



JUST/2011/JPEN/AG2943

## **Best Practice for Dealing with High Risk offenders and for the Desired Continuity of Treatment as well as for Transition Management**



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The workshop of workstream 3 took place in Helsinki on 30th October – 2nd November 2013 to identify and analyse best practices that are available for dealing with high risk offenders. From the same point of view the aim of this workshop was to look at the desired continuity of treatment and the transition management of high risk offenders.

In the previous workshops in Tallinn and Dublin we had compared the existing systems in the partner countries. In Helsinki our goal was to focus on the ideal system, i.e. to look at the best practices in each country. In spite of the different systems in partner countries, the workshop participants found that there are many similarities in values and in the way we look at things. For example, everybody agreed that all high risk offenders should be prepared for release gradually, through for instance prison leaves, open prisons, half way houses, supervised probationary freedom etc.

We found that we share many of the same principles, which will help us to develop a model for handling high risk offenders that all partner countries can agree on.

Some of the principles could not be agreed upon. The most significant distinctions appeared to be in the participants' view of the role of the courts defining the content of the sentence. There is, however, consensus that the court sentence should have no impact on transition management. In other words, we agreed that it is not timely for the court to take a standpoint on the dangerousness or need of intensive supervision of the offender at release because the risk of reoffending can change during a long prison sentence.

In putting together the workshop programme the Finnish team wanted to bring forward the point of view of research as well as the NGOs and peer support. The aim was also to support the discussion of principles behind good practices by showing the documentary "The Road from Crime", which was produced to share knowledge and improve understanding about why people desist from offending. The film project was led by professor **Fergus McNeill** (<http://www.iriss.org.uk/resources/the-road-from-crime>). The message of the movie was accepted by all participants and it gave us a good basis to formulate the achievements of workstream 3 and to look ahead to the next workstream.

During the workshop it was decided to revert to the original definition of a high risk offender agreed in Tallinn as, on reflection, the revision agreed in Dublin was not needed. Thus the definition of a high risk offender is as follows: *"A high risk offender is someone who presents a high probability to commit crimes which may cause very serious personal, physical or psychological harm"*.

The preparation of workstream 3 was started by sending the partner countries a questionnaire, which was based on the questionnaires of the earlier workstreams. The aim of the questionnaire was that the partner countries, using the information from the findings of workstream 2, would

- thoroughly analyze and describe their own views of the desired continuity of treatment and best practices in their countries



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- explain why the described processes were good
- bring forward the best of their own or other countries' good practices.

After receiving the answers the Finnish team picked out good elements and principles which were used as working material in three sub-workshops in the Helsinki workshop. The Finnish team also listed actual good practices that the partner countries suggested in their answers. This list was also worked on and updated during the workshop. The good elements and principles were written down on paper and displayed on the walls of the workshop meeting rooms, which made it easier to analyse the material.

The first sub-workshop looked at legislation and court practices, the second at assessment processes and custody and the third at work prior to release and in the community. The power point reports of the workshops are enclosed.

All participants in all three sub-workshops saw that community guarantee should be laid down by law in order to make sure that offenders are re-integrated into the community and helped along this process by municipal authorities. In the view of the participants it should not be the Prison and Probation Services that primarily work with the offenders in the transition phase. This point of view is also important to remember when putting together the programme of the German workshop.

Another important aspect which should be taken into consideration when planning the next workstream is the balancing between security matters and issues of rehabilitation and reintegration of offenders. These factors should not compete against each other but be combined in a way which promotes both security and rehabilitation.

The Council of Europe is presently preparing recommendations concerning dangerous offenders. The draft document is called: Draft Commentary to the draft Recommendation CM/Rec 2013)... of the Committee of Ministers to member states concerning dangerous offenders: PC-GR-DD(2013) It is recommendable to get acquainted with these recommendations and discuss what their linkage to the work of our project is.

#### **LIST OF BEST PRACTICES**

This list was updated during the Helsinki workshop. A number of the good practices have been taken away from the original list after the discussions in the workshop. Some of the good practices were thoroughly discussed in Helsinki, but some are still on the list based on the answers of the questionnaire. This list can therefore not yet be considered as final, also because some practices are working methods and others depend on the legislation of the country.



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## **Legislation and court practices**

### Legislation

- Community guarantee (Finland)
- A special treatment programme for certain group of prisoners, Prison act, section 17 (Germany)
- Temporary release (Ireland)

### Court practices

- Supervision of conduct for those who have served full sentence (Estonia)
- Automatic release, no individual consideration about the release date (Finland)
- Requirements of the Sex Offenders Act (Ireland)
- Post release supervision order (Ireland)

## **Assessment processes and custody**

### Assessment

- Special tool & multidisciplinary team to deal with sex-offenders (Estonia)
- Multidisciplinary risk and need assessment for high risk offenders (Finland)
- Diagnostic centre assesses possible high risk offenders as a part of the transition management process (Germany)
- PS / Rosh (Probation Service Rosh of Serious Harm) (Ireland)

### Custody

- A sentence plan bearing in mind the full length of the sentence - updated regularly (Estonia)
- Multidisciplinary team managing the transition process (Finland)
- Standardised system used in the diagnostic centre among the psychologists (Germany)
- ISM - integrated sentence management system (Ireland)

## **Work prior to release and in the community**

### Preparing for release

- Multiagency co-operation (Estonia)
- Supervised probationary freedom (Finland)
- INSTAR: information exchange between prison and probation (Germany)
- Multi-agency pre-release case management conference (Ireland)

### In the community

- Community guarantee (Estonia/Finland)
- FoKuS for optimized control and security (Germany)
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- Post custody supervision (Ireland)
- SORAM Sex offender risk assessment and management (Ireland) to identify best practice.



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