they should be based in the community, as this will enable offenders to practice the skills learnt. The interventions should also use different approaches, such as cognitive behavioural theory, and be linked to research that has proven the kind of intervention does work (Chui, 2003, pp. 62-63). This has collectively been labelled the ‘risk-needs-responsivity’ model, or RNR model for short, and will be discussed in more detail below (see Andrews & Bonta, 2010, pp. 393-426). Along with the changes in
the understanding of the theoretical basis as to why crime occurs, the 1990’s also saw the ‘what works’ movement influence a number of structural changes. For instance, there has been an increasingly bureaucratisation of offender management, with the rise of managerial techniques and with the risk assessment of sex offenders involving non-governmental and government agencies, which has created our current multi-agency approaches to offender management (Nash & Williams, 2008 and Williams, 2010, p. 134). Indeed, the ideas and procedures around risk and risk management fit very well into the professional and management ethos of our current criminal justice system. The change of approach to managing offenders through risk management protocols has therefore led to the increase in crime control mechanisms, and some have argued that this is a result of a recognition that it is near enough impossible to eliminate crime (Downes & Rock, 2007, p. 218). At the same time there are often massive expectations from the public that they are protected and, when things do go wrong and offenders commit serious further offences, there is an intense environment of public blame (Nash & Williams, 2008).

Part of the change in management ethos meant changes in operational and professional influences with a refocus on practice. This included the introduction of the National Offender Management model, with the National Offender Management Service (NOMS) becoming the overarching structure that brought probation and prisons together (Nash & Williams, 2008, pp. 123-129). The supervision of offenders was based on the idea of ‘end-to-end-management’ and involves risk assessment through this entire process, which should lead to a more effective management of offenders (Burnett et al., 2007, p. 220). This management approach saw the introduction of the four Cs: Consistency, Continuity, Commitment and Consolidation. Consistency means that offenders should have the same Probation Officer for the sentence and that rapport can be built up between the offender and his/her Probation Officer. Continuity means that the same practice should be delivered across the board and delivered in accordance with effective practice. Commitment means that the Probation Officer is focused and consolidation means that the approaches are brought together to ensure that the risk of harm and likelihood of reoffending are reduced (Burnett et al., 2007, p. 221). There has also been an increased emphasis on having clearly defined targets, with the overarching aim of identifying potential and actual offending and reducing reoffending (Grubin, 2004, p. 91).
When working with high-risk offenders, professionals may feel that they are working within a ‘blame culture’. For example, Probation Officers now work in an environment where their work is continually monitored and evaluated (Kemshall & Wood, 2008, p. 611). This pressure places immense strain on Probation Officers to ensure that their decisions are right. Kemshall highlights this issue as a ‘climate of public blame, community anxiety and challenge to the expertise of professionals if “things go wrong”’ (2009, p. 331). The central problem here is the perception that risk is infallible. Unfortunately, risk assessment is about predicting the future, and cannot and never will be 100 per cent accurate (Morgan & Gilchrist, 2010, p. 368); and this has led to the concept of ‘defensibility’ (Carson, 1996 cited in Harrison, 2011, p. 34). These circumstances can lead to a ‘dread risk’ being created where the assessor may assess the offender too high a risk or too low a risk. This can come from a lack of understanding or knowledge of the subject, and feelings of terror take over; making the assessor feel like that they are not in control, and the more they dread, the higher they may perceive the risk. Dread risk can occur when the assessor does not feel confident in their own risk assessment abilities (Kemshall & Wood, 2008, p. 622). It is, therefore, vital that the risk assessment process is appropriate and accurate (Kemshall, 2009, p. 332).

**Risk Assessment and the Probation Service**

Before examining the risk assessment tools, it is perhaps pertinent to note that the work that the Probation Service undertakes with violent and sexual offenders is often difficult, given the nature of the offending. What adds to this difficulty is that this offending is commonly of a significant level harm to their victims, victim families and the wider public (Kemshall, 2003 and Nash, 2006). Because of this, there is often emotional pressure placed on staff to undertake effective management and intervention to ensure further acts of serious harm are prevented (Thomas & Tuddenham, 2002, p. 10). When the risk management plan has not been effective and a serious further offence takes place this failure is often highlighted by the media with the probation sector coming under increasing scrutiny and accusations of individual and system failures commonplace (Prins, 1999, p. 77; Nash & Williams, 2008, pp. 147-149). Furthermore, high profile cases such as Hanson and White resulted in society and political calls for more punitive approaches (Thomas, 2005, p. 2). Media scrutiny in recent years has portrayed a rather simplistic notion of the sex offender: the image of a dirty old man that has little attachment to society (Critcher, 2003, p. 99). This portrayal can help members of society cope with this difficult type of offender as it offers some level of
detachment from ‘normal’ society (Brown, 2005, pp. 5-6). In reality, sexual offending takes a variety of forms, including rapists, child abusers and includes a wide range of different types of behaviour and exposures (i.e. contact and non-contact offences) (Thomas, 2005, p. 2). All of these factors must be taken into consideration through risk assessment tools.

It is important to understand the origins of risk assessments in criminal justice, in particular, the Probation Service, as this can help current professionals and academics comprehend how and why certain techniques developed as they did. This also helps in understanding current risk assessment techniques. Harcourt’s (2007) work is of interest here as he explored the early research that led to the first risk assessment tools for parolees in the 1920’s and the 1930’s. Academic practice at the time had a strong emphasis on statistical prediction as sociological positivism was in vogue during the first part of the twentieth century (Downes & Rock, 2007). This was a time where significant understandings of crime were being explored, and Harcourt (2007, p. 47) notes that this was a period where scholars began to look at the individual and sought to understand criminal behaviour. One major influence in this area came from a school of academics that were shaping the focus of risk assessment, with Harcourt (Harcourt, 2007) arguing that the start of the actuarial approach can be traced to the Chicago School and the work of Burgess and Ohlin. Their work refocused attention on the individual, looking at the actuarial factors such as previous behaviour and previous convictions, which were variables used to decide whether the release should be granted (Harcourt, 2007, p. 47). Whilst Burgess (1928) work is dated, it is historically important and relevant as it was the first study to develop a method for assessing the likelihood of reoffending; a tool that was to be used in aiding parole board decisions as it concerned whether it was safe to release certain offenders from prison (Singh & Fazel, 2010, p. 965). Similarly, Shaw and Trust’s research in 1931/1942 focused on where the offender resided not where the offence took place. These studies were able to identify certain factors linked to the offending, such as ill health and poor accommodation. This was an important development in risk assessment, as factors relating to the individual and their personal circumstances were also used to influence the interventions available (Tierney, 2009, p. 35).

Fundamentally, this period saw the increased use of risk assessments and an acknowledgement that scientific methods were becoming even more popular for quantifying ‘risk’ (Harcourt, 2007, p. 106). The new ‘actuarial approach’ allowed for the offending behaviour to be explored using historical data to predict events in the future (Harcourt, 2007,
p. 107), and it is this important area that has become the foundation of current risk assessment tools.

Within the current model of public protection, risk is expressed in terms of an offender’s perceived danger to the public (Harrison, 2011, p. 34). More importantly, in recent years assessing risk has assumed the superior air of scientific validity and objectivity. Kemshall’s (2003, pp. 48-80) review of risk assessments highlights two main broad epistemologies of risk assessment of criminal offenders and these are useful starting frameworks for understanding how risk is operationalised: (i) artefact risk and homeostatic risk management and; (ii) social risk and negotiated risk management. The former is ‘characterized by prescriptive rules, rigorous system monitoring for compliance to pre-specified criteria, technical control and corrective action, and ‘fail-safe’ procedures in the event that something goes wrong’ (Kemshall, 2003, p. 56). This type assumes that risk is quantifiable and can be broken down to ‘step-by-step decision-making’ with problems identified as system failure or problems with human reasoning and decision making (2003, p. 56). This type has been heavily influenced by what Jock Young has called ‘administrative criminology’, with the emphasis on personal responsibility, individual decision making and ‘situational management’ of choices and opportunities rather than upon the causes of crime’ (Kemshall, 2003, p. 57). In doing so, it takes from numerous theoretical models such as desistance studies, rational choice and routine activities theory, and thinks of risk management in terms of trying to calculate risk level and manage these risks so an individual’s decision-making towards criminal activity is disrupted (2003, p. 59). Unfortunately, Kemshall (2003, p. 59) has noted how this approach frames risk in terms of the ‘appropriate technical competence and not a matter of professional judgement’.

The homeostatic model has been challenged on numerous fronts, in particular by the second epistemology – social risk and negotiated risk management. For example, the claims that rationality is not merely individual but has context and is situated is an important issue picked up by the social risk model (Kemshall, 2003, pp. 59-61). In this epistemology, ‘risk is conceptualised as a negotiated concept and product of social interaction’ (Kemshall, 2003, p. 61). Within this conceptualisation, risk is placed in its context as an interaction between people and places and, therefore, involves issues such as norms, values, power relations and choices. Many of these issues are center on victimisation and fears; for example, identifying potential victims and threats or fear of threats of violence. Such issues often determine both
the level of serious harm scores and what sort of interventions are requested in risk management plans. Both of these epistemologies, however, have led to the development of a range of risk assessment tools.

**Risk Assessment Tools – From First to Third Generation**

Bonta and Andrews (Bonta & Andrews, 2007, p.3; also see Andrews & Bonta, 2010) considered that there are four generations of risk assessment. The first generation was an era epitomised by professional staff such as Probation Officers making ‘pseudo-clinical’ assessments based on their knowledge and judgement. The clinical approach is where professional knowledge and skill is used to make judgements regarding future behaviour and risk. This knowledge is based on numerous sources including relevant criminological, psychological and psychiatric theories (Bonta, 2002, p. 362). For example, assessments may explore the offenders psychosexual history, and use this information to assess their behaviour such as levels of hypersexuality (Gorden & Grubin, 2004, pp. 73–74). A key element of this approach is that it utilises the Probation Officer’s insights and skills developed from working with caseloads of offenders (Mair et al., 2006, p.11). This knowledge is valuable as it is developed over a period of time where the professional build up experience in dealing with a wide range of offender behaviour problems and learn to identify core criminogenic risk needs. Such knowledge and experience enable them to understand why certain offenders behave in certain ways (Ansbro, 2010, p. 253). As a consequence, knowledge and wisdom tend to have depth will mean that the assessment could be based on a richness of information not usually associated with the more actuarial tools (Harkins & Beech, 2006, p. 258).

Nevertheless, it has been argued that the quality of the assessment will only be as good as the assessor’s level of professional knowledge and their understanding of offending behaviour; and this can vary quite dramatically (Bonta & Andrews, 2010, p. 36). For example, they will need to have a good understanding of criminological theory and current evidence-based knowledge in order to accurately identify what interventions are effective. In order to obtain this quality information, the assessor will need to have good interview skills and be able to elicit information from offenders. It has also been argued that this approach relies too heavily on ‘gut feelings’ rather than solid evidence (Grubin, 2004, p. 107). These gut feelings can make the risk assessment process subjective. In addition, there is a danger that the assessors own prejudices and biases will decrease the objectivity of the assessment (Kemshall, 2009, p. 333).
Second generation risk assessments are actuarial tools which use static factors which factors are empirically known to be linked to offending (Harrison, 2011, p. 39). The actuarial method is an inductive process, and this epistemological basis forms a large part of the method. Inductive reasoning involves making a number of generalisations about the subject, for example, the characteristics of sex offenders, and them posing a risk towards the public (Warburton, 2004, pp. 114–115). Inductive reasoning looks for patterns in behaviour, e.g. grooming and contact with victims to form data that is then used as evidence for determining the level of future risk posed by the offender (Morton, 1996, p. 131). There is, however, a danger that the data produced is not accurate and on some occasions, more information may be needed to explore the different conclusions (Morton, 1996, p. 143). There was a movement from the first generation to second generation tools in the late 1980’s. Here, the emphasis was placed on categorising offenders and starting to assign differential levels, or tiers of supervision based on these identified risk categories (Bonta & Andrews, 2007, p. 3). Static factors are those elements of the offender that cannot be changed, an example of which could be the number of previous convictions and their age at first conviction (Manderville-Norden & Beech, 2006, p. 257). These factors are based on previous events so offer some accuracy and consistency when considering patterns of offending behaviour (Craig, Browne, & Beech, 2008, p. 55). Static factors are not only useful for predicting future risks but for mapping longer-term reconviction rates. They are also valuable when trying to understand which factors have been present, and what areas need to be focused upon (Hanson, 2006, p.18). However, there have been concerns raised in relation to practitioners relying too heavily on static factors, which can make an assessment seem one sided, and not give the assessor a full understanding of the current issues relating to an offender and the risk they pose (Nash and Williams, 2008, p. 77). However, the problem with using static factors to assess the risks is that because the factor is historical (i.e. fixed), the offender cannot change these factors so is unable to bring the assessment down. For example, their risk would only be reduced if their relationship status changed or when their age changes (Brown, 2005, p. 10). Furthermore, some have argued that this approach cannot identify what areas need immediate attention due to the fact that it only concentrates on static factors (Boer & Hart, 2009, p. 30). Another criticism is the actuarial approach is unable to identify when the risky behaviour will occur and what level of harm will be caused (Grubin, 2004, p. 107). It has also been noted that there were methodological issues with the original samples as the data was often based on samples that were male-only offenders or for specific crime types. Therefore, professionals have to be careful about making generalisations based on static risk factors, as
not all offender characteristics will be the same, and there are limits as to what overall assumptions and generalisations can be made (Craig et al., 2008, p. 78).

The third generation of risk assessments began to consider the concept of dynamic factors. These are the items that can be changed through time, such as sexual urges or an over preoccupation with children (Craig et al., 2008, p. 93). There are multitudes of different dynamic factors, but generally, two main broad types have been identified. Firstly, **stable dynamic factors** are factors which have the ability to change. Secondly, **acute dynamic factors** which can be changed, move up and down and affect the likelihood of harm occurring, for example when an offender’s mood changing (Harkins & Beech, 2009, p. 105). Stable dynamic factors, such as sexual preference or sexual preoccupation for children can be targeted and addressed through intervention. The acute factors can help to establish imminence, and include a range of issues or problems present in the offender’s life that could increase their risk of immediate reoffending (Craig, et al., 2008, p.91). Dynamic factors have become important in assessing the risks posed by sex offenders, but it is important to distinguish between the individualistic factors as these will differ from case to case. The factors depend on the type of offending, for example, sexual abuse of children and the level of interaction between the victim and the offender (Kemshall, 2001, p. 21). Nevertheless, acute dynamic factors are useful in risk assessment and the prevention of harm, as they are able to work as ‘warning signs’ that the offender is likely to cause imminent harm (Harrison, 2011, p. 37). Furthermore, dynamic factors are useful for determining what type of treatment and intervention is required and when it is needed. Craig et al. (2008) identify that there are three main dynamic risk factors relating to sex offenders: **sexual interests**, **affective factors** and **clinical factors**. **Sexual interests** relate to the offender’s attractions and sexual predilections, for example, towards children or being preoccupied with pornography. **Affective factors** can include the offender having low self-esteem and an emotional congruence with children. Finally, **clinical factors** can include pro-sexual attitudes and a tendency to act on impulse (Craig et al., 2008, p. 91).

By introducing dynamic factors, the third generation risk assessment tools were able to take into account changes in the offender’s circumstances and the levels of risk they could pose. In the late 1980’s and early 1990’s, these tools offered a way of measuring the effectiveness or indeed the ineffectiveness of particular interventions. With this generation of risk assessment tools, it was accepted that by addressing dynamic factors this could, in turn, contribute to a
reduction in the risk of reoffending and harm posed by offenders (Bonta & Andrews, 2007, p. 4).

**Fourth Generation Tools**

The third generation of risk assessment tools soon developed into the fourth generation of tools that are currently used by the Probation Service. The fourth generation of assessments includes a mix of either more advanced actuarial/statistical methods or a sophisticated synthesis of both actuarial and clinical/professional models. For example, assessment tools used by the Probation Service have included ACE (Assessment Case Management and Evaluation) and LSI-R (Level of Service Inventory-Revised). The current assessment tool, OASys (Offender Assessment System), was developed in 1998 and consists of statistical modelling that produces scores such as the risk of reoffending (the OGRS score – see below) and the OASys Violence Predictor (OVP) (Bullock, 2011, p. 2). The assessment systems used by the Probation Service have been a key element of practice; however, the aims and emphasis of the tools have been subject to various changes since their initial implementation (Burnett et al., 2002, p. 211).

The mid-1990’s saw the introduction of the Offender Group Reconviction Scale (OGRS), a second generation tool this was based on a sample of conviction data which followed a group of offenders for two years to identify and further offending/reconvictions. The premise behind OGRS was to introduce a standardised risk of reoffending score. It was noted that the tool could not offer an explanation as to why offenders committed criminal acts but could be used as a backup for Probation Officers clinical assessments (Copas & Marshall, 1998, p. 160). The use of static factors, such as age, gender and criminal history meant that an assessment of risk without the use of clinical factors (Bonta & Andrews, 2007, p. 14). However, it was soon realised that in order for risk assessments to be more accurate and effective, an assessment tool was required that would synthesize both actuarial/static factors with clinical judgement/dynamic risk factors.

The OASys tool was developed as a consequence of the focus of Probation practice in terms that what worked and effective practice principles. The development team wanted to produce a risk assessment tool which took a holistic approach. It was designed to take into account the criminogenic needs of the offender in order to create a supervision plan as to how the risks would be addressed. It also took into account of the responsivity of the offenders needs and
provided an assessment of the risk of reoffending and risk of serious harm (Howard, *et al.*, 2006, p. 1). The empirical and practical base of OASys came broadly from the Risk-Needs-Responsivity (RNR) model of corrective treatment that was created by Andrews *et al.*, in 1990 (cited in Andrews & Bonta, 2010, pp. 45-55). There were three main principles behind RNR: *risk, need and responsivity*. The risk principle is based on two premises. The first is that ‘criminal behaviour can be predicted, and the second is ‘the idea of matching levels of treatment services to the risk level of the offender’ (2010, p. 47). The need principle considers the various criminogenic and non-criminogenic needs of the offender, for example, they need work, accommodation and need to stop drinking excessive amounts of alcohol. It tries to identify what needs are present that influence offending behaviour, the idea being that if the ‘right treatment services are offered with the intention of reducing recidivism, changes must occur on criminogenic need factors’ (Andrews & Bonta, 2010, p. 49). Finally, the responsivity principle takes the view that the interventions and treatment must be delivered ‘in a style and mode that is consistent with the ability and learning style of the offender’ (2010, p. 49). Many of the current fourth generation risk assessment tools, including OASys have been built on the RNR principle.

Before it was rolled out nationally, OASys was tested in three pilots, one conducted in 1999 examining 150 offenders from seven prisons and six Probation areas. The second pilot took place between 1999–2000, this was a larger sample of 2000 offenders from seventeen prisons and eleven probation areas. The third pilot took place between 2000 and 2001 and had a sample of 930 offenders from seventeen prisons and six probation areas (Howard, *et al.*, 2006, p.11). The final report from the pilots provided evidence to support OASys and noted that the scoring system had sound predictive validity. Unlike the OGRS tool, OASys was able to provide a way of measuring the change in levels of risk and offenders behaviour because of the introduction of the dynamic factors that were discussed above (Howard, *et al.*, 2006, p.161).

OASys was introduced into Probation practice in 2002 and focuses on the assessment of the risks that offenders pose in terms of risk of serious harm and risk of reoffending. This system has now become an integral element of probation practice, beginning at the pre-sentence stage through to sentence planning and management of offenders (Canton & Hancock, 2007, p. 9). What is of particular interest is that OASys includes thirteen sections that examine the range of criminogenic risk need factors that have been empirically linked to offending
behaviour. For example, sections include accommodation, education, training and employment (ETE), relationships, thinking behaviour, drug and alcohol (mis)use and health issues. The actuarial part of the tool comes in the form of a scoring system in each section, which requires a numerical score to be assigned by the assessor: usually consisting of a score of 0 for no known issues; 1 for some issues; or 2 for severe issues in the particular risk area. If the offender presents as a risk of serious harm the practitioner then has to undertake a full risk of serious harm analysis, looking at why the behaviour occurred, the nature of the risks and who is deemed as being at risk (Williams, 2010, pp. 147–148). In this section, the assessor needs to develop a risk management plan where it must be demonstrated that there is a plan of how the risk presented will be managed (Ministry of Justice, 2009, p. 8). This ‘risk of harm screening’ section is broken down into four levels. Low risk of serious harm is those offenders who present with no significant indicators of harm. A medium risk of serious harm means that the offender is presenting with identifiable indicators of risk of serious harm. In these cases, the offender has the potential to cause harm but this is unlikely unless there is a change in their circumstances, the dynamic factors mentioned earlier, such as an increase in alcohol use or loss of accommodation. The third risk classification is high and this is where there are identifiable indicators of harm. In these cases, the offender could offend at any time and the impact would be life threatening. The last risk category is very high, and this applies to the critical few. These offenders present an imminent risk of serious harm and the behaviour would be life threatening and would be difficult to recover from (Harrison, 2011, p.36).

OASys Revised was introduced in 2012, and this introduced significant changes to the design and interface, the most significant of these changes was the introduction of RM2000 as part of the electronic assessment. RM2000 is specifically designed to assess sexual offenders whereas OASys has not been designed for this offender type (see below). The previous paper version of RM2000 meant that the process was often disjointed and this was a cause for concern in the past. It has been noted that RM2000 should be fully incorporated in the assessment and form an integral part of the risk management plan (Ministry of Justice, 2010, p. 2). Unfortunately, at the time of writing the electronic version of RM2000 is not working, as this version produces incorrect risk assessment levels and NOMS have advised that the paper version is used (Personal Communication, July 2014).
There is now a running critique of OASys within the academic literature. The OASys tool has been criticised for being a complicated tool for assessors to use, and it has even been compared to that of a tax form. It is a long process, and there over 200 variables for the officer to consider (Mair et al., 2006, p. 7). It can be a subjective process, and different assessors may assess the same offender differently (Mair et al., 2006, p. 7). The tick box process can also be very subjective and often presents the assessors with dilemmas, for example, determining the level of motivation at the start of the sentence where there has been little interaction. An offender can seem very motivated at pre-sentence, but this is dynamic and can vary over time. It has also been criticised for allowing assessors to determine risk based on a simplistic scoring system (Williams, 2010, p. 7).

Another criticism of the OASys tool is that it potentially de-skills the assessor as it relies heavily on static factors, which sometimes results in not enough focus being paid to the complex dynamic factors. This is particularly relevant to sex offenders as they will often have complex and unique dynamic factors, and these are often the key clues behind why offenders behave in a certain way, and can indicate where treatment is needed (Lancaster & Lumb, 2006, p. 284). This de-skilling of Probation Officers can compromise the assessment as the quality will only be as good as the questions asked and the information gained (Crawford, 2007, p. 166–168). Related to this issue is the fact that OASys will not provide practitioners with new information or knowledge so it will only be as good as the information that is submitted, and this problem is compounded by the fact that many OASys assessments are not routinely updated. Therefore, it has been argued that the system can also be a tool to monitor and check the work of the Probation Officer (Williams, 2010, p. 149). This point echoes the earlier work of Fitzgibbon who noted that the tool was a popular way of monitoring any changes, and provided a tool for measurement (Fitzgibbon, 2008, p. 451). The rise of managerialism within the Probation Service as resulted in an increase of audit, and targets. For example, there are targets for when sentence plans are created and terminated, and there can be tensions between completing risk assessments ‘on time’ and considering the risk, needs and responsivity of the offender (Philips, 2011, p. 111).

As stated previously, the academic literature on the OASys tool is now beginning to develop and there appears to be a growing range of useful critical analysis on the subject. In an earlier piece of analysis Crawford (2007) identified numerous weaknesses of the tool, for example, an assessment can be limited as a result of the level of assessor’s skills and knowledge
(Crawford, 2007, p. 158). Fitzgibbon (2008) suggested that the lack of skill in the areas of understanding risk and dangerousness often meant that the assessor could end up using the tool as a crutch, a point that reinforced Crawford’s ideas. It was also argued that staff felt that the tool enabled them to make defensible decisions and proved popular with those who felt vulnerable to criticism over their decision-making processes (Fitzgibbon, 2008, p. 65). Academic research has also stated that the tool was time-consuming and Probation staff often felt rushed in their assessments, with assessors often having to make an assessment within a short time period. Staff will often face pressures from a large caseload and have to work to strict deadlines, leaving little time to adequately assess an individual (Crawford, 2007, p. 166).

In terms of an analysis of the literature of OASys, it is interesting to note that the above articles were published in the peer-reviewed Probation Journal suggesting that the analysis was not flowing from the wider academic world. However, these were important arguments that flowed from the practitioners and academics that had experience at that time of the new and complicated tool. In 2010, Williams produced one of the first chapters that offered an analytical approach to this issue and provided an up to date account offering discussion that went beyond the previous general descriptive literature on OASys (Williams, 2010, p. 133-161). It links the criticisms to OASys and explores in more detail some of the issues relating to the clinical and actuarial approaches. This piece of work identifies the danger of using a tick box system and warns that this can de-skill Probation staff by de-contextualising offender behaviour (Williams, 2010, p. 134; also see Nash and Williams, 2008). This chapter also echoes the work of Manderville-Norden and Beech (2006) by arguing that there is a limit to which assessors understand dynamic factors and how changes in these have been noted and analysed (Williams, 2010, p. 149). This again links back to the earlier criticism that practitioners have a tendency to focus too heavily on static factors.

In relation to using OASys for assessing sex offenders, this has been explored partly in the academic world. Early research in this area identified the problems of using such a tool for this very specific group of offenders. For instance, Manderville-Norden and Beech (2006) note that the way in which OASys scored the risk factors is not appropriate to use with sex offenders. They note that the tool places more emphasis on the static factors (such as previous convictions), and to be more effective with sex offenders a tool would have to consider the dynamic factors more closely. This article argues that the specific risk factors in relation to
sex offenders, such as the emotional identification with children, need to be considered more fully (Manderville-Norden & Beech, 2006, p. 268). However, recent updates of OASys have recognised this criticism, and changes have been made to make more use of the important dynamic factors. The OASys violence predictor combines both static and dynamic factors and the score produced is available to the assessor when determining the level of harm, which also aids in creating the sentence plan (Howard & Dixon, 2012, p. 290). The above research demonstrates that there are gaps in the current literature and therefore, further academic work needs to be undertaken to explore the use of OASys relating specifically to the assessment of sex offenders. As this is a key aspect of risk assessment and sentencing planning, there is a need to ensure that there is a good understanding of the issues. This will directly link to the management and protection of the public.

The critical comments made above have been echoed by a non-Probation publication and were raised in a review of child protection review by Munro. This author argued that too much time is spent on risk assessments and not enough time focusing on the person who the assessment is concerning (Munro, 2011, pp. 28-29). This would, therefore, suggest that too much emphasis is still being placed on actuarial tools, and the richness of the clinical tools and the knowledge it provides has been either minimised or lost.

The assessment tool currently used by the Probation Service to assess the risk posed by sex offenders is the RM2000 tool. This is a statistical process to determine what level of reoffending a sex offender may engage in. This tool was developed in light of other sex offender risk assessment tools such as RRSASOR (Rapid Risk Assessment Sex Offence Recidivism) did not jointly assess risk in relation to sexual and violent offending (Thornton et al., 2003, p. 226). The tool took its origins from the Structured Anchored Clinical Judgement (SACJ) which was used to assess the risk of reconviction in the 1990’s. This was based on a cross tabulation of 10-year sexual conviction data (Thornton, 2007, p. 5). The matrix uses static factors of an offender and places them into different categories where rates of sexual or violent offences are statistically higher in re-conviction rates. These are then further divided into three scales (Harkins & Beech 2009, p. 104):

1. RM2000/S – a prediction scale for sexual offending
2. RM2000/V – a prediction scale for violent offences
3. RM2000/C – a combination of the sexual and violent scores
The RM2000 tool is thought to be accurate in predicting the likelihood of future behaviour; however, it cannot provide any more detailed information (Harrison et al., 2010, p. 21). Research completed by Walker and O’Rouke (2013, p. 166) notes that as a consequence of focusing on static factors, RM2000 cannot reflect changing dynamic factors as it does not inform the Probation Officer when the harm will occur, just what level of likelihood there is of this occurring (Looman & Abracen, 2010, p. 793). The RM2000 will also not provide information regarding what types of behaviour will occur (Grubin, 2004, p. 99). It is also important to note that actuarial scales use data from samples based on conviction data and to reiterate the earlier point that these samples tended to be male offenders. Furthermore, the tool fails to recognise emerging types of sexual offending such as those offences committed on the Internet (Briggs & Kennington, 2006, p. 26). It has been argued that when assessing the risk of sex offenders, care has to be taken, especially when it comes to making generalisations from the level of risk identified by the RM2000. For example, some low-risk sex offenders will go on to commit very serious acts of abuse (Grubin, 2004, p. 105).

Craig et al., (2008) offer a good review of the number of limitations associated with the tool. They argue, for example, that the tool does not take into account all characteristics of sexual offenders. They state that the tool may not be able to effectively assess those offenders with learning disabilities that target female victims. Later on in the article, they also comment that the tool is focusing on convictions and does not truly represent the rates of reoffending. (Craig, Beech & Harkins, 2009, pp. 61-65). However, the tools are based on information that is known, for example, recorded crime statistics, and inductive reasoning to allow further examination (Couvalis, 1997, p.37). Crassati and Beech’s study of 310 sex offenders gave support for RM2000, and they noted that it was more effective than Static 99 to predict the likelihood that a sex offender would re-offend (Crassati & Beech, 2005, p. 24). Helmus, Babchishin and Hanson meta-analysis of 16 samples from 14 studies also gave support for the accuracy of RM2000 and noted that there were good levels of confidence when using the tool. It is evident that there are weaknesses and strengths of the RM2000 (Helmus, Babchishin & Hanson, 2013, p. 24). Indeed, Grubin argues that its use should be a screening tool, and can indicate when further assessments are required (Grubin, 2011, p. 431).

A key problem with using the current OASys risk assessment tool for assessing the risk of sex offenders is that it was not designed for this unique group of sex offenders. Both OASys and RM2000 are based heavily on static factors and when closely examined there is little
consideration given to the dynamic factors linked to sexual offending (Williams, 2010, p. 149). A heavy emphasis on actuarial methods can result in a focus on static factors such as age at first conviction. This can sometimes mean that dynamic factors are considered less important or are downplayed, where in fact they can be crucial for identifying key areas for treatment (Manderville-Norden & Beech, 2006, p. 309). Currently, the only occasion where there is increased consideration of dynamic factors is when a Structured Assessment of Risk and Need (SARN) is undertaken following the completion of an accredited programme (Craig et al., 2008, p. 101).

The SARN is a clinical tool where there are sixteen dynamic risk factors spilt into four thematic areas, for example, lifestyle impulsiveness, which relates to the offender acting on impulse and in a general anti-social manner. Other areas are poor problem solving, poor emotional control and sexual interest (Craig et al., 2008, p. 102). This is a complex risk assessment where the assessor needs to have advanced knowledge of the dynamic risk factors, so it has been noted that for this assessment to be effective and appropriate it needs to be completed by a trained psychologist. Therefore, when dealing with sex offenders in the community who do not have a requirement to undertake a sex offender programme this in-depth information may not be received (Webster et al., 2006, p. 451).

Sources for the SARN include the use of psychometrics, these are a set of questions that are delivered to offenders and use the method of self-reporting. The psychometrics contains a series of questions that explore numerous attitudes and behaviours and the results are then analysed to aid understanding of the behaviour (Barnett & Hann, 2011, p. 42). These are then delivered pre and post-treatment by trained Probation Officers. There have been numerous criticisms of psychometric tests: for instance, they will only be as reliable as the information they are based on. It has been argued that it can be difficult relying on offenders to be truthful with their responses and their level of response will depend on the amount of motivation they have to address their offending, and how much information they wish to divulge and explore (Barnett et al., 2011, p. 2). When an offender is being risk assessed there is a limit to the level of detail they will be willing to admit, with some evidence to suggest that the responses will be swayed in order to present themselves in a positive light and will keep the damaging details to themselves (Barnett & Hann, 2011, p. 142). Academic research has identified that the psychometrics can help predict when certain risk factors are linked to reoffending. However, it has also been shown that the results are similar to RM2000, and some argue that
this tool is considered to be more reliable (Barnett et al., 2011, pp. 22–23). A recent study has raised questions about the suitability of the use of SARN to predict future reoffending. This study examined a heterogeneous group of sex offenders over a two and four-year period. Their findings indicated that there was no predictive accuracy, and raised caution of reliance on this tool in terms of risk assessments (Tully et al., 2014, p. 17). However, within Probation practice, the SARN tool is unlikely to be used on its own, and would become part of the wider assessment made by the Probation Officer, including information from RM2000 and OASys.

As this section has discussed, it is important to consider that both actuarial and clinical risk assessment tools have a number of advantages but also disadvantages. Before those problems are resolved, it is not possible for them to effectively predict risk to an area of certainty, which is often what the general public expect. There will always be external factors that can influence risk assessments, such as personal biases and the ‘over-or-under’ assessing of the risks (Grubin, 2004, p. 108). The research literature has noted gaps in knowledge, such as the specific use of OASys to assess the risk posed by sex offenders. More focus on this is needed and this will contribute to the understanding of the issues linked to the assessment of sex offenders. Despite these problems, risk assessment is a difficult and uncertain process yet it provides practitioners with a good understanding of the issues and problems that offenders face, which is crucial when trying to manage the risk that these offenders could pose to the wider community. It is clear that there are known issues with both the clinical and actuarial approaches. Within practice, the positives of each of the methods are often brought together for a fuller understanding of the level of risk that an offender may pose (Doren, 2006, p. 7).

**Probation Risk Training and Skills**

As previously mentioned, there is increasing pressure placed on the Probation Service to ensure that they carry out effective risk assessments, as there is a large amount of public blame when there are failures (Kemshall, 2008, p. 4; also see Ansbro, 2006; Nash & Williams, 2008). Since the 1990s, the emphasis on the political domain has focused on public opinion and there has been a greater focus on demographic decision-making. Society is seen to have a greater voice, and there is increased emphasis on politicians to being made accountable (Allen & Hough, 2007, p. 565). The Governments involvement in the criminal justice system links to the idea of penal populism, dating back to Labour’s statement that they were going to be ‘tough on crime, tough on the causes of crime (Senior, Crowther-Dowey &
Long, 2008, p.69) and this in particularly links to the Probation Service who are required to supervise the most difficult of cases. When there is a serious further offence, which involves an offender managed by the Probation Service committing a serious further offence, such as rape or murder. (Nash & Williams 2008), there is often intense negative opinion about the Probation Service. This is especially negative when there is serious harm caused to others, as it is felt that Probation Service was the public agency meant to be protectors and are deemed to have let members of society down (Allen & Hough, 2007, p. 566). Risk assessments must take into account a broad range of information, and work to a high standard to ensure that members of the public are protected from potential harm and distress caused by offenders (Kemshall, 2009, p. 332).

The risk assessment of sex offenders is an important process as it involves high stakes, both in terms of protecting the public and taking into the account of the offenders individual needs (Doren, 2006, p. 3). Probation Officers are practising in an often intensive ‘blame culture’, and when there are serious further offences blame is often shifted from the offender to the practitioner who made the assessment (Nash, 2010, p.70). In this culture of mistrust, it is, therefore, important that Probation Officers make assessments which are based on defensible decisions. This requires assessments to be based on evidence, and that all of the information is taken into account. The Probation Officer needs to base their assessment on good sources of knowledge, such as theoretical underpinnings and have good interview skills to acquire the information (Kemshall & Wilkinson, 2011, p. 15). When undertaking risk assessment it has been argued that members of staff need to also have confidence in the information they are using to base their decisions on. It has also been argued that risk assessment should be based on the notion of ‘defensible decisions’. This is a basic step in risk assessment and if ignored can have serious implications, for example, an offender being wrongly released on parole (Craig et al., 2009, p. 61). Kemshall, (2009, pp. 340–341) argues that practitioners make defensible decisions by taking a holistic view of their offenders; for example, to be effective in their risk assessment staff need to have a good understanding of the issues of sexual offending. As research is improving and increasing all the time, practitioners need to be provided with up to date training (Briggs & Kennington, 2006, p. 19).

As well as having confidence and knowledge, the assessors must be aware of the impact of their own bias. This effectively means recognising their own views and beliefs and how these could impact upon on their risk assessments. There are three main areas for bias,
representativeness bias, availability bias and confirmation bias (Kemshall, 2008, pp. 56-57). 

Representativeness bias is where an assessor may use past experiences to assess a situation, often resulting in cases where quick impressions are made. To avoid this, professionals have to consider individual cases, and not to base their assessments on assumptions and known stereotypes. Availability bias is where the behaviour is linked to everyday behaviour and where the assessor has assumptions that all types of offenders are the same. The last effect is confirmation bias, which is where the practitioner makes an assessment and then seeks out evidence to back up their assessment. These can be cultural factors such as race and then a search will begin in order to find evidence to support their position (Strachan & Tallant, 1997, pp. 19–23). It is further argued that to be aware of potential biases means that certain influences in risk assessments can be safeguarded. Professionals need to be aware of their own values and beliefs, and must be aware of their own stereotyping (Strachan & Tallant, 1997, p. 24).

At the time of research, practice has begun to focus on practitioner skills and the relationship between Probation Officer and Offender. Skills for Effective Engagement Development and Supervision (SEEDS) places emphasis on the importance of this relationship and focuses on the development of practitioner skills (Hylton, 2013, p. 166). In relation to offenders, including sex offenders, Probation Officers are in a unique and valuable position where they have the ability to change the offender’s criminal behaviour. This can be a difficult process which is dependent on numerous variables, including motivation, level of engagement and being able to improve the offender’s life. SEEDS focus is on improving practitioner’s ability to use interview skills and the use of cognitive behavioural techniques (Hylton, 2013, p. 171). The idea of SEEDS was introduced at a time when the Probation Service was at the beginning of the Transforming Rehabilitation agenda. It was a significant cultural shift towards refocusing on the core skills of the service, such as interviewing skills and the importance of one-to-one work. The pilot study conducted reported that the change was welcomed by staff as it focused on improving these skills and enabled probation practice to be transparent and accountable. Staff considered that it gave supervision more structure and improved the quality of practitioner’s one-to-one work (Sorsby et al., 2013, p. 45). In short, SEEDS has provided an opportunity to refocus on the importance of one-to-one work and developing effective ways to reduce the risk of reoffending (Rex & Hosking, 2013, p. 333). As we have seen throughout this chapter, probation practice has been focused on a tick box culture and driven by targets, and the introduction of SEEDS also came at a time when
professional judgement came back into prominence. The concept of professional judgement relies on members of staff having the confidence in their own assessment skills, and it has been identified that Probation Officers need to have good skills in clinical assessment and be able to assess which areas require intervention (Grubin, 2004, p. 107). The once rigid days of following National Standards were dramatically reduced, and practitioners were encouraged to use their own judgement when it comes to managing sex offenders. The new National Standards revised in 2012, aimed to take away the red tape and encourage more creative practice (Fellowes, 2012, p. 68). In the same article, concerns were also raised around the practicability for this new way of working. Concerns were raised over increased workload pressures, and suspicions from Probation Officers behind the introduction of the Policy. This could include believing that it is an ulterior motive from management, and could lead to blame being increased when something goes wrong. There could also be a belief that professional judgement places the emphasis on the practitioner’s assessments, and, therefore, creating increased levels of responsibilities (Fellowes, 2012, p. 69). However, since the introduction of the transforming rehabilitation policies, the practice has shifted again, and there is high demand that practitioners hit (often tight) targets rather than a focus on quality of assessments (Personal Communication, December 2015).

**Conclusion**

This chapter has provided a brief summary of the key elements of the risk agenda which has become central in criminal justice practice. It began with examining how risk has become a key priority and an increased focus on identifying and classifying dangerousness in the form of risk assessments. The move from ‘nothing works’ to ‘what works’ was analysed along with the dangerousness debate. Risk assessment was examined and it was highlighted that the work with violent and sexual offenders is emotional and there is increased pressure placed on staff. As an emotive group of offenders to manage, pressure can come from the media and politicians. The chapter also examined the origins of risk assessments were examined, including the work of the Chicago school and Burgess and to the rise of actuarial risk assessments. The developments of risk assessment were critically analysed from first to fourth generation risk assessments. The specific risk assessments used with Probation, including OGRS, OASys and RM2000 were critically analysed. The chapter concluded with a critical discussion of Probation risk training and skills, and the increased pressure placed on staff to ensure that they carry out effective risk assessments.
Chapter Four:
Methodology Chapter

Introduction

This chapter will explore and examine the research methodology that has been used for this thesis. The first section will consider how knowledge is gained, specifically exploring issues relating to the creation and use of epistemology and ontology. It will examine the philosophical underpinnings of induction and deduction, and how new theories and ideas are developed. Finally, this section will explore positivism and post-positivism in relation to the discovery of knowledge. The next section of this chapter will provide an overview of quantitative and qualitative methods. It will discuss the origins of the approaches, and also, provide a critical examination of the methods. The mixed methods approach will also be introduced and examined. The chapter will then present the research design of this study and the concepts of questionnaires, and semi-structured interviews will be explored. The use of data sampling will also be examined alongside the data analysis tools that have been used. The methodological limitations of this research will also be investigated. The last section of this methodology chapter will summarise the main issues and concepts which have been discussed.

Epistemology and Ontology

Epistemology concerns the development of knowledge and theory. There are difficulties relating to the knowledge base, in that one cannot escape the element of presupposed knowledge (Johnson & Duberley, 2000, pp. 3-4). Social science has always sought to insert and develop knowledge and it has been stated that social scientists hold a position which is a privileged status, as they are able to challenge and organise certain beliefs (May, 2011, p. 8). Epistemology can be regarded as progress and the aim of the primary research is to add to the existing knowledge base. Ontology delves into the social world and how we organise and label concepts and facts. In relation to social research, ontology examines facts with an aim to increase understanding and perception by creating ‘ontological categories’ and these are used to frame our understanding of the social world. For example, sections 1 to 13 of OASys (i.e. thinking skills, alcohol and drugs) are ontological categories created to understanding risk factors related to criminal behaviour (Jacquette, 2002, p. 3).
The idea of positivism is closely associated with the quantitative domain which is explored further in this chapter. The view here is that knowledge is produced from first-hand experiences and observations from the data that are produced (Robson, 2011, p. 21). Positivism considers that ‘social facts’ are not influenced by members of society own perceptions and understanding and their views are considered to be a product of the environment and this is what defines nature (May, 2011, p. 9). However, Bryman (2008, p. 159) has argued that positivism has failed to consider how people view and interpret the world and that this can be different for individuals. There is a limited explanation for the differences that exist between reality and the experiment setting, therefore, the approach offers no explanation of what the data actually means in reality. Post-positivism is considered to be the only suitable approach by some if the elements of positivism are disregarded. It is argued that this view recognises that background knowledge and values can have an impact on understanding (Robson, 2011, p. 22). Realism, on the other hand, aims to offer an explanation with regards to the knowledge people have of the social world. It seeks to understand how this knowledge can affect behaviour and achieve this through observation (May, 2011, p. 12).

Since the Victorian age, there have been various debates regarding knowledge, particularly in relation to the ideas of induction and deduction (Yeo, 1993, p. 3). Induction can be described as the process of using observations and developing an understanding of reason. Through the previous exploration of knowledge, facts and figures and the issues relating to the research would have already been examined (Synder, 2006, p. 39). With regards to inductive reasoning, the research begins with detailed information on the subject. The researcher can then draw together the perceptions and themes within the subject matter (Neuman, 2003, p. 51).

Whewell was a Nineteenth Century English polymath, scientist, theologian and philosopher who was a key figure in developing the concepts of induction and deduction, and was interested in the sources of knowledge and developing theories in an objective manner. He noted that previously the theory of deduction did not allow for the facts to be explored and connected, meaning that one’s mind is very important for induction and the use of imagination in the quest for knowledge (Yeo, 1993, p. 13). His debate about the domains of induction and deduction divided the scientific world and Whewell considered that there were two types of thinkers: Deductive thinkers who focused on religion, belief, and morals to
determine fact and, therefore, more likely to miss the truth; and Inductive thinkers on the other hand, who utilise moral values as well intellectual aspects of thought. Whewell recognised that facts did not come from one domain but by encompassing multiple domains such as mathematics and the natural science (Yeo, 1993, p. 123).

Quantitative and Qualitative Methods

Historically, the quantitative approach has been considered to be a central part of research within the social sciences. A key feature of this method is gaining knowledge about a subject through the collection of data (Moore, 2006, p. 115). Within criminological research statistical analysis has multiple aims and uses as it enables researchers to examine the criminal justice system and offer predictions about future patterns of crime (Noaks & Wincup, 2004, p. 5). It can be defined as a method that seeks to measure social problems by using statistical techniques which can be used in future research. The findings can be generalised to look at theories of the wider population of the original sample (Murray Thomas, 2003, p. 2). This approach has positivist groundings and considers that you can only test what is visible, such as numerical data. It seeks to test out new ideas before conducting numerous experiments and creating facts to examine (Bryman, 2008, p. 13).

There are numerous stages of quantitative research, which has been explored by Bryman (2008, pp. 141-143). The first stage is considered to be examining the theoretical basis, and the researcher takes a deductive approach towards understanding the research subject. For the current research, this entailed examining the theoretical and research basis of sex offenders and risk assessments. The second stage took the form of developing a hypothesis from academic literature and theory. The research design is the third stage and this is where the choice of methods is established: in this case, the use of questionnaires to collect data. The next stage is the selection of participants through sampling - the target group, in this case, being Probation Staff. The questionnaires were administered to the sample, and the information turned into data. The next stage involves the data collected being analysed and the variables are examined to establish where there are patterns and possible relationships. The last stage of quantitative research is the writing up of the results.

This approach was criticised in the 1960’s, as it was argued that the emphasis on the data means that the results are narrow with little wider meaning. It has further argued that this approach fails to take into account the differences between the natural and social world
(Noakes & Wincup, 2004, p. 6). Furthermore, Bryman (2008, p. 159) states that positivism fails to consider how people view and interpret the world and that this can be different for individuals. He went on to argue that there is a limited explanation for the differences that exist between reality and the ‘experiment’ setting where the data is being collected, as it fails to take into account how things can often be different in reality and does not occur in the same way as the theory states. A further criticism of the quantitative/positivist approach to social research is that measuring the data using quantitative methods can produce results that could be seen as synthetic. The data is assumed to reflect and mirror reality. A further assumption is that respondents interpret standardised questions the same way, which fails to take account potential differences in individual interpretations of the questions asked.

As a consequence of the growing dissatisfaction with the quantitative approaches, the qualitative method was developed. Its origin is linked to the Chicago School in the 1920’s, which involved the development of the ethnographic method to explore social problems and crime (Noakes & Wincup, 2004, pp. 5-6). It places focus on meanings and interpretations of actions through words and their analyses rather than examining data. This approach can be seen as being inductive, constructionist and interpretivist (Bryman, 2008, p. 366). The methods which are used tend to be of an informal nature and the structure allows for the researcher to explore the participants and understanding of the issues (Moore, 2006, p. 14).

The main element of this approach is to look at people’s behaviour, the meanings and understandings they give to social action, how their different experiences shape reality. In this sense, it rejects positivism and takes the alternative view that the social world is continually adapting and changing, and considers that people’s actions and behaviour as they respond to external factors are the reasons for the dynamism (Jupp, 1989, p. 29). In terms of the philosophical traditions, this approach tends to be based on the interpretive and realist approaches in the way in which their experiences and reality are shaped (Brannen, 2005, p. 7). Despite the qualitative method producing quality information this approach had been seen as being a minor player in the research world as quantitative approaches were (and still are) considered as having more scientific strength due to being more focused on statistical data. In short, the weight of data analysis has been considered to have more influence in the social sciences (McKie, 2000, p. 265).

Bryman (2008, pp. 370-372) has identified that there are six main stages of qualitative research. The first stage is having a general research question and identifying issues
surrounding the research question. In this case, this was about sex offender risk assessment tools and how effective they are. The next stage is identifying relevant sites and subjects. In this research, Probation Officers who use the OASys tool and RM2000 were the identified sites and subjects of focus. The third stage is the collection of raw data. The fourth stage is looking at any new concepts or theories that may develop from the work. In this research, the research would likely contribute to the current debate surrounding the risk assessment of sex offenders. From this, it may be identified that further research is required such as assessing different types of offenders. The last stage is writing up the research and presenting the findings in a fair and unbiased way.

It has been demonstrated that there are many short-comings of the qualitative and quantitative research approaches. The mixed methods approach was developed as a result of emerging dissatisfaction with these insular approaches and the need to form a new research method. The key concepts such as analysing words and data remains and these are combined (Crow & Semmens, 2006, p. 11). By using mixed methods, the researcher is able to produce a more holistic approach towards the research issue; however, as it uses both methods, the researcher will need to have more skills, such as designing questionnaires and interviewing skills. If these skills are not adequate this could affect the outcome of the research, such as the quality of the data and that crucial points are missed and the research may not cover all of the issues intended (Denscombe, 2007, pp. 118-119). The use of the mixed methods approach is not a new idea, and follows Denzin’s concept of data and methodological triangulation, as by using more than one method within research the weaknesses of each of the methods can be compensated (Denzin, 1978, p. 303).

Within this research, the mixed methods approach was used to ensure that the issue was examined at as wide an angle as possible. Quantitative research tends to be more at a macro level and qualitative research tends to focus on the issues at a micro level. Mixing the methods enables researchers to examine issues in new ways and allows for new theories to be developed (Mason, 2006, pp. 12-13).

**Research Design**

Devon and Cornwall Probation Trust worked with offenders who were subject to community orders and custodial sentences. The area of Devon and Cornwall is low density with a population of around 1,206,000. However, what is interesting is that the number of offenders
who are supervised can triple in the summer season. The Trust was split into three local delivery units: Exeter North East and South Devon, Plymouth and Cornwall. The sample included staff from these areas including the Approved Premises in Camborne and Plymouth.

In terms of collecting the quantitative data, questionnaires were used to produce statistical data, and this method of data collection was chosen as questionnaires are an efficient way to collect information about participant’s opinions, attitudes, beliefs and preferences. This then produced quantitative data which can be analysed using computer statistical software programmes (Denscombe, 2007, p. 154). Questionnaires are best used when there is a large sample, and the research subject does not cover sensitive issues (Denscombe, 2007, p. 154).

Questionnaires can reach a wide sample, and there are numerous ways in which they can be delivered for example via the internet and the post. The nature of the delivery means that the respondents may feel more comfortable in disclosing information, than with a researcher face-to-face. There is also more time available for the respondent to consider their responses and answer in a way that they wish to (Bryman, 2008, p. 218). Since the advent of e-mail, questionnaires are relatively economical to produce, distribute and deliver, and are easily completed by the participants. They are flexible in the way that they can be amended, and can be adapted to a variety of research topics with large samples (Moore, 2006, p. 120).

The data which is produced from questionnaires is pre-coded and this can mean that the analysis can be easier (Denscombe, 2007, p. 170). The design of the questions was primarily of the Likert scale form: this is a tool used in research for respondents to rank their agreement on a numbered scale, from Yes = 1 (strongly agree) to No = 5 (strongly disagree). There is also a neutral choice for the participants. The questions are designed in the form of statements and the responses produce raw data which is based on real information and situations (Bryman, 2008, pp. 146-147). In this sense, the results are more purpose based and produce information which can be placed into context (Denscombe, 2007, p. 31). However, this can often result in the loss of meaning and as a consequence it can be difficult to link results to a theoretical base so the full implications for future areas of research and policy-making are not fully realised (Denscombe, 2007, p. 32).

Further problems with the questionnaire method include: they tend not to be delivered face-to-face and this can affect response rates, and the researcher has little control over the answers which are provided, so the answers of the respondents are not able to be checked for
their accuracy (Denscombe, 2007, p. 171). Indeed, with self-complete questionnaires, there is no way to provide guidance if a respondent does not understand the questions (Bryman, 2008, p. 218). As a consequence of not being delivered face to face, the lack of communication can sometimes mean that the responses are straightforward and not innovative (Brace, 2004, p. 5). The limited control from the researcher can result in questionnaires being returned uncompleted which can cause issues (Denscombe, 2007, p. 171). Ultimately, there is no way of ensuring that the intended respondent completes the questionnaire (Bryman, 2008, p. 219).

The qualitative approach in the research design used the semi-structured interview method. This method was used to collect the views of the participants and is one of the most popular approaches used (Bryman, 2008, p. 437). Furthermore, it was selected as it has been identified as being a good method to use when examining individuals perceptions and exploring particular subjects (Robson, 2002, p. 271). This technique allowed for the in-depth exploration of the research problem which produces rich data (Gerson & Horowitz, 2000, p. 199). When conducting interviews, the researcher is able to take control and explore the participants feelings, emotions and experience (Denscombe, 2007, pp. 174-175). A key feature of the semi-structured interview is that it allows for the researchers to be flexible, and different routes can be examined with the use of different questions (Bryman, 2008, p. 196).

Kvale (1996, p. 88) states that there are seven stages of interviews which include the planning and implementation of the interview. The first stage is thematizing, which produces the basis of the research project and seeks to identify which areas need to be examined. The next stage is the designing and choosing what research method is appropriate for the chosen research design. The third stage is the interview itself which needs to have a schedule and for the interviewer to take a reflective approach. Once the data has been produced it has to be analysed in a consistent approach. The final stages of the interview design are to report and communicate the findings of the research.

The preparation of the interview is important in order to produce a quality interview with valuable results and when using this method, an interview schedule had to be formulated. This means deciding on a set list of topics that needed to be covered, and this is then treated as a guide for the interview. The interviewer is able to expand on the ideas that are of interest to the subject matter and the understanding of the respondent can be checked. An interview schedule is a good tool for the interviewer as it acts as of way ensuring that the interview is kept on track and remains focused (Bryman, 2008, p. 200).
The design of the interview is important and it is vital that the wording of the questions is considered carefully. The content of the questions has to be uncomplicated and delivered in a way that the participants can understand. This means that the interview should avoid using long and complicated questions, including leading ones. Using complicated questions can either mean that the responses given by the participants are poor or valuable time is spent explaining the question (Robson, 2002, p. 274). It is also important to consider time spent on building rapport between the participant and the researcher as it is important to make a good impression, and research has shown that interviews are more effective when there is a good level of rapport. This will encourage the participant to engage with the questions and give responses which are full and rich in the depth of data produced (Bryman, 2008, p. 201).

The schedule of the questions is also very important and the first questions were about the practitioner, for example, questions about their career and how long they have worked with sex offenders. It has been argued that more sensitive questions should be asked once rapport has been developed. They are more likely to elicit a rich response and the participants will be more alert to the interview situation. Having an interview schedule can aid in creating a flow to the interview and it can assist when it comes to discussing the research question (Bryman, 2008, p. 204).

The design of the questions is important, and there are different types of questions which can be used. There are introductory questions such as ones that introduce the research topic and give the interview a theme. There are also questions that follow up on the response given which could include the researcher reflecting back on what has been said. Probing questions can add to what response has been given and can allow the researcher to gain more information. Questions can also be direct or indirect to gain understanding from different angles. Structuring questions can be used as a guide for the participants to inform in which direction the interview is going. The researcher can use periods of silence as these can be useful to allow time for reflection and to consider any follow-up questions (Kvale, 1996, pp. 133–135).

Through advanced planning, and considering the questions in detail interviews can produce data which is rich and detailed. This will include data which is relevant to the research topic and can provide new ways of examining the subject. By developing the questions in this way can mean that the participants are likely to be more responsive. This will especially be the case when the majority of the dialogue is coming from the interviewee (Kvale, 1996, p. 145).
Research Analysis

As previously discussed, in research it has been recognised that it is not possible to examine the feelings and experiences of entire populations. It is necessary to rely on information from sections of society which can then be applied to the rest of the population (Denscombe, 2007, p. 13). There are two main types of sampling: probability and non-probability. Probability can include random sampling and systematic sampling such as selecting every certain order of numbers in a list of participants (Denecome, 2007, p. 15). Non-probability sampling can include purposive sampling where the participants are picked by the researcher because of certain characteristics (Silverman, 2000, p. 104).

The data was drawn from a sampling frame and this is a useful way of bringing the data together. In this case, the sample frame was a list of frontline staff which included Probation Service Officers, Probation Officers and Senior Probation Officers. Certain members of staff were excluded from the sample when it became apparent that they did not work with sex offenders, such as Unpaid Work staff (Schofield, 2006, p. 29).

The quantitative data which was produced from the questionnaires was analysed using the Statistical Package for the Social Sciences (SPSS). This package allows for examination of quantitative data looking at each of the different variables and values. The results can be analysed in a sophisticated manner, and transformed into charts, frequency tables and a broad range of other statistical measures (Bryman, 2008, p. 341). It utilises a number of measurements and variables to produce concepts and identify patterns and trends from the sample data (Brace, Kemp & Snellgar, 2009, p. 4).

Semi-structured interviews, like other forms of qualitative research methods, can produce vast amounts of data, and in this case, the transcripts of the interviews (Bryman, 2008, p. 538). There are numerous stages of data analysis. The first stage is placing the data in order and breaking it down into different sections. Once it has been broken down, meaningful themes can then be selected. The researcher is then able to examine the sections for emerging themes, and able to identify patterns. The different patterns can then be examined for different relationships and interpreting what this means in terms of the research question (Holloway, 1997, p. 40). However, a problem with coding can occur when there is too much emphasis is placed on the coding, and the richness of the data can be lost (Bryman, 2008, p.
This can be a time-consuming process, as the transcripts have to be read through carefully and errors can occur when transcribing the data (Gerson & Horowitz, 2002, p. 216).

**Research Question**

The management of sex offenders by the Probation Service has always been a difficult as they can be a challenging group of offenders to work with. They often present posing a high risk of serious harm, and it can be emotionally difficult for the staff members who are working with them. Pressure is placed on the Probation Service to ensure that they work effectively to manage high-risk offenders, and to do this a robust risk assessment tool is required. Professionals cannot predict the future, but with appropriate risk tools, they are able to make defensible decisions in terms of risk management.

This is an interesting subject to examine, and it has been widely debated over the last 10 years. There have been issues raised that pressure is placed on staff when completing risk assessments, and the difficulties which can arise when working with this emotive subjects. There has been limited work which specifically examines RM2000, OASys and the overall risk assessment of sex offenders within the community. This research contributes to the wider academic knowledge, and also provides an interesting frontline perspective.

This research seeks to examine the appropriateness of the OASys to assess the risk posed by sex offenders. There are concerns that this tool was designed from a general offender sample population, and may not necessarily take into account specific sex offender risk factors. The research will examine the current tools such as OASys, and RM2000 to examine whether they contribute to the risk assessment and management of sex offenders. Within the Probation Service, it is the members of frontline staff who are the people working with this offender group and using the tools it is considered vital that their views are sought on this. It is felt that they can provide an invaluable insight, and it will be discussed in the thesis how the risk assessment of sex offenders can be improved.

**Demographic Nature of Research**

The sample of this research study was a selection of Probation Service Officers, Probation Officers and Senior Probation Officers with Devon and Cornwall Probation Trust. The questionnaires were sent via e-mail, and a total of 46 participants responded out of 200. In
terms of the invitations 10 invitations were sent, 6 responded that they were willing to participate, but 3 actually were interviewed. This has caused some methodological limitations in terms of the low response rate. There is the danger of bias and the chances of this could be higher, in that there could be differences in opinions of those who responded and those who did not (Bryman, 2008, p. 219).

Of those who responded, 37% were male and 63% were female. In terms of the level of experience, 4% had 0 – 2 years experience, 17% had 2 – 4 years experience, 21% had 4 – 6 years experience. Over half of the sample, 56% had 6 or more years of experience working with sex offenders.

**Insider Research**

This research was conducted within Devon and Cornwall Probation Trust where I am a practising Probation Officer. The participants were colleagues, and some of them are personal friends. Therefore, it was very important to be aware of the issues relating to insider research. This relates to the researcher already having detailed knowledge of the situation that they are due to research. As an insider researcher, you already have information on the individuals, the characteristics of the group, and experiences to base the research on (McDermind, Peters, Jackson & Daly, 2014, p. 28). In Professional Doctorates, it has been noted that the research topic is usually chosen due to previous professional interest in the subject, and the researcher may have theoretical assumptions in place (Drake & Heath, 2011, p. 20). This was the case with this research, and I have daily experience of using risk assessment tools when managing sex offenders in the community and on licence. It has been an area that I have been interested in for many years and I was keen to develop this knowledge further.

Research has identified that there are numerous advantages and disadvantages of undertaking research within one’s own work environment. The advantages of insider researcher relate to access to the information and ability to increase the existing knowledge base. As an insider researcher, it could be considered that the researcher will have easier access to the data as there may already have a degree of acceptance within the organisation and may have more of a chance of their research being approved (Greene, 2014, p. 4). As a practitioner becoming a researcher there may already be a relationship with the participants. The pre-existing relationship may mean that the rapport can be built up between the participant and the
researcher more quickly. There may also be a trusting pre-relationship in existence, and this can lead to in-depth data being produced (Blythe, Wilkes, Jackson & Hakomb, 2013, p. 28).

An insider researcher is also in a good position to increase knowledge and this can lead to recommendations to improve practice. Due to their existing knowledge, they are in a position to have information on current practice, and, therefore, able to see which areas require improvement (Costley, Elliot & Gibbs, 2010, p. 3). As an insider researcher there will be some level of familiarity with the participants, they may be in a position to read the participants through body language in order to produce insightful questions and responses (Greene, 2014, p. 3). With their existing knowledge, practitioner-researchers are also able to offer development through self-reflection on current practice. As an insider researcher, there may be a vested interest to improve the practice as this will directly impact on the researchers own professional practice (Costley, Elliot & Gibbs, 2010, p. 4). This can also impact on the validity of the research given the potential for over attachment to the subject and the participants. It may also impact on confidentiality as information may be gained about colleagues and this may be of a sensitive nature, which could create an uncomfortable interview (Greene, 2014, p. 6).

In terms of disadvantages, there is a danger that the research can become too subjective, by being so close to the subject the research may not be objective and due to their existing knowledge base objectivity may be lost. As they are so close to the subject under investigation, there may be missed opportunities for developing this knowledge and this can lead to the research being constricted (Greene, 2014, p. 4). The researcher may be so determined to gain certain results following their assumptions and there may not be an objective take on the data (Costley, Elliot & Gibbs, 2010, p. 5). Rapport was identified as being one advantage in insider research; however, this is not always certain as it can be uncomfortable for the researcher as well as the participant. This may, in fact, lead to restrictions in knowledge being produced due to concerns with the pre-existing relationships. In fact, the participant may prefer to talk to someone who has no knowledge of them, and could feel more comfortable talking to an outsider researcher (Blythe, Wilkes, Jackson & Hakomb, 2013, p. 9). It is also important to take into account the potential power an insider researcher has over the participant. It will be important to have the correct balance between the researcher wanting to gain knowledge and the participant having the power in being in the position to provide the knowledge (McDermid et al., 2014, p. 29).
One key advantage of insider research, the potential for easier access can also be considered as a disadvantage, and there are numerous issues relating to this. Firstly, the participants may feel a level of pressure to participate in the research based on their relationship with the researcher. There may be fears of upset and negative consequences on the relationship if they do not agree to take part. Therefore, it is important for the researcher to make it very clear that any involvement is voluntary (McDermid et al., 2014, p. 30). Secondly, there may be issues of trust in terms of access as the researcher there may be too much closeness to the subject. It may be feared that the researcher is biased, and, therefore, might not be able to provide a critical analysis (Greene, 2014, p. 5). Lastly, being part of the organisation can mean that there are restrictions in access due to the conflict between the researcher and their role as a professional worker which could mean that there is potential for conflict of interests (Costley, Elliot & Gibbs, 2010, p. 4).

In terms of this research, it has therefore been very important to take into account the disadvantages and advantages of being a practicing Probation Officer undertaking research in the area where I work. In relation to access, in this case being an inside researcher was not necessarily an advantage. The research was being undertaken in a large geographical area, and I did not have personal relationships with all of the participants. Therefore, not all of the participants were known to me so the personal relationship issue would not have been the reason they chose to participate. However, it was an advantage that I was already based within the organisation, and was able to seek permission from senior management to undertake the research.

In relation to having increased knowledge, this also was not a specific advantage. I already had a knowledge base but some of the participants had more experience than I did. Some of the participants have been Probation practitioners for a long time and had more experience working with sex offenders. I had recognised this before I undertook the research and welcomed the detailed knowledge and in-depth data, the participants gave to the research.

It has been demonstrated that insider research can have serious implications for research, however, it has also been raised that these issues have been taken into account. It has been noted by academics that the use of triangulation can be useful to safeguard against the potential concerns. Within this research, these issues can be seen to be protected by the use of interviews and questionnaires (Costley et al., 2010, p. 6).
Ethical Considerations

This research topic can be an emotive subject for Probation Staff, and it was recognised that the research could provoke powerful statements. Participants may feel uncomfortable about placing them in a position where they are stating issues, which could jeopardise their reputation within the service. In order to protect participants, it was ensured that their identity is protected. The data collected was anonymised in a way which meant that the data would never reveal their identity. This was achieved by disguising the identity of the participants, and they were given pseudonyms, such as A, B, C. Participants identity was guarded so that they could not be identified through the discussion of the participant selection. As I interviewed members of staff, measures were also taken to ensure that the members of Devon and Cornwall Probation Trust could not identify the participants. This included carefully selecting quotes, and ensuring that it did not reveal who they are. The data collected is stored in accordance with the Data Protection Act 1998 which will ensure that it is dealt with in a fair manner and that the rights of the participants rights are protected. The data is stored in a locked cupboard, and electronic data is protected by passwords. Once the information has been used the data will be destroyed using confidential waste.

I am undertaking this Professional Doctorate in Criminal Justice, whilst practising full time as a Probation Officer. This research examining risk assessment of sex offenders has some potential role conflict. I have a responsibility of a Probation Officer to ensure that I work in a professional manner and as a researcher, I also needed to ensure that I continued to act in a professional manner, and separating the two roles of practitioner and researcher. This involved being clear that when I was undertaking the research this was as a student at the University of Portsmouth, not an employer of Devon and Cornwall Probation Trust. I was aware that I had to assess the primary data in the academic role, and must not take advantage of access to information I had as a Probation Officer. In relation to this research, information is sought via completed questionnaires and semi-structured interviews with members of staff. Contact with staff was made in my own time, from a University e-mail account in order to separate from my role as a Probation Officer.

The proposed participant invitation e-mail draft, participant’s information sheet and participant consent form can be located within appendices part E and F. These explained the research study, giving the participants details of the aims and objectives. It provided them with information in order for them to decide whether they wanted to take part in the study. It
was explained to them that the research was voluntary and that they could have withdrawn from the study at any point. It was also made clear that if they decided to withdraw then there would be no repercussions.

Formal consent was not requested for the questionnaires, however, there was information regarding the research that was provided and it was also made clear that their participation was voluntary. The fact that they completed the online form was used to infer consent. This paragraph also contained information about the research project allowing them to make an informed decision. Finally, it stated that the responses would remain confidential, that they would not be identified, and that the results would be stored securely.

**Methodology Limitations**

There have been some issues with the poor response rate in relation to the semi-structured interviews. Following the completion of the 46 questionnaires, a sample was compiled from the completed list for the questionnaires. These were sent to 10 participants via email and provided them with an opportunity to respond to partake in the semi-structured interview. In total, 6 participants responded agreeing to participate in the interview, 3 interviews were arranged and completed with a fairly quick turnaround. However, the other 3 did not respond to further invitations and difficulties arose when arranging the interviews. Potential bias was avoided by using both interviews and the questionnaires, and examining the results together. By examining the responses on a wider basis, it meant that the views of practitioners could be examined in an objective manner. It is recognised that the non-respondents of the interviews may have had different views, and if repeated the sample size could be increased to attempt to increase the response rate.

Upon reflection, the invitations were sent a time when major political changes were facing the Probation Service. Morale of the service has been extremely low and it has been recognised that this political influence has negatively impacted on the response rate. It was likely that when the questionnaires were received by potential participants they may have preoccupied with their own concerns. They may have been facing significant emotional upheaval and high levels of uncertainty regarding their job security. Furthermore, potential participants may have been wary of discussing and criticising work at such an uncertain time.
The political changes have also meant that Devon and Cornwall Probation Trust no longer exists as of the 1 June 2014. The Service has now been split into public and private sectors, with the National Probation Service working with Sex Offenders. This has implications for this research in terms of recommendations being based on a Service that does not exist. This is explored in more detail in the discussion chapter.

As a practising Probation Officer completing this Professional Doctorate, I have been mindful of having a healthy work, life and studies balance. At times, this has been emotionally challenging due life changes, such as getting married, becoming a mother and work pressures. The Transforming Rehabilitation political agenda has impacted on my motivation and determination to complete this professional doctorate in my own time. At times it was unclear where my role would fit within the new service, and whether as a practitioner I would continue to work with sex offenders. It has been emotionally challenging when the role of Probation Officer is at real risk of becoming extinct. Although, at the same time this has also made for a very interesting time to conduct this research. However, having organisational skills, and support from University staff has been invaluable.

**Conclusion**

This chapter has explored and analysed the methodological issues relating to this professional Doctorate. Concepts relating to epistemological and ontological were examined. The Whewell debate was considered along with other philosophical concepts considered for this research. The chapter discussed quantitative and qualitative methods which were utilised for the research. The debate regarding research methods was reviewed and the mixed method approach was introduced. This chapter detailed the concepts behind the research question with the aims and objectives examined. The specific methodological approaches, questionnaire and semi-structured interviews along with analytical tools were examined. The last section of the chapter examined the research question, and the advantages and disadvantages of insider research were discussed. The issues relating to ethical concerns were also critically discussed. Issues raised in relation to the methodological limitations of the research study have also been discussed.
Chapter Five

Research Results

Introduction

This chapter presents the results of the questionnaires and the semi-structured interviews undertaken during the course of this research. The questionnaires were administrated first, and the results were then used to help shape the questions used within the more in-depth semi-structured interviews. The first section will examine the results in terms of effectiveness of OASys, RM2000 and the SARN tool in terms of assessing the risk of reoffending and serious harm. The second section will examine the results in terms of the quality of the assessments tools used, including the quality of the information within the assessments. The last section will observe the level of practitioner skills and the level of support available to them, and the impact this may have on practice.

The Effectiveness of Risk Assessment Tools

This section examines the results in terms of the level of effectiveness of the risk assessment tools used by practitioners to assess the risk of reoffending, and risk of serious harm posed by sex offenders. The Oxford Dictionary defines effectiveness as ‘the degree to which something is successful in producing a desired result; success’. In terms of the research question, the question of effectiveness was posed in respective of the use of risk assessment tools for assessing the likelihood of reoffending and the level of harm posed by sex offenders. As a front line practitioner undertaking this research, the idea of effectiveness was about being able to provide an accurate reoffending prediction, and identify potential contributing risk facts that then form the basis of a risk management plan. Effectiveness can therefore be seen as the extent to which the tools assist practitioners in assessing the risk of reoffending and serious harm that the offender may pose. It is also about increasing the knowledge and understanding of the specific risks posed by the offender, and what restrictive, rehabilitation and protective interventions would work in addressing and reducing the risks posed. In a way, from the respondent’s perspective, this was the least problematic as frontline staff tend to have a reasonable grasp of what is effective in reducing risk.
In relation to the first question - whether OASys is an effective way of assessing the risk of reoffending posed by sex offenders - 47.8% responded that they disagreed and 8.7% strongly disagreed. 17.4% of the participants agreed that it was an effective tool to assess the risk of reoffending, and 26.1% responded that they felt neutral about the question. It is interesting to note that none of the participants responded that they strongly agreed that the OASys tool was effective. The majority of the respondents tended to disagree that it was effective, which was supported by the median value of 4.00. Therefore, this result demonstrates that the majority of the sample did not agree that OASys is an effective tool to assess the risk of reoffending posed by sex offenders. This is interesting, considering that when it comes to the likelihood of reoffending, OASys uses OGRS3 which has been proven to be a simpler and more reliable predictive tool (see Howard et al., 2009).

**Figure 1 OASys is an Effective Way of Assessing Risk of Reoffending Posed by Sex Offenders**

![Histogram](image)
Figure 2 below looks at whether the length of time served as a probation officer affects whether OASys is seen as effective for assessing the risk of reoffending for sex offenders. In relation to the length of time working with sex offenders, those who had worked with sex offenders for 6 years or more, 30.43% disagreed that it was effective, whereas 8.70% disagreed who had worked for between 2 and 4 years. A smaller percentage of 2.17% of those who had 2 and 4 years, and 4 and 6 years strongly disagreed with this statement. The results indicate that the longer that staff have been working with sex offenders, the less likely they are to agree that OASys is an effective tool.

Figure 2 A Clustered Bar Chart Cross Tabulation of the Length of Time Working with Sex Offenders by Attitude Towards OASys is an Effective Tool.
In terms of understanding the level of risk of harm posed by sex offenders and whether OASys was effective in this regard, the results are not as conclusive: 37% agreed that OASys is an effective way of assessing the risk posed by sex offenders. However, 34% responded that they held neutral opinions over this issue. 4.3% indicated that they strongly agreed and 23.9% disagreed. None of the participants responded that they strongly disagreed with this statement. The trend here is fairly neutral, and there appears to be no significant result in terms of an agreement, meaning that the sample tended to be undecided as to whether they considered OASys as being effective in assessing harm.

**Figure 3 OASys is an Effective Way of Assessing the Risk Posed by Sex Offenders**

During the semi-structured interview, the participants were asked whether they considered that OASys aided in the risk assessment of sex offenders. Participant C noted that they did not like this tool stating that the risk assessment was based on the information they entered into the tool and not the system itself. Their view was simple – “I am making the assessment so (OASys) hasn’t helped me at all”.

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Another area of questioning asked participants whether they agreed that OASys concentrates too much on static risk factors, such as previous convictions. In relation to the response, 32.6% considered that they were neutral on this factor and 32.6% disagreed. A smaller percentage (10.9%) strongly agreed and 23.9% agreed. The trend here appears to be balanced between strongly agree, agree and neutral, with none of the sample strongly disagreeing. This could be due to the fact that a core strength of OASys has always been its use of static factors, which again, is another reason why OGRS works well as a risk of reoffending predictor.

Figure 4 OASys Concentrates Too Much on Static Factors

With regards to dynamic risk factors, 65.2% agreed that OASys aids in the assessment to identify changes in the offender’s life that could influence their propensity to a commit crime as well as the level of harm he or she engages in. The results from this area of questioning are quite telling, with only 6.5% strongly agreeing and 65.2% agreeing. There were 19.6% who responded that they were neutral on the question. A smaller percentage (8.7%) disagreed and
no participants stated that they strongly disagreed with this. The results indicate that some of the members of the sample believe that OASys does aid in the assessment of changes in dynamic factors, however, most people questioned were undecided on this issue, which could indicate that those interviewed were unsure as to the usefulness that OASys has for assessing changes in an offender’s life.

Figure 5 OASys Aids in the Assessment of Changes with Dynamic Factors

In terms of length of time working with sex offenders and whether OASys is effective in assessing the level of risk of harm, 26.09% of those who agreed had been working 6 years or more, and 15.22% of this group disagreed. With regards to OASys concentrating too much on static factors, 19.57% of those who had worked for 6 years or more responded that they were neutral and disagreed. 13.04% of this group and 8.70% of the between 4 and 6 years group agreed that it did concentrate too much on static factors. It would appear that the figures presented in figures 5 and 6 indicate that even after a relatively small amount of time working for probation, it becomes clear to officers that OASys is not the panacea that it was originally
thought to be, and individuals fairly quickly become ‘jaded’ by the lack of ‘usability’ it possesses. It could also be an indication that the longer one is in service, the less reliable one is on static factors and the more one understands the importance of dynamic factors.

Figure 6 A Clustered Bar Chart Cross Tabulation of the Length of Time Working With Sex Offenders by OASys Concentrating Too Much on Static Factors

This last point is illustrated by figure 7 below. By looking at a cross-tabulation of the variables ‘Length of Time’ by ‘OASys Aiding in the Assessment of Dynamic Factors’, by far the largest category of response across all time categories was agreed. This indicates that most respondents agreed that OASys aids in assessment in changes in dynamic factors. The only group to slightly disagree with this were a small number (4% of staff that had been working with sex offenders for more than 6 years.
This was an issue that was discussed in greater detail in the semi-structured interviews, as I was able to discuss dynamic factors of both OASys and the dynamic risk assessment tool SARN. Two of the participants worked within the programmes team delivering the Thames Valley Sex Offender Group Programme, and Participant A held this view:

“The treatment needs analysis is the main one we use. I suppose much more than OASys, it is narrowing down what are the dynamic risk factors. It has much more consistent approach because the TNA grid tends to seek evidence through the number of occasions the behaviour has occurred. Not only it narrowing the treatment needs, also puts them into an order of importance. It is more detailed and relevant. A lot of the time when we do the TNA work, we have to get all the documents, and begin to sift out the information and which ones are more important. In that sense, it mirrors the RM2000, and works well in that way”.
This participant was also asked whether they considered the SARN to be more effective than OASys:

“There is no doubt about it, the TNA grid is far more. I think they are also very practitioner base. There is something about OASys which feels like a management tool intended to provide other people with information. However, the TNA grid feels more like a risk assessment, there to measure risk and what to work with. It encourages us not to rely on our hunches as it were. I think this guy is a high risk, but when you look at the information take into account, and it can help to take away some of the bias”.

When an offender is required to complete a sex offender programme, such as the Thames Valley Sex Offender Treatment Programme, a SARN will be produced alongside the OASys, which is reviewed throughout their sentence. This can cause difficulties with replication, and repetitive risk assessments, as Participant C noted:

“Well, they do not necessarily match the needs of the treatment analysis so all of a sudden I am having to write two documents on the same person. So the heading of the treatment needs analysis are very different and I suppose that those are the types of things I have to squeeze into the offence analysis”.

Participant C also talked about the limitations of OASys when it can to assessing dynamic factors. As OASys uses a lot of tick boxes and actuarial measures/scores it is assumed that offenders will simply fit into to these, and this will then accurately assess the risk. Participant C stated:

“There are different boxes which are restrictive, and there are word limits. Things do not always fit into boxes”.

The benefits of SARN was raised in the interview with Participant B, who stated that the assessment of dynamic factors was not a result of OASys but due to the data they had entered. They did have some criticisms of SARN but stated that it does focus on the key risk factors.

“This (SARN) gives detailed, and sometimes mind-boggling detail but they do boil down to a few key issues. So again what use is of an OASys when you have a SARN?”
Examining the effectiveness of RM2000, participants were asked whether they considered the tool was an effective way of assessing the risk of reoffending posed by sex offenders. The reported median was 2.00, with 65.2% of those respondents stated that they agreed with this statement, and 8.7% strongly agreed. 19.6% were neutral, 4.3% disagreed and 2.2% strongly disagreed. These results indicate a stronger positive result (73.9% of the sample) for RM2000 in comparison with OASys, as RM2000 was considered by staff to be effective in accurately assessing and predicting risk. This result is not surprising, given that RM2000 was specifically designed to assess sexual offender risk.

**Figure 8 Bar Chart of the Variable Risk Matrix 2000 is an Effective Tool to Assess Risk of Reoffending**

In a way, one could argue that this also indicates a minor contradiction in opinions about risk assessments, especially around the areas of actuarial measures versus clinical judgement. This result and the ones mentioned above indicate that whilst the deskilling of probation staff through the use of actuarial measures is often mentioned in the research, the probation officers sampled here do not see this to be a major issue when using them to assess risk amongst sex offenders.
In terms of comparing the length of time spent working with sex offenders, and whether they considered RM2000 to be effective, the majority of those sampled tended to agree with this statement. Those that did disagree with this had worked for 6 or more years but represented less than 5% of the overall sample.

**Figure 9 A Clustered Bar Chart Cross Tabulation of the Length of Time Working with Sex Offenders and Risk Matrix 2000 is an Effective Tool to Assess Risk of Reoffending**

The participants who were interviewed were asked whether they considered if RM2000 was appropriate to use with all types of sex offenders. Participant C noted that it was not suitable to be used with Internet sex offenders, and questioned whether it would be suitable for female sex offenders. This result is not surprising, given that RM2000 is not designed to be used with female sex offenders and the limited cases that are present within the service are demonstrated in this officer's view:
“Well, it is obviously inappropriate for internet sex offenders. It is appropriate for indecent exposures. They are a group, which are very difficult to get to grips with and work with. It does actually crank up the anti with them which is appropriate....I would have to double check whether it does, whether it used for women sex offenders. The last women sex offender I had on my books was in the 1990s”.

The Quality of Risk Assessments

During the interviews, it was also noted that the quality of information within the OASys tool can vary widely, and often provides just a basic explanation of the offending and a historical overview of the individual. Participant A held the view that unfortunately this was not always in a clear and logical way. They went onto to say that often that Probation staff will use the same phrases over and over, and tend to complete the same assessment on different offenders, which has been made a lot easier with the introduction of the electronic OASys and the ability to ‘cut-and-paste’ information. This, of course, does not take into account the individual characteristics of the offender and the particular risk that they pose. Participant A had this response:

“A lot of people have stock phrases, such ‘harm to the victim’ and ‘he must be a risk because of X, Y, or Z.’ You can see those stock phrases in a variety, it is not necessary specifically to that offender, and you think ‘oh yes, they have got it out of the manual’”.

During the interviews, participant C also noted that with some assessments that have commenced at the start of sentence many years ago, the message of the risk can be lost, and it can be rather complicated to read. For example, where previous assessments used jargon and complicated phrases. They had the view that the assessment needed to be in plain English and written in a way which is clear.

“I find it bit annoying to go back and rewrite the OASys in plain English. I think one of my strengths is that I can, I try hard to write things relevant straightforward, not simplistic as they not always are but in a way that other people can understand”.

The questionnaire examined whether the participants considered the information from RM2000, regarding the risk an offender poses is incorporated within OASys. A small
percentage of the sample strongly agreed (4.3%) and strongly disagreed (8.7%). 32.6% agreed with this statement and 30.4% strongly agreed. 23.9% responded that they were neutral in response to this statement. The reported median for this was 3.00. There appears to be no general consensus amongst the sample whether the information is incorporated into OASys, which appears to be supported by the normal distribution of the data.

**Figure 10 Information from Risk Matrix 2000 is Incorporated into OASys**

In terms of whether the information from RM2000 is incorporated into OASys, 19.57% of those who had worked with sex offenders for 6 or more years disagreed with this statement. 8.70% disagreed who had worked for between 4 and 6 years and 2.17% who had worked for between 2 and 4 years.
What is interesting about the data presented in figure 11 is that there appears to be little consensus regarding this issue for those who are more than six years into the job. However, for those with less than four years’ experience, they tend to believe that RM2000 is incorporated into OASys. One could make a conjecture that this might be because those younger in their careers have been trained to do so, whereas older officers have either forgotten or have not been trained in linking the two risk assessments together. This issue was developed further in the in the semi-structured interviews as the participants were asked how confident they felt when using RM2000. Participant A held the view that they were confident and stated that the guidance was straight forward which aided in both its use and completion:
“I feel very confident. The rules are relevantly straight-forward. It is a short document, and there have been one or two changes since I first started to use it. There has not been many. I do feel confident using it”.

The participants stated that they felt confident when it came to the results, and seemed to be able to seek clarification from other colleagues if it produced a result which they were unsure of. Participant C indicated that it is a tool that gives a response which does not need to be re-examined:

“...fairly confident, I usually, I have on occasions have come out with a result which I have been unsure of so have checked with a colleague. I am fairly confident, as you do not do it regularly. You get a new one; you do it, do the score, and then don’t look at for a while”.

In terms of confidence, Participant B noted that this can vary with certain types of offenders, and professional judgement is sometimes required. In particular, they noted that with regards to historical offenders, it does not take into account some of the entrenched distorted thinking that some offenders may hold.

“I have got some reservations, and it comes with a particular type of offenders, so historical offender who has offended against family members, maybe three generations of family. The first time they are convicted, they know their family, so they come out as low. The kind of thinking, an entrenched thinking dynamic risk to do with that guys, they are a risk to any family that they would encounter in the future. So I would argue against that tool for that, historical offenders. Otherwise, it tends to be quite accurate”.

In order to delve more deeply into this issue, the next set of questions considered whether the information from RM2000 was incorporated into the risk management plan. None of the participants strongly disagreed with this statement, and 28% disagreed, and 28.3% were neutral. 39.1% stated that they agreed with this statement and 4.3% strongly agreed. In terms of the descriptive statistics, the reported median was 3.00. This was then cross-tabulated against the length of service, with the results shown in figure 12 below.
Figure 12 A Clustered Bar Chart Cross Tabulation of the Length of Time Working with Sex Offenders and Information from Risk Matrix 2000 is incorporated in the Risk Management Plan.

For the most part, and across all categories, there is again a general lack of consensus as to whether the information derived from RM2000 is used for developing a risk management plan for that offender.

During the interviews, some concerns were raised in relation to the scoring system that RM2000 uses. Participant A noted that the scoring guidance could be ambiguous in relation to the difference with previous sexual behaviours and previous sexual convictions. In terms of the Probation Officers assessment whether to include previous behaviours, this seems to be based on their own professional judgement and their own clinical assessment. This, of course, may mean that one Probation Officer may differ from another Probation Officers assessment of the risk and how serious the previous behaviours are.
“There are some instructions which state that you can you previous behaviours as a conviction. There is room, but it is whether you feel strongly enough to include them”.

The issue of ambiguous scores was also discussed during the interview with Participant C who considered that RM2000 appears to naturally score internet sex offenders higher. In relation to the images viewed by sex offenders, they held the view that they can be images of boys and girls. The offender may have had the intention of viewing a certain gender, e.g. boys but there can also be images of girls. The participant made the point that this might of not be what they intended to view, but just that those images were also viewed coincidently at the same time.

**Practitioner Skills and Support**

Within the questionnaire, participants were asked whether they assessed and worked with MAPPA level 1, level 2 and level 3 offenders. In relation to MAPPA level 1, 58.7% of the participants responded that they managed level 1 offenders. 43.5% of the participants indicated that they managed level 2 offenders. In relation to level 3 offenders, a smaller percentage of the sample stated that they managed level 3 offenders (8.7%). In terms of cross-tabulation with the participants’ gender, 65% of the males and 55% of the females in the sample indicated that they managed MAPPA level 1. When examining this in relation to MAPPA level 2, 47% of the male sample indicated that they managed this group of offenders. 41.4% of the female population responded that they managed MAPPA level 2 offenders. Within the smaller statistics of management of MAPPA level 3, 17.6% were within the male sample, and 25% of the female sample.

The participants were also asked about the amount of training they had received in relation to working with sex offenders within the last 5 years. 6.5% of the participants responded that they had not been on any training. 23.9% of the participants said they had been to 1 training even, 26.1% to 2, and 26.1% to 3 events. 2.2% of the participants stated that they had been to 4 events, 6.5% indicated 5 events, and 8.7% stated that they had been on 6 training events. These results demonstrate that 76% of the sample has attended 1 to 3 training events in the last 5 years. Those attending 6 or more events is actually relatively unique, and it is a minority for staff to have attended more than 4 training events. The mean number of training events for the sample was 2.48 with a standard deviation was 1.63 and the variance was 2.66, meaning quite a large dispersion across the sample.
The responses in the semi-structured interviews tended to reflect the results of the questionnaires, and issues were raised regarding the lack of training available. Participant C noted that they received a lot of training many years ago, and described this as advanced training. They held the view that there was a lot more training available in the late 1990s into early 2000. However, information received suggests that much of the recent training had been conferences and in-house training. Participant B noted that they had received limited training when it came to the use of the OASys tool: they had not received formal training, the training they had received appeared to be in terms of advice and guidance from colleagues. They gave the example of writing a pre-sentence report for a sex offender. They held the view that some of their OASys skills had been lost when practice shifted from completing full pre-sentence reports for offenders, and completing fast delivery reports (FDR) instead. The full reports required an OASys to be completed and the information used within the assessment would be pulled through to compile the reports. Whereas an FDR is designed to be completed whilst at
court, this does not require the full OASys assessment. They noted that they were often criticised from the quality assessors that the OASys did not reflect the good report they had completed.

“We would write an OASys which would then be useless to OM colleagues as it was not written properly, and it was all about time. So I learnt how to do them, so I learnt how to do that myself with the support of a colleague. I was told that my PSR was lovely but that the OASys was a pig’s ear”.

Participant C noted that the lack of training for report writing and the use of OASys sometimes meant that they were unsure of what would make a good initial assessment. They also seemed to receive conflicting feedback of their assessment, which they noted was confusing.

“I found on occasions that I have had feedback from the Judge that he is really happy with the report that it is helpful to him. I have also had people tell me from this end, that I put too much information into the offence analysis. This is confusing for me. When I do the programmes I know the information which is important for sex offender work”.

In relation to examining the link between the number of training events and staff perceptions, the following results have been produced: regarding the view that OASys is an effective way of assessing the risk of reoffending posed by sex offenders, 13.04% of those who had disagreed with this statement had been on either 1 or 3 training events. In terms of whether OASys is an effective way of assessing the risk posed by sex offenders compared to the number of training events, 10.87% of those who agreed had been on 1 training event and 10.87% had been on 3. 8.70% who disagreed with this statement had been on 1 training event and 4.35% has been on 3 events. Figure 14 below illustrates the range of the responses for this cross tabulation.
It was also identified that when training was received it can be a positive experience, and staff can be motivated and inspired to improve their own practice. Respondents also noted that training can be an opportunity to refresh skills and ensure that they are up to date. In terms of attending national training events, they considered this to be a positive experience and that it was highly beneficial to respondents to know how other probation staff in different areas operate.

The participants were asked how long they had been working with sex offenders. Over half, 56.5% of the respondents, had worked with sex offenders for 6 or more years. 21.7% had worked with sex offenders for between 4 and 6 years and 17.4% for between 2 and 4 years. The reported mean number of years working with sex offenders was 3.30 with a standard deviation of 0.92 and the variance 0.84, which is a relatively small level of dispersion.
amongst the sample responses. Comparing this question with the number of training events, questions are raised in terms of the majority of staff who have had a lot of experience, with 76% of the sample only attending between 1 and 3 training events.

Figure 15 The Length of Time Working with Sex Offenders

![Histogram showing the distribution of the length of time working with sex offenders. The x-axis represents the time in years, and the y-axis represents the frequency. The mean is 3.3, the standard deviation is 0.916, and N is 46.]

Those interviewed were also asked how long they had been working with sex offenders and two of the participants noted that this was over 10 years and the third participant had been working with sex offenders since the late 1970s. The literature review noted that this is a difficult group of offenders to work with as a result of the emotional consequences of their offending behaviour and who their victims are. During the semi-structured interviews, the participants were asked how much support they believed they received from senior management. The responses from the participants appeared to be positive stating that generally, management was supportive. However, participant A noted that the introduction of counselling for staff had not been introduced for entirely positive reasons:
“You get the best support. It is built into programme integrity; we do receive counselling every 6 weeks as a group. I know where this came from, someone successfully sued the Probation Service, a sex offender worker as they become depressed and felt that they had no support”.

Participant B noted that the counselling was beneficial and that it helped to be able to talk through their concerns. They also held the view that it was important to be part of a good team and that the support from colleagues was just as important. In terms of offender management, the response was more ambiguous as the support was available if they asked for it. Counselling for offender management does not appear to be as openly available as to those working in programmes. Participant C who worked in offender management stated:

“Well if I need support I get it one way or another. Managers have confidence in my ability they know if I bother them it is because I need help…. I did have one (an offender) a while ago which upset me for a number of years, and still does when I think about it. I was offered specialist help but I didn’t take it up”.

What should be noted when conducting this research is that the semi-structured interviews were conducted after the questionnaires had been completed, and at a time when the political issues of the Transforming Rehabilitation agenda had begun to impact on practice. Because of this, a question was asked regarding this issue. The participants were asked how they felt the change in policy could impact on practice with sex offenders.

Participant A stated that they were concerned about practitioners being overloaded with the pressures of working only with high-risk offenders and sex offenders. They were concerned that the programme facilitators would ‘offender manage’ those offenders which could result in increased stress. They were also worried that transforming rehabilitation would mean a reduction in service due to pressures of saving money; fearing that programmes would no longer be based on evidence, but on what is most cost effective. They held the view the sessions may not be focused on the practice of effective group work, but turned into PowerPoint sessions:
“There would no interaction with people, PowerPoint. So if you are going to make things cheaper the natural way for a corporation would be to reduce the amount of sessions and have one facilitator, not two. These principles are important, based on evidence: if you make it too short it will only reinforce behaviour and could increase risk”.

Participant B noted concerns that the National Probation Service would become more focused on monitoring offenders behaviour through the use of technology and the benefits of one to one work could be lost:

“I fear what is likely to happen is that it will be a tick box culture which is controlled by technology and will not necessarily deal with complex behaviours. It will be more about monitoring and control rather than the internal changes that people need to make to make them safe from reoffending”.

Participant C noted that they were also concerned about the emotional consequences for Probation Officers working with dysfunctional and imbalanced offenders 100% of the time, and how that could negatively impact on staff. They noted that it is positive to work with those who want to change, but this is not often the case with some sex offenders who deny their offending and place blame on others.

“It is hard work emotionally, for example for some of the things which are said, e.g. contributory negligence, or something like that; the only common dominator in a rape is the rapist. She did this, she said that - for women at times that is difficult to manage. Sex offender concern is inside, about controlling behaviour and manipulative”.

This participant also noted that they did not agree with the privatisation of the Probation Service, as the work they undertake has been proven to be effective, and could not understand how spilting the service would be of any benefit.

“I have heard that Mr. Grayling has said that he does not want to talk about this anymore, he is just going to carry on. You have countless academics, you have the Howard League, countless judges, the entire probation service saying that it is a dangerous move”.
This participant also noted that it is difficult for the service to publicise that the work undertaken is successful.

“We are successful, but it is difficult to show it off, we can go here is Mr. so and so, this is what he was this is what he is now. Mr. so and so does not need, we can publicize successful with high-risk cases – the fact that we cannot publicizes is because they have not reoffended”.

In terms of whether OASys concentrates too much on static factors to assess the risk posed by sex offenders, out of those who agreed 8.70% had been on 1 training event and 8.70% on 3 events. With regards to those who disagreed, 6.52% had been on 6 training events, and 2.17% on 5 training events.

Looking at the view that OASys aids in identifying changes in dynamic factors, 23.91% of those who had agreed had been on 3 training events and 13.04% had been on 1 event. Examining whether staff considered RM2000 as being an effective way of assessing the risk posed by sex offenders, out of those who had agreed 19.57% had been on 2 training events. 17.39% has been on 3 training events and 13.04% on 1 training events.

Examining whether staff considered the RM2000 tool to be an effective way of assessing the risk posed by sex offenders, out of those who had agreed 19.57% had been on 2 training events. 17.39% has been on 3 training events and 13.04% on 1 training events.

**Figure 16** Risk Matrix is an effective way of assessing risk and how many training events.

| The Risk Matrix 2000 tool is an effective way of assessing the risk of reoffending posed by sex offenders | How many Sex Offender training events have you attended in the last five years? |
|---|---|---|---|---|---|---|---|
| | 0 | 1 | 2 | 3 | 4 | 5 | 6 | Total |
| Strongly Agree | 0% | 2% | 2% | 0% | 0% | 0% | 5% | 9% |
| Agree | 6.5% | 13% | 20% | 17% | 2% | 4.5% | 2% | 65% |
| Neutral | 0% | 4.5% | 2% | 9.5% | 0% | 2% | 2% | 20% |
| Disagree | 0% | 2% | 2% | 0% | 0% | 0% | 0% | 4% |
| Strongly Disagree | 0% | 2% | 0% | 0% | 0% | 0% | 0% | 2% |
| 3 | 11 | 12 | 12 | 1 | 3 | 4 | 46 |
Conclusion

This chapter has provided an opportunity for the meaning of effectiveness used within this research to be defined and established. In terms of risk assessment, this was about assisting the practitioner to assess risk and for the assessment to provide a contribution to the wider risk management plan. The results have been presented in four main areas; the effectiveness of risk assessment tools, quality of assessments (including quality of information), and the last section presented the results in relation to the level of practitioner skills and the level of support available to the assessors. This chapter has presented the results, and the next chapter will explore the results and provide a critical discussion.
Chapter Six

Discussions

Introduction

In this chapter, the results of the quantitative and qualitative research will be critically examined. The first half of this chapter will provide a critical analysis of the results, and provide a discussion of these in relation to previous academic research. This will begin by critically analyse the concept of effectiveness, in terms of prediction of risk and contribution to the wider risk management plan. It will then examine quality issues in relation to assessments which can be impacted by knowledge and the confidence of the assessor. The final part of this section will explore practitioner skills and support in relation to Probation Officers work with offenders. The second half of this chapter will explore implications for future practice, such as increasing the training required for effective risk assessment and management practices. It will also consider the need for an increased focus on dynamic risk factors within risk assessments. The last section of the chapter will explore possible areas for future research, and will highlight the need for further evaluation, especially since the implementation of the transforming rehabilitation agenda and the effect that this has had on both the probation service and risk management.

Effectiveness of Risk Assessment Tools

The literature review highlighted that there have been many limitations of the OASys tool, for example, where Mair et al. compared it to a tax form (2006, p.7). The results from the questionnaire were that over half the respondents either strongly disagreed or disagreed that OASys was an effective tool for assessing the risk of reoffending. Previous research has also commented that the OASys tool does not take into account specific risk factors relating to sex offenders. For instance, Manderville–Norden and Beech (2006) noted that the OASys scoring system is not appropriate to use with sex offenders. They argue that in order to be effective in predicting risk, the tool would need to take into account specific sexual risk factors, such as emotional identification with children (Manderville-Norden & Beech, 2006, p.268). The results from the questionnaire appear to reflect an understanding of this limitation. Indeed, the risk of reoffending scores is formed with OASys using OGRS3 which is derived from a sample of general offending. Previous research by Andrews and Bonta (2007) argued that an actuarial tool
on its own was not effective in assessing risk and there needed to be a synthesis of both actuarial and static factors with clinical judgement and dynamic factors (Andrews & Bonta, 2007, p. 14).

With regards to the assessment of serious harm, there was no significant agreement from the respondents whether the OASys tool was effective in assessing serious harm. This undecided trend could be as a result of OASys not automatically deciding the level of harm posed by the offender. Instead, it is a tool to record issues relating to risk and current circumstances and it is up to assessor to determine the level of risk of serious harm the offender poses. This is reinforced by the actuarial scores, but it is largely based on clinical judgement. It is, therefore, important to note that this is a tool to aid in the risk assessment process. It is not able to predict the risk of serious harm posed by the offender without the input of the assessor, although it is able to predict reoffending risk, including violent offenders which influence decisions made by the Probation Officer regarding the level of harm posed by the offender.

There were some particular negative feelings towards OASys found within this research, such that OASys had not helped them in making their assessment and they had inputted the information. Indeed, there is now a running critique of OASys in the current research which may explain why practitioners have negative feelings about the OASys tool. Within Probation practice, there has been a rise of managerialism which has resulted in an increase of audits and targets being set for staff. There are clear tensions between completing assessments as per targets and considering the risk posed by the offenders (Philips, 2011, p.111).

In relation to the use of static factors, there was some ambivalence within the questionnaire results as to whether OASys concentrated too much on these. The trend appeared to be balanced between strongly agree, agree and neutral. One participant who was also interviewed described the static factors as a list they go through. There did not appear to be evidence of an over-reliance on static tools when making an assessment. However, previous research has identified that staff have relied too much on static factors when making their own assessment (Nash & Williams, 2008, p. 72). The trend within this research may indicate that practitioners do not overly focus on the static factors within OASys, and instead, focus on the actuarial results from RM2000. The actuarial results within the OASys tool are limited in their use in relation to sex offenders and although they may be relevant in terms of violence, it does not take into account specific sexual risk factors. Within this research, therefore, it was indicated that there was not
an over reliance on the static scores. This may be as a result of the participants recognising the limitations of predictors such as OGRS.

The participants tended to agree that OASys can assist in the assessment of identifying changes to dynamic factors. A significant number of participants in the questionnaire either strongly agreed or agreed with this statement. Indeed, this was noted in the literature review. OASys appears to be a good tool for monitoring offenders and can provide a measurement of the offender’s level of risk of serious harm, in particular dynamic factors, over the length of the offender’s sentence (for example, see Fitzgibbon, 2008, p. 451). The OASys should be completed at pre-sentence, commencement of sentence and then reviewed at significant points in their sentence. The full analysis section in OASys allows the assessor to be clear about what is the nature of the risk, what could increase the risk and what factors could decrease the risk. The use of dynamic factors for sex offenders has been found to be significant as they can help identify possible areas for intervention, and also assist in determining the level of harm that sex offenders pose (Craig, Browne & Beech, 2008, p. 91). OASys can then be described as a way of monitoring changes in dynamic factors; however, this depends on the assessor inputting the correct information. The tool itself will not be able to track changes in dynamic factors, but various assessments could be compared to identify the changes.

The results from the questionnaires and interviews have demonstrated that the participants viewed the RM2000 tool as being effective in assessing the risk of reoffending posed by a sex offender. It was reported that there were good levels of confidence when using the tool in that it is fairly straightforward to use. Staff appeared to be able to seek clarification from colleagues if there were some concerns when assessing a particular sex offender. Within the questionnaire results, 73.9% either strongly agreed or agreed that RM2000 was an effective tool to assess the level of risk. The participants in the semi-structured interviews stated that they would use professional judgement to override a score if they did not agree with this. This appeared to be based on their previous work with sex offenders, and, therefore, throughout the risk assessment process, the participants appeared to use their clinical judgement if required. This will be important now given that the level of risk on RM2000 may impact on the level of intervention available to offenders. In current probation practice, there is a trend for the focus to be given to the static scores but this is not necessarily by frontline staff, rather it’s by senior management. This concept link to Garland’s discussions around ‘smart crime control’, where he argued that faith in science is being replaced with faith in technology and knowledge (Garland, 1990, p.
The static scores can be used for allocation of resources and determine interventions available, hence its appeal to the aforementioned new managerialism of probation. The ‘smart crime control’ not only controls the offenders but can also control resources encouraging streamlining of services (Garland, 2001, pp. 115–116).

There have been some changes to how the RM2000 tool is completed since this research began. At the start of the research, RM2000 was a separate paper tool, which would require the assessor to manually score the offender and then add up the scores to determine the level of risk. This system did have some difficulties that could stem from human error from the score being incorrectly added up. Prior to the completion of RM2000, staff are meant to be formally trained, and must not complete the tool until such training had been attended. However, with a paper version, this was difficult to monitor and enforce.

However, when OASys Revised was introduced in 2012, RM2000 became electronic and was built into OASys (although at the time of writing, it does not provide an accurate risk score - see below for an expansion). If certain questions within OASys are highlighted, such as the index offence having a sexual motivation, an alert will be triggered for RM2000 to be undertaken. On the electronic version, staff could only complete this tool if they had attended the training, and it would calculate the risk score. If the tool was not complete, a defensible decision had to be recorded and without this being done the OASys assessment could not be locked.

However, in July 2014, at a training event with the National Offender Management Service, an issue was raised that there was a ‘glitch’ in the system, and the electronic version of RM2000 should not be used. It became apparent that there were issues raised with the wrong score being calculated. There were also some concerns raised at this training event that this message had not been effectively communicated with staff as not all were aware of the problems with the electronic version. This does have a serious wider implication, such as wrong RM2000 scores being produced in parole reports and an offender’s level of likelihood of reoffending being assessed wrong. This issue has not been discussed in the wider academic domain as it is a very recent issue (Personal Communication, July 2014). At the time of writing no further guidance has been issued, and it remains unclear whether full communication on the problem has been circulated to front line staff using this tool.

During the interviews, the separate tool of SARN was identified and discussed and this was considered to be a useful tool when examining sex offenders dynamic risk factors. The
participants stated that this was a good risk assessment instrument, and had a consistent approach to assessing risk. One participant questioned why OASys was used when this specific risk assessment tool existed. The SARN tool was able to assist in the identification of specific risk factors and specific treatment needs. It was noted that this risk assessment tool was more practitioner friendly, and a number of participants stated that it ‘felt’ like a risk assessment tool. It was argued that it gave clear identification of the factors which could increase the offenders risk, and what specific sex offender risk issues were present. Once the SARN is completed the information can be incorporated within the OASys assessment, bringing together the two assessments. This can provide valuable information in terms of the specific risks the offenders can pose, and can help create a robust risk management plan. The perception of the staff here was that the tool was effective as it aided the overall risk assessment process and enabled the management of risk posed by sex offenders.

During the research, the participants did not discuss the practical implications of this risk assessment tool and it is worth noting that this tool is completed once an offender has completed an accredited programme on their sexual behaviour, such as one of the available Sex Offender Treatment Programmes (Craig, Browne & Beech, 2008, p. 101). Therefore, the detailed level of risk assessment of dynamic factors would not be available for all offenders unless they had completed a sexual accredited programme. It would also be available once an offender has completed a programme, and due to the programmes length, it could be up to a year before the SARN is completed. The SARN is completed whilst the individual is in custody and when they enter the community. Therefore, for some sex offenders serving a sentence in the community, this in-depth assessment of the dynamic risk assessment would not be available for some time. For example, an internet sex offender is sentenced to a two-year Community Order with the Internet Sex Offender Treatment programme. It is likely that the programme would take one year to complete, and, therefore, the detailed assessment of the dynamic factors would not be available until nearing the end of their sentence.

Recent changes within current Probation practice has meant that the number of offenders who will receive the SARN has been significantly reduced. Sex offenders in the community who pose a low-risk score on RM2000 means that an accredited programme such as the Thames Valley Sex Offender Group Programme will not be offered to them. Instead, priority will be given to those sex offenders posing a medium, high or very high risk of reoffending (Personal Communication, August 2014). Within the custodial setting, sex offender programmes will only
be offered to offenders posing a high or very high risk of reoffending on RM2000 (Personal Communication, July 2014). At the time of writing, the consultation documents are not available as these are currently classed as restricted and are not available for public dissemination. It is also unclear whether this is regional or national practice, but it should be noted that there has been no Probation Instruction released. Given that information available is limited, it is, therefore, unclear whether this is based on current research or driven by external factors such as for financial and political reasons. If a Probation Officer wishes to refer an offender falling out of this criteria then this would need to be referred to the National Offender Management Sex Offender team, and the offender would need to fit additional criteria. This would include, for example, the offender being a Lifer or Indeterminate sentence for Public Protection case (IPP).

It is correct that the effective practice principles state that interventions should be targeted to the level of risk an offender poses as inappropriate intensive treatment could increase risk (Chui, 2003, pp. 62-63). However, it is concerning that these reforms do not appear to take into account the level of risk of serious harm that the offender may pose. It also raises concerns over offenders who are assessed low on RM2000 due to this being the first offence they have been convicted for, as it does not necessarily take into account the more dynamic factors present which could, in fact, increase the risk of reoffending. For example, and statistically speaking, an elderly male offender convicted of three historical rapes may be a low risk of offending, but there is evidence of distorted thinking as well as the fact that this offence includes a high risk of serious harm. This trend appears to focus on the static risk the offender may pose, and does not take into account the potentially fluid dynamic risk they may present. This is evidence of risk assessments being influenced by external factors, and being used to allocate resources, favouring interventions over others, and pushing for specific interventions (Fitzgibbon, 2008, p. 451).

Limiting the availability of sex offender interventions could reduce the information available in terms of the dynamic risk assessment. The lack of this vital in-depth assessment could impact on risk management and the level of harm that the offender poses to the public. Therefore, it will be very important that Probation staff have good levels of confidence to challenge low-risk scores where appropriate. This will mean them having confidence and good skills in their assessment of the dynamic factors relating to sex offenders. Probation Officers are also likely to
have a high caseload of sex offenders who have not received treatment, and this will increase the need for one to one work within supervision.

**Quality of Risk Assessments Tools**

The increased focus on quality can be seen to originate from the ‘What Works’ movement and a focus on criminology and understanding why offenders commit certain crimes (McNeil, 2000, p. 108). There is an increased emphasis on basing risk assessments on good evidence, and the quality of the assessments requires the assessors to have good sources of knowledge (McNeil & Nutley, 2003, p. 108). The quality of assessments is important, as previously discussed in the literature review, Probation Officers are now operating within a ‘blame culture’, where their work is consistently monitored and evaluated (Kemshall & Wood, 2008, p. 611). Risk assessment can be difficult as it is about predicting a future event which can be full of uncertainty. The assessments need to take into account ‘defensibility’ and ensure that decisions on risk are based on evidence (Carson, 1996 cited in Harrison, 2011, p. 34).

The interviews raised concerns over the quality of information within OASys, and it was highlighted that this can vary. If the assessment of serious harm is based on clinical judgement then the assessor needs to have good levels of confidence, and the skills such as interviewing techniques to make the appropriate assessment (Grubin, 2004, p. 107). However, some previous evidence has noted that OASys can in fact potentially deskill staff, through the creation of the tick box culture (what Garland noted as being the change to a reliance on technology if one sees risk assessment tools as ‘technology’). Therefore, to ensure the appropriate level of assessment, this is very much dependent on the skill of the Probation Officer, not the tool itself (Williams, 2010, p. 149). One participant in the interview stated that they sometimes felt frustrated by having to use tick boxes and having word limits. They explained that not all offenders are able to fit perfectly into boxes. Although the tick box system can provide some standardisation and consistency on occasions this may make the assessments seem rigid. The frustration voiced by the participants could create a barrier to creating a good assessment using their clinical judgement as too much effort may be placed on answering the tick boxes. It is, therefore, important to continue to emphasise the use of clinical skills to evidence why offenders have been scored in certain ways. This could result in ‘dread risk’ and feelings of low confidence resulting in the level of risk being assessed too high or too low (Kemshall, 2009, p. 332).
In terms of data quality within OASys, it was raised by one interviewee that this can be problematic as the assessment is based on the quality of the information inputted by the assessor. Here, the use of stock phrases, which are then often overused, can limit the overall quality of the assessment. This links to two ongoing themes with risk assessment practice in general. Firstly, is the issue that the risk assessment will only be good as the information inputted by the assessor. It is based on the level of clinical judgement and skills in determining what information relates to the risk posed by the offender (Crawford, 2007, p. 158). Secondly, it also links to potential bias of the assessor: by using stock phrases and standard risk assessment evidence could mean that the assessor is not taking the specific characteristics and risk factors of the offender into account (Kemshall, 2008, pp. 56-57). This is linked to possible concerns with the confidence of the assessor. If the assessor does not feel comfortable with their risk assessment skills, the stock phrases may be used as a crutch. Bonta and Andrews argued that the quality of the assessment will only be as good as the assessors’ level of professional knowledge and understanding of offending behaviour (Andrews & Bonta, 2006, p. 258).

It was also raised during the interviews that the quality of information in assessments could be affected by the long community or custody sentences and historical OASys assessments. Due to nature of their offending, and sentencing, many sex offenders are likely to have long criminal sentences and the OASys can be based on historical issues. One participant noted the difficulties of inheriting the case when another assessor has completed the assessment. Research into the inter-rater reliability of OASys has long identified the problem of consistency in assessments (for example, see Morton, 2009) Problems can arise in relation to different assessment styles used, and often it is a time-consuming process to reorganise the assessment. For example, previous assessors may have used jargon and language that is difficult to understand. It was the assessors view that as a result of straightforward language not being used, the essence of the risk and the specific risk factors can be lost. It was suggested that there was a tendency to ‘pull information through from previous assessments’ (Participant A). This may focus attention on historic issues that may not be related to current risk factors that are of concern. This can again be related to the confidence of the assessor to override a previous assessment with their own judgement. However, it may be also be related to a lack of time, and Probation Staff not having the capacity to spend the time re-writing the assessment due to often high levels of caseloads.
The research looked at whether the information from RM2000 is incorporated into the whole OASys assessment and in terms of the questionnaire responses, there was no real variance. The incorporation of RM2000 and OASys could have seen an increase in the information being used. However, as they remain separate assessments, there is likely to be some gaps in the information being used in the wider OASys.

The research did, however, examine whether the information relating the level of risk was incorporated into the risk management plan within OASys, and the participants tended to agree that this was indeed the case. This plan is about how the identified risk would be managed and is very specific towards to the level of risk the offender poses. The information from RM2000 is therefore very valuable in terms of identifying the need for additional internal controls such as emotional management and external controls including restrictive licence conditions. Information relating to the interventions available depends heavily on the RM2000 score, and, therefore, is important that this is included in the risk management plan (Ministry of Justice, 2012, p. 62).

Some issues were raised in relation to the scoring system of the tool, and the participants noted that this sometimes could be confusing. When staff felt confident with RM2000, they did feel that they were able to override the actuarial result with clinical judgement. However, there were some concerns regarding the difference with sexual behaviours and sexual convictions. Some cases that the Probation Service work with have numerous sexual behaviours committed prior to their current sentence, but they may have only been convicted of one sexual offence. A pattern of entrenched behaviour with evidence of distorted thinking could suggest that the risk they pose is higher. Therefore, clinical judgement is very important, and there needs to be recognition that just because the tool assesses the offender as a low risk of harm does not mean that they will not go on to commits a serious further offence (Grubin, 2004, p. 105).

The participants were also asked whether they considered that the RM2000 tool was suitable for all types of sex offenders. Limitations were raised with internet sex offenders, and also those offenders who have entrenched distorted sexual thoughts over many years. There may have been a significant history of sexual behaviour, but the offender may not have been convicted of these offences. The participants were also unsure about the applicability of the tool for female sex offenders and there seemed to be a general lack of understanding around this specific group of offenders. This may be related to the issue that there have been a limited number of these cases within Devon and Cornwall. However, it also demonstrates a lack of knowledge and
understanding in terms of the risk assessment of female sex offenders. Previous research into this tool has highlighted concerns on the basis of the sample used, and that it is not suitable for all types of sex offenders (Briggs and Kennington, 2006, p. 26).

Practitioner Skills and Support

The participants of the completed questionnaires appeared to manage a variety of MAPPA cases, the majority being at level 1, with less managing at levels 2 and 3. This is reflected in Devon, Cornwall and Isles of Scilly MAPPA report 2013, where there are 1414 registered sex offenders being managed at level 1, 9 at level 2 and 1 offender managed at level 3 (Devon and Cornwall Constabulary 2013, p. 5). There also to good levels of experience in terms of how many years they had worked with sex offenders, with the other half stating that they had worked with sex offenders for 6 years or more.

In terms of training, it was raised that some staff had not been given access to formal OASys training as most of the support and learning had appeared to unofficially come from colleagues. This is not particularly helpful as it depends on the competenc and skills of the practitioner providing the assistance. The lack of training sometimes meant that Probation staff were often unsure of what made a good risk assessment. At the time of the research, there was a big drive in Devon and Cornwall Probation Trust to increase the quality of the OASys assessments, with the introduction of Quality Development Assessors who audited past assessments. Based on a scoring system, the assessor’s assessment would be marked as poor, insufficient, sufficient or excellent. This quality agenda appeared to focus on how information was inputted (e.g. using bullet points) and whether all the appropriate boxes were ticked. This agenda created an atmosphere of fear and worry, and it seemed to take away from the quality work members of staff were completing with offenders. Training with staff in terms of developing OASys was delivered by long emails and unclear briefing notes. Despite a focus on quality, staff did not report any improvements in the quality of training available. It is concerning that this appears to have eroded the professionals level of confidence, and the findings of academic research have identified that confidence is very important with the use of clinical assessment (Craig, Beech & Harkins, 2009, p. 61).

Participants within this research commented on the lack of training available for staff, which is concerning as previous research has identified the importance of these (Briggs & Kennington, 2006, p. 19). It appeared to be focused more on “in house training”. This seemed to be training
delivered by a training department who had either relevant or recent practice experience. Information from the interviews suggested that external events had been limited since early 2000. One participant noted how important training can be and how it can increase motivation to work with such a difficult offender group. They noted that through training, you can be inspired to better your practice and this can also increase your understanding of practice in different areas. Furthermore, national training has the benefit of being able to deliver a standardised practice message. It is also an opportunity to reflect on what works and what does not work in current practice.

In terms of support for staff, the access to counselling appeared to be mixed. Programme staff stated that they had a regular group and individual counselling, and it was noted how this was really beneficial and helpful when working with sex offenders. However, staff in Offender Management noted that they knew they could ask for assistance when they needed it. Unfortunately, counselling did not appear to be as widely available to offender management staff compared to programme staff. This is concerning, as quite often it is the Probation Officer making decisions regarding the release, risk assessment and management of the offenders and trying to ensure that members of society are protected. Given the previous concerns noted in the research regarding the pressures placed on staff, the same level of support should have been provided (Robinson, 2013, p. 92). This is increasingly important when working with complex offenders such as those convicted of sexual offences, and the potential harm that can be caused if the offenders are not managed (Kemshall, 2008, p. 4).

It will not always be possible for staff in offender management to identify when a case has caused them concerns, especially when considering the emotional impact. Therefore, the counselling opportunity may come too late and after the damage has already been done. The implications of not having adequate support can be serious and life damaging. In 2005, Anthony Rice was convicted of the murder of Naomi Bryant at a time when he was being supervised by the Probation Service. The Probation Officer who was supervising him at the time of the murder was unable to cope with the subsequent serious further offence enquiries and the extensive fallout from the media. As a result of not being able to cope she eventually drank herself to death and died in 2013 (Personal Communication, September 2014). When failures happen, the Probation Officer can blame themselves, and without adequate support/counselling may not be able to cope with this. Regular support could act as increased provision, and help identify early on when there have been concerns, and deal with them effectively.
Training and skills are an important area for Probation Staff and risk assessment as risk assessment with sex offenders involves high stakes, both in terms of protecting the public and also taking into account the offender’s individual needs (Doren, 2006, p. 3). Probation Officers need to demonstrate that the assessments are based on knowledge and are evidence-based to ensure that they are making a defensible decision. Quality training is required, such as with interviewing skills to ensure that assessors can obtain the relevant information and there need to be good levels of confidence (Kemshall & Wilkinson, 2011, p. 15).

**Transforming Rehabilitation Policy**

During the completion of this research, significant changes have occurred within the Probation Service. Since the Labour Government in 1997, the criminal justice system has been the subject to extensive reform, with an emphasis on an ethos of marketisation and managerialism (Bowen & Donoghue, 2013, p. 9). The Probation Service has experienced pressure from society and the Government to reduce offending by working in an innovative manner with a clear focus on saving money and budget cuts (Senior, 2013, p. 1). The Offender Rehabilitation Bill which was introduced in 2013 sought to save the Government £2 billion (Marples, 2013, p. 22). The Transforming Rehabilitation agenda has sought to reduce expenditure by placing Probation contracts out to tender and to reduce the numbers of offenders managed by the Probation Service (Harper, 2013, p. 37). The Offender Management Act 2007, allowed for the creation of Probation Trusts, which were promised as leading the future in terms of Probation areas being able to operate like businesses and allowing them to be more innovative (Probation Association, 2014, p. 1). In terms of policy reform, the Ministry of Justice consultation papers sets out the proposals for the Transforming Rehabilitation agenda:

“We need a criminal justice system which punishes offenders properly, protects the public and supports victims, this system also needs to reform offenders so that they do not go on to commit further crimes. By reducing reoffending we can ensure there are fewer victims of crime, that our communities are safer and that less money is spent on repeat offenders passing through the system again and again” (Ministry of Justice, 2013, p. 3).

The consultation document argues that reform is required as reoffending rates are too high. The Government argues that this is despite an increase in budget compared to the previous Government. Using statistics from 2010, the policy documents argues that 57.6% of those
sentenced to less than 12 months go on to commit another offence within 12 months. For those who were sentenced to 12 or more months, 35.9% go on to commit further offences (Ministry of Justice, 2013, pp. 5-10). The issue of reoffending for those sentenced to less than 12 months custody appears to be a key element in the drive behind these changes. However, the pre-June 2014 Probation Service has been blamed for these high offending rates when in fact that as a result of the political changes, they no longer have statutory responsibility for (Calder & Goodman, 2013, p. 176).

Whilst the National Probation Service remains working with high-risk cases, such as violent offenders and sex offenders, the supervision of low and medium risk offenders has been tendered to private companies. Providers will bid to deliver the rehabilitation work with offenders, and will also be encouraged to do so by payment by results. This will mean that if they are working with offenders, and can evidence a reduction in reoffending then they will receive a payment (Ministry of Justice, 2013, p. 13). The Offender Rehabilitation Act 2014, has also introduced supervision to offenders sentenced to less than 12 months in custody (Ministry of Justice 2013, p. 19). The Government state that their plans will not put the public at risk, and that it is important that the effective risk management role of the National Probation Service is retained (Ministry of Justice, 2013, p. 6). On June 1, 2014, the National Probation Service came to an end and the service was spilt in two. It has been argued that the rationale behind the spilt remains unclear, especially when you examine the Ministry of Justice performance targets in 2012-2013 (NOMS, 2013, pp. 1-2). Here, five probation trusts were assessed as exceptional and the remaining 30 were assessed as good. It is therefore questioned why a Service is being eroded when it is has been assessed as effective (Probation Association, 2014, p. 4).

The National Probation Service remains in the public service and deal with the high risk of serious harm offenders. It is the responsibility of the National Probation Service to deal with offenders who fall under Multi Public Protection Arrangements, such as registered sexual and violent offenders. They will also manage deferred sentences, offenders waiting for deportation and public interest cases, such as cases involving terrorism. The current political policy appears to be shifting towards a focus on cost effectiveness, and selling public services to private companies. However, the private companies have come under criticisms for their own failures, for example, G4S was criticised for charging for curfews, where the electronic equipment was attached to false legs (BBC News, 2011). As the share sale approached, a number of bidders pulled out of the tendering process. This raises concerns over the openness of the system to
third sector charities, and whether the process of competitive tendering (On Probation Blog, 2014).

The Probation Service has a responsibility to ensure that the members of society are protected from serious harm caused by these types of offenders. It was discussed in the literature review that when there are failures, immense pressure and blame is placed on the staff dealing with the case (see Nash and Williams, 2008). It has been a time of unprecedented change and uncertainty causing high levels of stress and negative emotional impact on staff (NAPO, 2014, p.1); which is why there is a need, now more than ever for the right level of training and support to be provided to Probation staff. The ethos of the Probation Service was based on achieving often unrealistic targets set by the Government which caused more stress for staff (Calder & Goodman, 2013, p. 177). There are concerns that the profession is being eroded, and Probation practitioners face unprecedented levels of emotional stress. Whilst facing uncertainties, Probation Officers are continuing to work with risky and unpleasant members of society. Emphasis and pressure are still placed on them to ensure that these offenders do not go on to cause harm to members of society.

Commentators, such as Fergus McNeil argue that the Transforming Rehabilitation agenda fails to take account of risk conceptions. Offenders are classified as low, medium and high risk of serious harm and offending. Evidence from the ‘What Works’ research indicates that intensive supervision and management should be paid to the higher risk offenders, although, and somewhat counterintuitively, the privatisation of around 70 per cent of probation into CRC’s and the introduction of Integrated Offender Management model sees more intensive supervision of the low and medium risk groups. As research has often demonstrated, the risk posed by offenders is dynamic and can be subject to significant changes over time (McNeil, 2013, p. 83). He goes on to comment that private companies are likely to be more concerned with profit, not about the high classification of the offenders. His final remark highlights the potential concern with a focus towards business management rather than risk management:

“Transforming Rehabilitation risks turning it into people business and no one’s concern” (McNeil, 2013, p. 85).

The new agenda focuses on the likelihood and imminence of risk of serious harm and a new risk assessment tool has been created. The Risk of Serious Recidivism (RSR) is an actuarial
predictor, and it calculates the likelihood that the offender will go on to commit a seriously harmful offence (Ministry of Justice, 2013, p. 1). The user guidance defines serious harm as

“an event, which is life threatening and / or traumatic, from which recovery, whether physical or psychological, can be expected to be difficult or impossible” (Ministry of Justice, 2014, p. 1).

The RSR score is calculated using the following prediction methods and risk factors: contact sexual reoffending risk, indecent image reoffending risk and non-sexual violence risk. The indecent image reoffending risk is based on the offender’s sexual history, and contact sexual reoffending risk is based on the OASys sexual reoffending (OSP). The MOJ describe this predictor as being better at predicting contact sexual offending, and that is easier to use than the RM2000. However, within the user guidance, there is no empirical evidence or references to recent research regarding this claim. This is concerning as it appears to inform staff that that a tool based on extensive research is no longer the most appropriate tool to use. The last category, the non-sexual violence risk uses factors such as age, gender and violent criminal history. The RSR can be completed without an interview to produce a static score and it can also be completed after an interview to include the dynamic risk score (Ministry of Justice, 2014, p. 3). This score will determine whether the offender falls under the National Probation Service or the Community Rehabilitation Company. Those scoring 6.9% or more will be allocated to the National Probation Service and those with less than 6.89% the Community Rehabilitation Company (Ministry of Justice, 2014, p. 2)

In terms of identifying seriously harmful offences, the RSR guidance lists these as: murder, attempted murder or conspiracy to commit murder, grievous bodily harm, victim being taken against their will, reckless offending behaviour with potential lethal consequences (whether it was intended or not), intent to cause lethal damage, any sexual offence involving physical contact, children being made to watch sexual activity, sexual exploitation of children through indecent images or prostitution, cruelty to children including neglect and aggravated burglary in the home (Ministry of Justice, 2014, p. 1). The RSR at present is a separate application which is run via the internet Firefox browser. There are plans to integrate this with N-Delius (the contact recording system used by the Probation Service) however; there are apparently issues with regards to this. It seems that the system used for N-Delius does not allow for the use of decimal points, and, therefore, it cannot currently be added (Personal Communication, May 2014). The
RSR tool was also due to have an updated version of OGRS4, but this has not been released at the time of writing.

Under the new processes, the National Probation Service will undertake all pre-sentence assessments, and will continue to propose sentences at Court. However, they will then need to complete the RSR tool and the case allocation tool. In practice, this has not been an easy process, and on the first day when the RSR tool was due to be used, it was not working due a ‘technical error’ (Personal Communication, 1 June 2014). This initial risk assessment will be limited to the information available, such as contact with social services or the Police domestic violence unit. The assessment is also likely to be limited to the time pressure on the court staff, and there are concerns that this will allow for bias errors within the risk assessment (Calder & Goodman, 2013, p. 182).

There is a limited critique of this tool within academia due to short time which it has been used in practice. To date, the government have not produced the peer-reviewed evidence and research behind the new tool. Jeremy Wright MP described the tool as being an aid for allocation and confirms that guidance has not been sent to Magistrates, which may cause concern when the risk assessment is used in Court reports (HC Deb, 28 April 2014, C621W).

However, internet blogs and sources on twitter have identified concerns with the new tool. One concern that has been raised has been the training for staff leading up to the significant changes in the Probation Service. As a Probation Officer, I attended the two-day training event and then delivered this back to staff within the trust. Information was lacking in detail and was very much in draft condition, so much so, that when I delivered the first set of training, there were already new changes announced that afternoon. A blog in 2014 by Effie Perine (a Probation Officer in London) describes the training leaving staff with a ‘tenuous grasp’ on the processes. When it came to the RSR training, the Firefox windows version had not yet been released, and instead one excel version was shown on one laptop (Perine, 2014).

The RSR tool is used to predict the level of imminence of serious harm, and assists in the allocation of the offenders to the National Probation Service or the Community Rehabilitation Company. First observations are that it does not truly reflect the level of risk that some offenders pose. For example, it does not take into account previous ‘call-outs’ for domestic violence perpetrators. With risk assessment, it can sometimes be more about the evidence of behaviours rather than evidence of convictions that can assist in the Probation Officers clinical
assessment. This particularly relates to sex offenders where the offending behaviour can go undetected for a number of years before there is a formal conviction. In her blog, Perine gives the example of an offender who scored 3% on the RSR. This is despite him having 80 previous violent and sexual offences, including on previous offence of manslaughter. If he was not a current MAPPA case then this individual would be supervised by the CRC (Perine, 2014).

In the brave new world of Transforming Rehabilitation, there appears to be a shift in attitudes towards risk assessment of serious harm. In Perine’s blog, she talks of trainers advising staff that Probation Officers need to be less cautious, and to re-examine our definition of serious harm in terms of imminence (Perine, 2014). Indeed, within the recent Probation Instructions, those offenders who fall below 6.89% score in RSR, where the Probation Officer assesses that the risk is high will need approval from a Senior Probation Officer. This will involve gaining confirmation the clinical assessment and to override the RSR score (Ministry of Justice, 2014, pp. 9–10). In practice, this is most likely to be cases of domestic violence where the risk is very dynamic and can alter very quickly. For example, an offender moving back in with his partner, following a relationship breakdown would suggest that the risk is imminent. The RSR guidance lists the seriously harmful behaviours, however, it is worth noting that psychological harm, for example, arising from serious domestic violence, is not included (Ministry of Justice, 2014, p. 1).

**Implications for Future Practice**

The research has sought to understand how the practice of risk assessment of sex offenders can be improved and this next section will explore implications for future practice.

**Training**

The primary research conducted has identified that staff indicated that there was a lack of training available. Therefore, one way to improve current practice with sex offenders is to increase the amount of training available for practitioners. Working with sex offenders is a difficult task and it needs to be ensured that the Probation staff working with this offender group are highly knowledgeable and skilled. This can be achieved through increased training events run by skilled practitioners. There does seem to have been a focus on training to be delivered by staff in-house, who are not practitioners and have no experience of working with this offending group. This ‘PowerPoint’ training appears to cover the basics but does not
explore the wider practice issues. If the training is delivered in-house, due to budget issues, it could be appropriate for skilled practitioners such as programme staff to undertake the training. This, hopefully, would be more in depth and the facilitators would be in a good position to answer queries from staff.

As a direct consequence of the Transforming Rehabilitation spilt there is a greater need for training as there may be a number of staff members who are now working with sex offenders who previously had no experience of working with this difficult group of offenders. The training would need to examine the basics of sex offender work, how to interview sex offenders, and how to conduct one-to-one interventions. Training is also a positive experience for staff as it is an opportunity for staff to discuss local practice and to discuss differences across the country. It offers a moment to be reflective on their practice and to establish areas for improvement. Training would benefit from examining the basics of Probation work, such as pro-social modelling and motivational interviewing as it must not be assumed that these skills are in place.

It is important that staff have the opportunity to learn new skills and refresh old skills, so the training also needs to focus on the basics of risk assessment. This could include examining different sources of information including both clinical and actuarial. Focus needs to be given to gathering the information including interview skills, investigative skills, and being able to guard against potential bias. The practitioner needs to have good professional knowledge including wider criminological theories and current research related to sex offenders. Practitioners also need to have knowledge of the appropriate use of actuarial tools and how this can be an inductive process.

Specifically, in relation to training, there were significant concerns raised in relation to the availability of training for OASys. This appeared to be limited and when available it was noted that this was not overly beneficial. To improve practice there needs to be widely available training for staff. There may be Probation Officers now, who are required to complete OASys who have not used the tool for over 10 years as a result of the Transforming Rehabilitation spilt. Whilst this research did not specifically raise concerns with confidence when completing an assessment, it should be acknowledged that this is not something which staff would easily disclose.
There is electronic training available on OASys, however, the use of this does not seem to be encouraged by management and additional time is not allocated for staff. There needs to be standardised training available for staff which covers the use of OASys in order to improve the practice of risk assessment. This type of training may also not fit all practitioners learning style and it may not be the most appropriate method to improve the skills of probation staff when using this tool. This form of training would have limitations in respect of the practitioner not being able to ask follow-up questions and to discuss their queries in more detail. This could lead to misunderstandings and the learner not being clear on what the training is aiming to achieve. This relates to a lack of facility for the assessor to check out their learning and ask questions.

In relation to RM2000, the research showed that staff tended to attend this training once, the implication of which is that there may have been a significant period since the training and its use in practice. Furthermore, there could also have been changes made to the tool as a reflection in current practice. There are some concerns that many staff are now unaware of these changes or are unsure how to score. This research also identified that some staff were unsure as to which offenders this tool is not appropriate for. This could have serious implications for the practice of ‘risk managing’ sex offenders, such as risk assessments being produced which are not accurate. Whilst it will not always be necessary to repeat training, it may be appropriate for briefings to be produced for staff and incorporated into discussions around current practice.

As well as training, staff could also engage in small groups called action learning sets. This can be a safe environment for practitioners to explore new ways of thinking, doing and reflection. It can also be an opportunity for individual learning, and also helping others to learn. Staff can also gain support, challenge others and gain insight from other peers, and it can be a safe environment to test assumptions and to learn what works. It can also be an opportunity to explore innovative ideas and create new approaches (Sorsby, Shapland, Farral, McNeil, Priede & Robinson, 2013, p. 27).

The benefit of action learning sets is that it uses the current skills of Probation Officers and is an innovative free way to improve practice. Staff can also share individual learning from training events, new knowledge gained and new ways of practice. This can be related to the use of interventions used in one to one sessions, and learning from group sessions. For the learning sets to be effective there needs to be available time for staff to complete these and the opportunity for learning must be prioritised by management.
Current Risk Assessment Tools

In relation to RM2000, previous research has showed that probation staff consider this to be an easy tool to use which provides accurate results. However, in order to improve practice, there needs to be a clearer understanding of when and when not to use the tool. For example, within this research, there was ambiguity in relation to the use of tool and female sex offenders. Whilst this has been shown to be an effective tool it is not available for all types of sex offenders.

At the time of writing, it has become apparent that there are technical issues in relation to the use of RM2000 within OASys. There are some concerns that the message that the tool is not working correctly does not seem to have been widely circulated. As a result, it is impossible to know how many current sex offender cases there are with incorrect risk matrix scores. This does have serious implications in terms of parole decisions regarding the release of potentially dangerous offenders, and could impact on the types of interventions which are available for sex offenders. Since the Transforming Rehabilitation split there have been serious concerns with IT including OASys not working and data being lost. There will be pressure on IT staff to fix these issues, and, therefore, fixing RM2000 may be a low priority. Nevertheless, there needs to be increased communication regarding these technical issues. It will also be a priority to review the list of cases which may have the wrong risk assessment score as this may have serious implications for public safety.

This research identified the important use of SARN and how practitioners considered that this was an effective tool in assessing the specific dynamic risk factors posed by sex offenders. However, this detailed report is only available once a sexual accredited programme has been completed, and this report is then completed by a trained member of staff who is often a psychologist. This chapter has already discussed concerns in relation to the limit of sexual offending behaviour interventions available to sex offenders. This is likely to impact on the treatment available to sex offenders as there could be more focus on one-to-one supervision. Therefore, an individual one-to-one programme for sex offenders could be developed and this resource could aid in the overall assessment of the sex offender.

The Probation Officer could also be able to produce a more detailed risk assessment. The SARN can provide valuable information, but whilst waiting for the intervention in the community, it is the responsibility of the offender manager to manage the risk that the sex offender poses. On some occasions it can be up to a year before the accredited intervention is
undertaken. Therefore, one implication for practice would be to have an increased focus on the assessment of dynamic risk factors by increasing a practitioner’s ability to identify particular specific dynamic risk factors.

At the time of writing, there are interesting developments in terms of identifying dynamic risk factors. The Active Risk Management system (ARMS) is currently being rolled out across the National Probation Service, and this is a framework for working with all male sexual offenders. It is not a tool, but a framework to aid in the assessment of dynamic risk factors. This will hopefully empower the Practitioner to develop work for the sex offender which specifically focuses on the particular dynamic risk factors which will contribute to more robust risk assessment within OASys (NOMS, 2015, p. 2). This framework has been developed in recognition of the need for a tool to enhance the management of sex offenders by both Probation and the Police. This tool unlike OASys is specific to the management of sexual offenders and allows identification and measurement of dynamic risk factors (McNaughton Nicholls & Webster, 2014, p. 2).

**Development of Practitioners Skills**

At the time of research, practice has begun to focus on practitioner skills and the relationship between Probation Officer and Offender. Skills for Effective Engagement Development and Supervision (SEEDS) places the importance of this relationship and focuses on the development of practitioner skills (Hylton, 2013, p. 166). In relation to offenders, including sex offenders, Probation Officers are in a unique and valuable position where they have the ability to change the offenders offending behaviour. This can be a difficult process which is dependent on numerous variables, including motivation, level of engagement and being able to improve the offender’s life. SEEDS focus is on improving staff’s ability to use interview skills and the use of cognitive behavioural techniques (Hylton, 2013, p. 171).

The idea of SEEDS was introduced at a time when the Probation Service was at the beginning of the Transforming Rehabilitation agenda. It was a significant cultural shift moving towards refocusing on the core skills of the service, such as interviewing skills and the importance of one-to-one work. The pilot study conducted reported that the change was welcomed by staff as it focused on improving these skills and enabled practice to be transparent and accountable. Staff considered that it gave supervision more structure and improved the quality of practitioner’s one-to-one work (Sorsby et al., 2013, p. 45). In short, SEEDS has provided an
opportunity to refocus on the importance of one-to-one work and developing effective ways to reduce the risk of reoffending (Rex & Hosking, 2013, p. 333).

Probation practice has been focused on a tick box culture and driven by targets, and the introduction of SEEDS also came at a time when professional judgement became important. The concept of professional judgement relies on members of staff having the confidence in their own assessment skills. It has been identified that Probation Officers need to have good skills in clinical assessment and be able to assess which areas require intervention (Grubin, 2004, p. 107). The use of actuarial tools has been shown to be effective in assessing static risk factors and members of staff do need to have good knowledge of these. However, they should also combine this with professional judgement, which can be used effectively when the practitioner has available sources to back up their assessment. This relates to the practitioner being able to make a defensible decision which is evidenced based. Professional judgement is a very important and powerful aspect of risk assessment practice. The tools available, such as SARN, OASys and RM2000 are valuable tools, but that it just what they are - tools. The Probation Officer is making the assessment based on their clinical knowledge, their gut feelings, their knowledge and their expertise. The practitioner can then use the risk assessment tools as their evidence, and ensuring that they make defensible decisions. In recent years, there has been an increased focus on professional judgement. The once rigid days of following National Standards have dramatically reduced, and practitioners are encouraged to use their own judgement when it comes to managing sex offenders. The new National Standards revised in 2012, aimed to take away the red tape and encourage more creative practice (Fellowes, 2012, p. 68). In the same article, concerns were also raised around the practicability for this new way of working. Concerns were raised over increased workload pressures, and suspicions from Probation Officers behind the introduction of the Policy. This could include believing that it is an ulterior motive from management, and blame being increased when something goes wrong. There could be a belief the professional judgement places the emphasis on the practitioner’s assessments, and, therefore, creating increased levels of responsibilities (Fellowes, 2012, p. 69).

OASys, in particular, can be seen as a tool to establish the facts, and enables the practitioner to assemble the information. It is a way of recording and monitoring changes in behaviour. In terms of quality assurance, less focus should be paid to the quality of the information recorded into OASys and more on to the quality of one-to-one work. Focus would be better paid
exploring and monitoring practitioner’s ability to assess and monitor changes in dynamic factors (Shapland et al., 2012, p. 43).

Probation practitioners need to have good levels of confidence, but management also need to demonstrate that they are confident of the abilities of their staff. In moving away from the target driven culture, there should be focus on support for staff in terms of training and peer support. Support should be given to staff in developing their risk assessment skills. In order to improve practice, Probation Officers require the opportunity to reflect on their current practice and be ‘enabled’ to improve their skills. The Probation Service is facing a very uncertain future: morale is low which may affect their ability to use professional judgement effectively. Therefore, it is important that time is made available to review practice and to look to future practice.

This research has identified that counselling was widely available to programme staff, and the feedback was that this was well valued. However, it is concerning that counselling does not seem to be widely available to Probation Officers who have the responsibility of managing these serious sexual offenders often in the community. In order to safeguard staff, counselling needs to be more available to practitioners. Sex offenders are a difficult group to work with and the work with them can be upsetting and very emotive. Those in offender management are managing the risk they can pose and some of the offenders are considered to be dangerous, so they are potentially placing themselves at risk of harm by simply working to challenge dangerous offenders to protect members of the public. In order for them to continue to do their job it is important that they receive support from management and that counselling should be made more available.

The implications of the Transforming Rehabilitation policy are that frontline practitioners within the National Probation Service will only manage sex offenders and dangerous offenders. This increased pressure to manage them appropriately as well as coping with operational pressures means that it is even more important for support to be available for staff.

**Implications for Future Research**

This research has identified further areas in which research into risk assessment of sex offenders could be developed. It has been noted that there is a lack of in-depth dynamic risk assessment unless the SARN is completed. Further research could be undertaken to examine whether it
would be appropriate to increase the availability of SARN to a wider group of offenders. Given the time, resources and cost implications this may have, it would be important to establish whether this assists in the effectiveness of risk management. It is clear that assessment of dynamic factors are important and further research could establish in what ways probation dynamic risk assessment skills could be increased. The ARMS framework is being rolled out at the time of writing, and therefore, there is a limited critical discussion of this tool. Further research specifically looking at this framework and evaluating its contribution to dynamic risk assessment would be beneficial.

This research has discussed how OASys is a valuable risk assessment tool in terms of monitoring changes in the offender’s circumstances, including their dynamic factors. However, practitioners did not feel that it aided in their risk assessment, after all, it is the assessor making the assessment, not OASys. Probation Officers indicated that the use of RM2000 is effective and that there appeared to be good levels of confidence to disagree with this assessment, for example, when their assessment of risk is higher than the predicted score. The use of SARN to assess dynamic factors was examined and that this was a useful tool to increase the understanding of the specific dynamic risk factors. There are identified advantages relating to the risk assessment tools and further research could be undertaken to incorporate these into a new risk assessment for sex offenders. The current OASys tool was not designed to be used with sex offenders and the actuarial tools such as OGRS do not take into account the specific risk factors presented by sex offenders.

This research was conducted prior to the end of the old National Probation Service and the Trust used for this research does not exist anymore. It would be beneficial for similar research to be completed within the new National Probation Service. There are likely to be new issues and concerns in relation to risk assessment due to changes in the way that sex offenders are managed. There are likely to be different staff members working with sex offenders and different perceptions of risk assessment of sex offenders. This is an interesting time for sex offending treatment within the Probation Service, and it would be beneficial to examine the reduction of accredited interventions available to sex offenders. It would also be relevant to examine the increased emphasis on static risk assessments score and a move away from the clinical judgement of the probation practitioner.

In terms of this research design, it would be of benefit to complete the research using a wider sample frame. This could include an increased geographical area where the research is
undertaken. Further critical analysis could be undertaken contrasting practitioner’s perceptions and the use of the risk assessment tools. It would be interesting to establish whether different factors, such as rural/city locations cause interesting results. This research had a small amount of qualitative data and a larger sample size would increase the number of interviews undertaken to provide more in-depth information regarding the perception of Probation staff and more detailed understanding of current risk assessment tools.

Conclusion

This chapter has provided an opportunity to critically discuss the results of the qualitative and quantitative research in more detail. The research has shown that the participants did not consider that OASys is an effective tool to assess the risk of reoffending of sex offenders. It was noted that it was considered to be more valuable when assessing the risk of serious harm, but the quality of this assessment was dependent on the information inputted by the assessor. Participants considered it to be a good tool to assess dynamic factors, and to reassess changes in an offender’s situation. The SARN tool was also discussed, including the in-depth analysis and limitations that this is not available for all sex offenders. The RM2000 was also examined, and it has been recorded that the participants felt that this was an effective tool. Some issues were raised with the ambiguous scoring, but that professional judgement can be used and to use the clinical judgement to make defensible risk assessments. The limitations of training and support were also discussed, including the lack of formal training available for practitioners using the risk assessment. Concerns were raised by the availability of support to staff, and that counselling services did not appear to be openly accessible. This research was undertaken at a time when the Probation Service was facing unprecedented reforms and the transforming rehabilitation policy agenda was explored. In relation to risk assessment, the new RSR tool was examined. Academic research on this tool is limited, and the empirical data is not widely available. The discussion chapter explored the current implications for the future practice of sex offenders, including increasing training available to staff. It was also identified that further focus should be paid to clinical assessment, and increasing the practitioners ability to assess specific dynamic factors. The last section of this chapter looked at future areas for research including the development of a risk tool for sex offenders with an increased focus on specific dynamic risk factors. Future research could include a repeat of this current study but using a wider sample base to increase understanding. Lastly, current trends appear to focus on actuarial
tools, such as the RSR and further research could focus on how this can impact on recidivism and management of sex offenders.
Chapter Seven

Conclusion

Introduction

This chapter will present the conclusions from the research completed. This thesis focused on a critical examination of the current risk assessment processes used by the Probation Service to assess the risk posed by sex offenders. It aimed to critically review the concepts of risk and risk assessment in relation to their uses and application in the offender management of sexual offenders within the Probation Service. It also sought to critically examine the uses and application of the risk assessment tools of OASys and RM2000 in relation to sexual offenders. In order to examine the issues around risk and the risk assessment of sexual offenders, practitioner’s opinions and perspectives were obtained regarding the effectiveness of these tools for aiding in understanding and managing the risks posed by sexual offenders. Another aim of the Doctorate was to critically examine the level of practitioner’s experience and training as well as the support available to Probation staff, and how this impacts upon their use of clinical and actuarial approaches to assessing the risk that sex offenders pose. Lastly, it aimed to critically discuss the risk assessment of sexual offenders in light of the reforms, which have taken place due to the Transforming Rehabilitation policies implemented by the coalition Government.

The chapter will begin by reviewing the chapters within this thesis. It will draw conclusions in relation to the current use of clinical skills, such as interviewing and assessment of dynamic risk and also the use of actuarial tools such as RM2000. The use of OASys and SARN will be examined in relation to the assessment of sex offenders. The chapter will then explore operational concerns, focusing on the impact of levels of support and training available to Probation Officers. The last section of the chapter will explore implications for future practice, and will offer conclusions on the future of risk assessment of sex offenders within the Probation Service.

Review

The literature review of this thesis was divided into two sections. The first section examined the history of risk and modernity. This chapter set the scene for the core concepts which were utilised through this thesis. The concept of risk was critically assessed through the sociological prism of modernity and post-modernity. This was examined in light of the first aim of this thesis, and intended to provide a critical understanding of the concept of risk. To achieve this, it was important to look where the concept of risk originated, tracing this back to the eighteenth and nineteenth centuries. It was argued in this chapter, that modernity itself created more of a focus on risk. Indeed, Hudson
(2003) argued that risk has become a key part of everyday life and debates on key issues within society tend to focus on the concept of risk (Hudson, 2003, p.45).

This chapter critically discussed the development of risk and the changes which occurred during the transition from modernity to post-modernity. The coming of the risk society critically examined the key developments with regards to the risk society. It was noted that the risk society was linked to increased wealth and increased populations within society. As a consequence, this resulted in increased risks and a greater number of hazards (Beck, 1992, pp 1-19). Deering 2011, argued that as a result of living in a consumer society there was also an increase in risk, for example, more wealth meant more goods for thieves to target victims. There can be varying types of risk, which normally fall into two categories, voluntary such as alcohol use and involuntary including natural disasters (Kemshall, 2003, p.4). Within modernity, risks tended to be related to natural causes, for example, disease, whereas in late modernity risk is created by members of society themselves (Lupton, 2006, p.12). This saw a move from risk management to risk control, and a requirement for members of society to take their own responsibility in order to protect themselves from hazards (Hudson, 2008, p.75).

Risk has become a key social, political and academic past time, Kemshall 2003 noted that the concept of risk has become highly politicized area and, as a result, the definition has been altered over time (Kemshall, 2003, p. 8). Failures in the criminal justice system resulted in a loss of faith in professionals. Expert knowledge remains important but there are differences in the levels of trust and faith applied to this knowledge. The literature review examined the focus of risk assessment within late modernity, predicting future incidents through the use of actuarial tools. The technology was also used as a way of monitoring and assessing staff, and increasing accountability in the ‘smart’ crime control (Garland, 2001, pp. 115-116).

The second half of the literature review critically explored risk within the criminal justice process, linking to the second aim of this thesis and examining the tools used within the Probation Service. The previous chapter highlighted the increase in focus on the concept of risk within society. This chapter focused on a brief review of this risk agenda and how this became a central ethos in the criminal justice process. It began by examining the ‘nothing works / what works’ agenda and issues relating to the dangerous debate. Penal discourse had shifted from focusing on the individuals’ moral character to classification using actuarial risk assessment tools. At this time within Probation practice, attention was being paid to ‘What Works’, in terms of addressing offending behaviour and reducing the risk of harm posed (Andrews & Bonta, 2010). Attention was paid to theories of crime, and knowledge as to why offenders commit crime (McNeil, 2000, p. 108). The chapter critically explored the use and rise of actuarial tools and the development from first to third risk generations as noted by Bonta and
Andrews 2007. It was argued in this chapter, that it is important for practitioners to understand the origins of risk assessment so that they can comprehend how and why certain techniques are used. The fourth generation tools often include a mix of clinical and actuarial elements. This chapter explored the origins of OASys which was introduced in 2002, and how it came to be central to Probation practice. There is a running critique of this tool within the literature, including being compared to a tax form (Mair et al, 2006, p.7). RM2000 was examined, including a discussion of its limitations, for example focusing on convicted sexual offenders, and may not take into account emerging forms of sexual offending (Briggs & Kennington, 2006, p.26). The last section of this chapter discussed the importance of practitioner skills and training given the increased level of blame when there are risk management failures (Kemshall, 2008, p. 4). It was argued that effective risk assessments require good levels of knowledge and practitioners need to be able to take defensible decisions by taking a holistic view of offenders (Kemshall, 2009, pp. 340 – 341). This linked to the third aim of this thesis, examining practitioner’s experiences and the level of support available. This is important as sex offenders can be an emotional charging group of offenders to work with and failures can be highly criticised in the media (Mawby & Worral, 2013, p.88).

The methodology chapter introduced the concept of epistemology and ontology. The perception of knowledge was critically examined including how it is created and where it comes from. The idea of induction and deduction were explored, and the Whewell debate was discussed. The quantitative research method was examined, and how knowledge is gained through the production of data and statistics. This method has been criticised for having little wider meaning, and not taking into account real aspects of the social world. The qualitative method was critically introduced, exploring how it was linked to the Chicago school. This method seeks to understand people’s behaviour in the context of the social worlds in which they live. The advantages and disadvantages were examined, and the mixed methods approach was discussed along with the concept of triangulation. The chapter introduced the research design, including the use of semi-structured interviews and questionnaires. The research methods for analysis including the use of SPSS and looking for themes in the qualitative data were also introduced. The notion of insider researcher was examined, including critically exploring the advantages and disadvantages of undertaking research in one’s own professional domain. This research took place where I am practising Probation Officer, and, therefore, this notion was important. I had existing relationships with some of the participants which meant in some cases it was easier for rapport to be built and could lead to more in-depth knowledge (Blythe et al, 2013, p. 28). However, there is also a danger that the research could be too subjective as a result of being so close to the topic and opportunities may be missed due to knowledge base objectivity being lost (Greene, 2014, p.4). Triangulation was used in order to safeguard against some of the biases, and this was protected through the use of both questionnaires and interviews. The chapter also explored the ethical considerations of the research including data protection and being aware that this subject is an
emotive one. Therefore, careful consideration was given in terms of data protection, and ensuring that participants identity would not be revealed. The methodological limitations of the research were discussed including a poor response rate for the interviews and the impact of the Transforming Rehabilitation policies.

The results chapter presented the statistical data from the questionnaires and introduced themes and concepts from the semi-structured interviews. The data in relation to the use of the OASys tool, the SARN tool and RM2000 was presented along with the operational concerns such as the level of training and support available to staff.

The discussion chapter provided a critical analysis of the primary data within this research. It explored the data in relation to the use of OASys, RM2000 and the SARN tool. The chapter explored Probation Officers perception that OASys does not aid in the assessment of reoffending or serious harm. The perception that members of staff have confidence in RM2000 and feel that they are able to override when appropriate was examined. The SARN tool was critically discussed along with the practical limitations in access to this in-depth dynamic risk assessment. The operational issues including lack of training and support not being widely available were identified and discussed. The impact of the Transforming Rehabilitation policy was discussed and the new actuarial tool RSR was critically examined. This provided a discussion of the significant changes which have occurred within the Probation Service, and how these issues have impacted on the risk assessment of sex offenders. The chapter then discussed the implications for future practice including increased training availability, access to support and development of practitioner skills. The trend to base treatment decisions on the actuarial tools, and the apparent shift away from the dynamic clinical assessment by Probation Officers was also examined. The chapter finished with exploring possible areas for future research including examining the risk assessment process again in light of the development of the ARMS frameworks and the significant changes which have taken place with Probation practice.

**Risk Assessment Approaches**

This research aimed to critically review the concepts of risk and risk assessment, specifically examining the use of clinical and actuarial tools. Analysis of the research data has identified that Probation Officers within this sample did not perceive OASys to be effective in the assessment of the likelihood whether a sex offender would reoffend. This research and previous research (Manderville-Norden and Beech 2006) has identified that the OASys tool does not take into account specific risks that relate to sex offenders. The OASys tool does produce static scores which can be useful for predicting general and violent reoffending, but not in relation to sexual offending. However, the actuarial scores will often assess sex offenders as low as it does not take into account factors such as relationship status and type of offending. In this sense, these scores are often ignored, as they are not
relevant in the Probation Officers assessment. Although, OASys does produce a violent reoffending score, and this may be used depending on whether the offender is known to have violent traits and tendencies.

This research has also indicated that the OASys tool cannot establish the risk of serious harm posed by sex offenders. Instead, it has been acknowledged that it was a tool to record and monitor specific risk factors in relation the likelihood of committing sexual offences. The OASys tool itself does not determine the level of risk posed by offenders, it is the role of the assessor who determines the level of risk. In relation to the assessment of sex offenders, OASys can be seen as a tool to record and evidence the Probation Officers clinical risk assessment. The assessment can include the evidence and sources of information that they used in making their assessment, evidence of known risks as well as the offender’s current situation. The process, therefore, can be seen to aid in the assessment, but this is not directly linked to the design of the tool. If the Probation Officer did not have access to the OASys tool they would still be able to assess and assign the level of serious harm, which the offender may present.

The literature review identified that previous academic research had raised concerns that the use of OASys was contributing to a tick box culture. The analysis of the research data showed that participants felt that the use of OASys left them feeling frustrated and voiced concerns that it was creating a barrier to making a good assessment. The scoring system of the OASys tool assumes that all offenders can be easily categorised and does not necessarily take into account specific risk factors relating to the risk they pose. It would, therefore, be determined by the skills of the assessor to be aware of specific research and knowledge of risk factors relating to sex offenders. The OASys tool can provide a standardised assessment process to assess and review the risks posed by sex offenders. However, this relies on the assessor’s skills and also their level of confidence to override OASys when required, for example, being aware that OGRS scores are not always relevant. The data within this research did not indicate that Probation Officers within this sample relied too heavily on static factors when using this tool. There seemed to be an understanding that it was not relevant and assessors saw it as part of the process rather than a key element. There is a danger that the frustrations of using a tool not designed for sex offenders could impact on the overall assessment. By focusing on tick boxes confidence of the assessor could be eroded, and the specific risk factors relating to the individual could be lost.

The assessment of serious harm is, therefore, dependent on the Probation Officers clinical assessment skills. In order to have an effective assessment, the assessor needs to have a high level of skills, such as having good interviewing techniques. The Probation Officer will also need to have good investigative skills, and be able to explore the offender’s history and current situation. It was raised in
the discussion chapter that the research data showed that Probation Officers were sometimes frustrated about the validity of information within OASys assessments and, in particular, historical assessments. The research has identified that there were concerns in relation to the use of stock phrases as this can cause difficulties in assessment and could create bias influences. However, on a deeper level, the use of stock phrases could also indicate that the assessor lacks the appropriate skills and confidence in assessing sex offenders.

OASys is not a tool specifically designed for sex offenders and the disadvantages of this have been explored. However, the process of OASys can work towards assisting the Probation Officer in recording information and managing the offender. More specifically, it can be used as a process to record risk concerns in relation to sex offenders, and can assist in the development of a robust risk management plan. This research identified that OASys can assist in the assessment of dynamic risk factors, as well as provide a tool to monitor changes in offender’s circumstances and level of risk. The focus on dynamic risks is also important as this can help to determine areas for intervention and treatment in order to reduce the risks that sex offenders pose. From this, the Probation Officer is able to produce risk management and sentence planning documents.

Within this research, it has been also identified that the assessment of dynamic risk factors can be a useful approach to assess and manage the risks posed by sex offenders. In particular, the SARN tool provides an in-depth analysis of the specific dynamic risk factors and provide areas for intervention. This research examined practitioner’s opinions and perspectives regarding the effectiveness of the risk assessment tools. Participants noted that this tool ‘felt like a risk assessment tool’. The tool was specifically able to identify the dynamic factors and enabled a clear assessment of the level of harm posed by the sex offender. The SARN tool can be used to explore further areas for treatment, and can add to the overall risk management of the sex offender. It will be the responsibility of the Probation Officer to then incorporate this information into the OASys assessment. This can be frustrating, as the assessor is required to repeat this assessment, and combine them. As well as being frustrating, it can be a time-consuming process. One interviewee asked ‘why do we have OASys when we have the SARN?’ The perception of Probation staff was that they preferred this tool rather than the use of OASys.

However, in current practice, the SARN is completed after the offender has finished an accredited programme focusing on their sexual behaviour, such as the Sex Offender Treatment Programme. This can mean that an in-depth assessment will not always be readily available to the Probation Officer managing the case. The discussion chapter highlighted concerns over changes in the availability of accredited programmes. In custody, the criteria for sexual accredited programmes have been changed to ‘high risk of reoffending’ offenders as defined by RM2000. In the community, the sexual
accredited programmes will only be available to sex offenders posing a medium, high or very high risk of reoffending as defined by Risk Matrix. This will mean that there will be less intervention available to manage the dynamic risks posed by sex offenders, and Probation Officers will not have access to an in-depth dynamic risk assessment report.

This change in practice seems to indicate that actuarial risk assessment tools are determining the level of treatment. This is a static risk assessment based on factors such as offence type, and age. It does not take into account the more dynamic risk factors that specifically relate to the risk of serious harm posed by sex offenders, such as deviant sexual interests and sexual impulse (Craissati, 2004, p.60). This is a recent development in Probation practice, and it is unclear what has influenced this significant change. Indeed at the time of writing, the publication regarding the reasoning of this policy change is restricted and is not available for wider dissemination. What is clear, however, is that there is a shift in the emphasis on actuarial tools over the use of clinical risk approaches.

In relation to the use of RM2000, this research has identified that participants viewed this as an effective tool to assess the risk of reoffending posed by sex offenders. It was identified that they considered that the tool was straightforward to use and the perception of the participants was that there appeared to be good levels of confidence. Previous academic research had identified that there was a tendency for practitioners to overly focus on static risk scores, however, within this research it was identified that this was the case for management in terms of policy-making but not frontline staff. There seems to be an increasing trend to focus on static information to determine treatment and interventions available. Within this research, it was identified that Probation Officers have the confidence to override the assessments when they do not fit with their clinical judgement. For example, when they believe the risk of reoffending is higher given the high risk of serious harm assessment. However, the trend with the RM2000 scores in relation to access to accredited programmes is that these can only be overridden if the offender is subject to life licence or is sentenced to Imprisonment for Public Protection.

There were some concerns at the start of this research that information from the RM2000 was not being incorporated into the OASys assessment, although evidence from this research identified that Probation Officers considered that RM2000 information was being incorporated. However, it must be noted that when the primary research was conducted, the RM2000 was electronic and the assessment was part of the overall OASys assessment. This situation has changed in practice given that the electronic version of RM2000 is not currently working as it is providing incorrect risk assessment scores. Given that the paper version is being used, if future research was conducted a different viewpoint may identify the possibility that the assessor could forget to complete this separate risk assessment tool.
The discussion chapter of this thesis identified that there has been unclear communication regarding this problem, and it is unclear whether all members of staff are aware that the electronic version should not be used. This does have serious wider complications for the management of sex offenders, and incorrect risk assessment tools being used in parole reports, and being used for evidence for treatment and release. Further research could be undertaken to explore the impact of this, and explore ways to improve communication of practice issues.

Training and Support available to Probation Practitioners

This research sought to understand the perceptions of the Probation Officers undertaking the risk assessment of sex offenders. It aimed to critically examine the practitioner’s level of experience and training as well as the level of support available to them. The literature review identified that this can be a difficult group of offenders to work with and manage. There are the emotional consequences of managing potentially dangerous offenders, and the need to ensure that they are effectively managed in order to ensure public safety. It is the role of the Probation Officer to ensure that they undertake an effective risk assessment to ensure that appropriate interventions are recommended. The overall emphasis is to ensure that members of the public are protected from further acts of serious harm.

This research has shown that Probation Officers had limited access to formal OASys training. In terms of the Probation Officers perception, there seemed to be ambiguity as to what made a ‘good risk assessment’, which may be the result of not having access to regular formal training and having to rely on support from colleagues. Whilst this could be seen as supportive, it is also very much dependent on the colleague offering the support, and their level of skills and knowledge. This is not adequate training and does not provide a standardised approach to improving the use of the risk assessment tools.

In relation to the wider training available, the availability of this seems to have decreased. The research data identified that this was widely available in the late 1990s / early 2000s. However, in current practice, there seems to have been a shift to training being delivered ‘in-house’ via PowerPoint. This research showed that training can be vital, and it can be an opportunity to reflect on current practice. It can also be an opportunity to explore ways in which practice can be improved. One participant noted that national training is positive as you can explore and examine the current practice used in different areas, and seek to improve upon your own practice.

It is important that Probation Officers receive adequate support when assessing and managing the risk assessment posed by sex offenders. However, this research has identified that this is not widely available. It appeared that it was a service regularly offered to Programmes staff, and this was reported as a positive intervention. However, for the Probation Officers, who have the overall...
responsibility for managing sex offenders the same level of support, was not widely available. Despite this, the research data has identified that Probation Officers could seek support when they required it, however, this is very much dependent on the Probation Officer knowing that they require support. It is reliant on the Probation Officer having the confidence to ask for help and to seek support when it is required.

**Implications for Future Practice**

This Doctorate also sought to understand how the risk assessment of sex offenders by the Probation Service could be improved. The discussion chapter identified that the Transforming Rehabilitation agenda has impacted on the risk assessment of sex offenders in a number of ways. Firstly, due to the split within the Probation Service, there is likely to be a number of Probation practitioners who do not have an extensive history of working with sex offenders. Secondly, the new RSR tool claims to be as effective as RM2000 but there is little to no academic evidence to support this claim. Nevertheless, this actuarial tool is being used to determine whether the Community Rehabilitation Company or the National Probation Service manages the offender. In relation to sex offenders, they are automatically allocated to the National Probation Service.

It has previously been argued that actuarial tools appear to be used to determine the level of resources and intervention, and the dynamic risks are not necessarily taken into account. Recently, there is a trend that has developed with focusing on the static risk assessment for allocation. In terms of practice, this is concerning as the dynamic and present risks are not always being considered. It also fails to take account the clinical assessment of the Probation Officer. This clinical knowledge is based on their knowledge, experience and gut feelings to determine the level of serious harm posed by sex offenders. This research has shown that the assessment of dynamic skills can aid in the assessment of sex offenders. It has also shown that SARN was a positive approach and that Probation Officers felt that it was an effective tool to use with sex offenders. The research data has also established that there is a lack of in-depth risk assessment unless the SARN is completed. However, due to recent practice changes, this valuable assessment will not be widely available, as it will not be completed unless the sex offender poses a high risk of reoffending. This will also impact on the number of sex offenders in the community and custody who have accessed accredited programmes to address their risk and offending behaviour. Given that this risk assessment tool may not be widely available, it would be of benefit to ensure that Probation Officers who are managing the cases have the appropriate dynamic skills to assess sex offenders, such as through training.

The research identified that there was limited training available and that the availability of this needs to increase. In order to be effective at assessing risk, Probation Officers need to have confidence and the appropriate skills. This can include interviewing skills, risk assessment skills including being
aware of bias and knowledge of theoretical issues relating to sexual offending. National led training events are useful as it allows the opportunity to compare and reflect on practice. However, it is recognised that this can be difficult to arrange due to financial implications. Local training could also be arranged, and could be delivered by skilled practitioners such as programme staff. There would be a need for this training to be centralised and standardised to ensure that the same message is being delivered.

There also needs to be a focus on the development of practitioner skills, and an increase in focus on the relationship between the Probation Officer and the sex offender. This is an important factor as the Probation Officer is in a valuable position where they have the ability to change an individuals offending behaviour. This can be a difficult process and it can be dependent on numerous variables, including the offender’s motivation, and the level of skills of the practitioner.

Probation risk assessment has been influenced by the tick box culture, and the need to ensure that the risk assessment tool is completed properly. However, this does not necessarily take into account Probation Officers having the ability to make defensible decisions. Professional judgement can be used to allow the assessor to make risk assessments while using the available evidence. There has been an increased focused on the risk assessment tools determining intervention, but this does not take into account the assessment of the Probation Officer.

There have been strengths and weaknesses of the current risk assessment tools identified. The OASys tools were not designed for sex offenders, and practice could be improved by developing a new tool to be used to assess the risk of harm and reoffending posed by sex offenders. This tool could use the strengths of OASys, such as the development of the risk management plan, reviews to monitor changes, and being a tool to collate the currently available evidence. RM2000 could be an integral part of this tool, and ensure that there was a focus on this actuarial assessment. Lastly, the new risk assessment tool should include the elements from SARN, such as the treatment needs analysis. By focusing on dynamic risk assessment, the Probation Officer is able to establish the specific risk factors. This could allow for the assessor to make an informed decision with regards to treatment and intervention. This would allow for an in-depth assessment and could increase the effectiveness of the management and assessment of sex offenders.

**Final Conclusions**

It has been argued throughout this thesis that the OASys tool was not designed to be used with sex offenders. Previous research has highlighted that there are many shortcomings of this tool and has been compared to a tax form (Mair 2006, Williams 2010). This research has discussed the importance
of the assessor, in that the assessor is making the assessment of the overall risk posed, and is not determined by the tools alone.

This research has identified that there is a lack of training available to staff and that increased attention needs to be given to the development of practitioner’s skills. It was concerning to discover that there is not a consistent approach in support available to Probation Officers. Given that they have the responsible for assessing and managing complex dangerous offenders this transparent access to support is vital. The research also identified that there is a trend to focus on actuarial risk assessments, and this seems to be determining access to intervention. This can be seen to add to the overall erosion of the Probation Officer profession by not taking into account their clinical skills.

The relationship between the offender and Probation Officer is very important in terms of effective management, but also for producing accurate risk assessments. Greater focus needs to be given to the clinical assessment and using practitioner’s knowledge and assessment skills to assess the dynamic risk factors. This will require on-going training, and given that it is likely that the SARN tool is going to be less widely available, attention should be given to the development of Probation Officers dynamic risk factor assessment skills.

The research has examined the use of dynamic factors and discussed that practitioners found this a useful approach to examining sex offenders. There does appear to be a focus on static tools, such as RM2000 being used to determined access to interventions, and RSR being used to determine case allocation to NPS or CRC. Specifically, in relation to RM2000, this tool is being used to determine intervention, and focus may be taken from its original purpose of risk assessment. This trend is worrying as the clinical / actuarial debate has shown the tools are more effective when used together given that both have shortcomings when used alone.

In an ideal world, and from the view of a practising Probation Officer this conclusion would suggest the replacement of OASys and an introduction of a specific tool to be used with sex offenders. In the new brave world of National Probation Service, this is an ideal time to reshape and refocus practice to ensure that it is effective in terms of ensuring the protection of the public and management of sex offenders. However, given the cuts that public services are facing, this recommendation is somewhat unrealistic. There have been positive developments since this research was undertaken, specifically in relation to the introduction of ARMS and a focus on dynamic assessment tools. However, there are now three to four tools which need to be undertaken when working with sex offenders, this can be time consuming, and frustrating for the Probation Officer, especially when there is sometimes duplication of work.
This research was conducted at a time when the Probation Service was facing unprecedented changes, due to the Transforming Rehabilitation policies. This is beginning to have an impact on the assessment and management of sex offenders, such as the new RSR tool being produced. The future is, for the most part, very unclear. However, what *is* clear is that the Probation Service has an unsettled future in front of it.
Appendices
Appendix A: Ethic Committee Letter
14th May

2013 Dear

Elizabeth,

**Full Title of Study:** An examination of the appropriateness of the use of the Offender Assessment System (OASys) to assess the Risk that Sex Offenders pose.

**Documents reviewed:**
- Consent Form
- Invitation Letters
- Participant Information Sheet
- Protocol

Further to our recent correspondence, this proposal was reviewed by The Research Ethics Committee of The Faculty of Humanities and Social Sciences.

I am pleased to tell you that the proposal was awarded a favourable ethical opinion by the committee subject to the suggested minor amendments. You do not need to resubmit these changes to the committee.

Kind regards,

FHSS FREC

Chair

David Carpenter

Members participating in the review:
Appendix B: UPR16 Form
FORM UPR16
Research Ethics Review Checklist

Please include this completed form as an appendix to your thesis (see the Postgraduate Research Student Handbook for more information)

<table>
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<th>Postgraduate Research Student (PGRS) Information</th>
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<td>First Supervisor: Dr. A Williams</td>
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If you are unsure about any of the following, please contact the local representative on your Faculty Ethics Committee for advice. Please note that it is your responsibility to follow the University's Ethics Policy and any relevant University, academic or professional guidelines in the conduct of your study.

Although the Ethics Committee may have given your study a favourable opinion, the final responsibility for the ethical conduct of this work lies with the researcher(s).

UKRO Finished Research Checklist:
(If you would like to know more about the checklist, please see your Faculty or Departmental Ethics Committee rep or see the online version of the full checklist at http://www.ukro.org/what-we-do/code-of-practice-for-research/)

| a) Have all of your research and findings been reported accurately, honestly and within a reasonable time frame? | YES ☒ | NO |
| b) Have all contributions to knowledge been acknowledged? | YES ☒ | NO |
| c) Have you complied with all agreements relating to intellectual property, publication and authorship? | YES ☒ | NO |
| d) Has your research data been retained in a secure and accessible form and will it remain so for the required duration? | YES ☒ | NO |
| e) Does your research comply with all legal, ethical, and contractual requirements? | YES ☒ | NO |

Candidate Statement:
I have considered the ethical dimensions of the above named research project, and have successfully obtained the necessary ethical approval(s)

Ethical review number(s) from Faculty Ethics Committee (or from NRES/SCREC): 12/13:12

If you have not submitted your work for ethical review, and/or you have answered ‘No’ to one or more of questions a) to e), please explain below why this is so:


UPR16 – August 2015
Appendix C: Interview Schedule
Interview Schedule

Introductions:

- How long have you been working in the Probation service?
- What made you choose this career?
- How long have you have worked with sex offenders?

Risk Matrix 2000:

- When you are using Risk Matrix how confident do you feel using it to assess the risk of reoffending of sex offenders?
  - Have you received RM 2000, and if so when?
  - How did you find the RM 2000 training?
  - Would you like to have follow up training?
- When the Risk Matrix predicts the level of risk of re offending, do you always concur with the assessment?
  - Has there been a time where you have not agreed with it?
  - Would you have the confidence to override the assessment?
  - Do you feel that it takes into account your professional assessment?
- Thinking about the Risk Matrix 2000 what do you think could make it more effective in assessing the risk?
  - Do you think it is appropriate to use it with all types of sex offenders? If not why.
  - Do you incorporate the assessment in the overall management of sex offenders – OASys, RMP, Reports.

OASys:

- When assessing the risk of harm posed by sex offenders, do you feel OASys aides in your assessment?
  - Does it help you identify the dynamic factors?
  - Does it help you to identify the static factors?
  - Does it assist you in formulating the RMP?
- What other forms of assessments do you find add to the overall assessment of sex offenders?
Multi agency work:

- When you are working with sex offenders how would you describe your work with other agencies such as the Police?
  - What information do you share with them? RMP? RM2000?
  - How do you think the relationship could be improved?
  - Do other agencies share information with yourself? Do you think they understand your assessment?

Support / training:

- When you are working with sex offenders do you feel supported by management?
  - Are senior management available / approachable?
  - Do you feel backed up by your assessment?
  - How often do you have dedicated supervision in relation to the OM of sex offenders.
- In relation to training when was the last sex offender training event you attended?
  - What this helpful?
  - Have you incorporated learning into your OM of sex offenders?
  - Would you like further training?
Appendix D: Questionnaire
OASYS is an effective way of assessing the risk of reoffending posed by Sex Offenders.

- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Disagree

Q2

2. OASYS is an effective way of assessing the risk of harm posed by Sex Offenders.

- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Disagree

Q3

* 3. Thinking about sections one to thirteen of OASYS which areas do you feel link the most to the dynamic risk factors of sex offenders?

Q4

* 4. Again thinking about OASYS, which areas do you feel link to the static risk factors of sex offenders?

Q5

* 5. OASys concentrates too much on static factors (eg previous convictions) to assess risk posed by sex Offenders.

- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Agree

Q6
6. Thinking about OASys do you feel that it aids in the assessment to identify changes in dynamic factors.
- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Disagree

Q7

7. The Risk Matrix 2000 tool is an effective way of assessing the risk of reoffending posed by Sex Offenders.
- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Disagree

Q8

8. Information from the Risk Matrix regarding the risk an offender poses is incorporated into OASys
- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Disagree

Q9

9. Thinking about Risk Matrix 2000, do you feel that the risk information from the assessment is incorporated within the Risk Management Plan
- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Disagree

Q10
10. Which areas of practice do you use the information regarding risk classification from Risk Matrix 2000, please list below.

Q11

11. In relation to MAPPA Levels, if you manage offenders how many do you supervise on the different mappa levels.

MAPPA Level 1

MAPPA Level 2

MAPPA Level 3

Q12

12. How many Sex Offender Training Events have you attend in the last 5 years?

- 1
- 2
- 3
- 4
- 5
- 6 or more

Q13

13. What is your gender?

☐ Male
☐ Female

Q14

* 14. How long have you been working with sex offenders?

- 0 - 2 years
- 2 - 4 years
- 4 - 6 years
- 6 years or more
Appendix E: Consent Form
Consent Form

Title of Research: Risk Assessment by Statistics? A critical examination of the clinical and actuarial risk assessment approaches used within the Probation Service to assess sexual offenders

Name of Researcher: Elizabeth Dobie

Name of Supervisor: Dr Andrew Williams

Please Tick Box

1) I can confirm that I have had sight of the participant information sheet for the above study. I have read this and have had an opportunity to ask any questions. 

2) I confirm that I understand that my participation is voluntary, and that I can withdraw at anytime without giving a reason.

3) I confirm that I understand that data collected throughout the study may be examined by appropriate staff from the University of Portsmouth or regulatory authorities. I consent for these individuals to access the data.

4) I can confirm that I am aware that the interview will be recorded using audio equipment and I give my consent for this.

5) I agree to take part in this study.

Name of Researcher ........................................... Name of Participant ...........................................

Signature .................................................... Signature ....................................................

Date .......................................................... Date .........................................................

Copies: one for the participants and one for the researcher
Researcher: Elizabeth Dobie Elizabeth.Doble@uop.ac.uk Supervisor: Dr Andrew Williams Andrew.Williams@uop.ac.uk

Institute of Criminal Justice Studies, Reveal House, Museum Road, Portsmouth, PO1 2QO

023 9284 3933
Appendix F: Participant Information Sheet
Participant Information Sheet

You are being invited to take part in this research project, and before you decide it is important for you to understand why the research is being done and what it involves. Please take your time to read the following information carefully. If you have any questions or require any further information please do not hesitate to ask.

My name is Elizabeth Doble, a Probation Officer based in at St Austell Probation, Cornwall. I am currently undertaking a Professional Doctorate in Criminal Justice through the University of Portsmouth.

This research study has been examined by the University of Portsmouth’s Research Ethic Committee in order to ensure that your rights are protected. This study has been reviewed and it has passed the ethic committee.

Title of Research:

Risk Assessment by Statistics? A critical examination of the clinical and actuarial risk assessment approaches used within the Probation Service to assess sexual offenders.

Objectives of Research:

The research is seeking to establish whether Risk Matrix 2000 and OASys contributes to the risk assessment of sex offenders. It aims to examine whether current practice utilises actuarial and qualitative clinical approaches. It intends to do this by considering Probation staff perceptions of this approach contributes to professional risk assessment.

Selection and what will be expected if you choose to take part:

The research has been broken down in to two methods, a questionnaire and a semi structured interview. You have been selected for the sample of the semi structured interview as you completed the online questionnaire.
Your involvement in the semi structured interview is voluntary. Therefore it is your choice whether you decide to take part in the semi structured interview if you do decide to take part; you will be required to sign the consent form.

If you decide to join this study, the interview is intended to last approximately one to two hours. The sessions will be recorded using audio equipment.

You have the right to withdraw at any time without giving and without detriment to yourself.

**Potential risks and advantages of the research:**

If you choose to take part in this research, then you will be required to give up approximately one to two hours of your time. However your engagement may contribute to an improved understanding and practice of risk assessment of sex offenders.

The Probation Service and its employees are committed to providing a good and valuable service. If during the research practice is discovered to place the service into disrepute, places other professionals and offenders at risk then this would need to be reported to the appropriate authority.

**Storage of data and Confidentiality:**

The interviews will be recorded using audio equipment, and this will be stored in a locked filing cabinet. The completed interview will be transcribed, and the electronic version will be stored in a password protected file.

All respondents will have their identity anonymised. Quotes may be taken from the researchers however it will be ensured that they cannot be identified, and will be given pseudonyms.

At part of the Doctorate, it may be possible that authorised persons from the University of Portsmouth may examine the data to ensure that the research was carried out correctly. They will also have a duty to keep the data confidential.

After the research is completed the data will stored securely for one year. After this point the data will be disposed using confidential waste and will be shredded.

**If there are any problems:**
If during the course of this research you have any concerns regarding any element of the study, please contact the researcher or the supervisor at the contact details on the first page. They will do their best to answer any questions. However if the matter is not resolved then a formal complaint can be made through the University of Portsmouth.

Thank you for taking the time for reading this information sheet, regardless of whether you do decide to consent to your involvement in the research study. However if you do decide to take part in the semi structured interview a copy of the Participant Information Sheet and the Consent Form for your records.
Bibliography


HC Deb, 28 April 2014, C621W


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NAPO. (2014). *Probation Transforming Rehabilitation Concerns A briefing from Napo the Trade Union and Professional Association for Probation and Family Court Staff*. London: NAPO.


