



RISE

CRIMINAL SANCTIONS AGENCY

**RESIDIVISM OF LIFESENTENCED  
PRISONERS IN FINLAND**

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## **TOPICS**

### **LEGISLATION**

**supporting our work**

### **RE – OFFENDING**

**definitions and statistics**

### **SHORT HISTORY OF STATEMENTS**

**in releasing lifers**

### **LIFERS**

**some remarks**

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*The length of imprisonment*

**1 Imprisonment is sentenced for a fixed period**

14 days and at most 12 years

a joint sentence 15 years

a combined fixed-term sentences not longer than 20 years

**2 For life**

**3 Service of the entire sentence in prison**

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## Three main categories and three different ways in releasing

<b>THE COURT</b>	<b>Fixed period</b>  Fixed day	<b>Conditional release in freedom.</b>
	<b>For life</b>	<b>Court of Appeal after 12 or 10 years a statement to the Court of Appeal</b>
	<b>Service of the entire sentence in prison</b>	<b>Court of Appeal after 5/6 and if statement to the Court of Appeal anyway in the last day of the sentence</b>
		<b>Helsinki Court of Appeal</b>

## **Section 9 – Postponement of conditional release**

**Conditional release may be postponed **without the consent of the prisoner** if on the basis of the conduct of or threats made by the prisoner there is the evident danger that on release he or she would commit an aggravated offence against life, health or liberty and postponement of the release is necessary in order to prevent the offence.**

**A decision to postpone release shall be taken up for reconsideration at intervals of at most six months.**

**Never used for lifers**

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## Section 12 – Reconsideration in court

**A person ordered to serve the entire sentence shall be conditionally released after he or she has served **five-sixths of the sentence** if he or she is **no longer deemed particularly dangerous** to the life, health or liberty of another.**

**Minimum 3 years**

**Before conditional release the prisoner may be placed in probationary liberty under supervision.**

**If the person ordered to serve the entire sentence is not conditionally released, he or she shall be placed in probationary liberty under supervision three months before release.**

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## Section 10 – Conditional release from life imprisonment

In considering conditional release attention shall be paid to the **nature of the offence** or offences that had led to the sentence of life imprisonment, the possible **subsequent criminality** of the convicted person, and the factors on the basis of the **conduct of or threats** made by the prisoner there is the evident danger that on release he or she would commit an aggravated offence against life, health or liberty and postponement of the release is necessary in order to prevent the offence

also

**implementation of the plan for the term of sentence and otherwise to the conduct while in prison.**

he or she may be placed in probationary liberty under supervision. The Act on the Procedure for Release of Long-Term Prisoners applies to consideration of the matter in the Helsinki Court of Appeals. the Criminal Sanctions Agency shall state whether it supports or opposes the release and whether the prisoner should be submitted to probationary liberty under supervision

There must be an **assessment of the risk of the prisoner committing violent crime**  
(1.10.2011)

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## **RE - OFFENDING**

**The reason for assessing the recidivism risk is primarily to establish the likelihood of a person re-offending after release. This means it is a question of the level of recidivism risk.**

**While the information in itself is interesting, more important than the risk level of recidivism is to identify the *individual* criminogenic risk factors influencing a person's recidivism and to try to reduce the person's risk of re-offending during the sentence term by influencing these factors.**

**It has often been said that the best predictor of future behaviour is past behaviour. This is also true in recidivism studies. Based on meta-analysis, the following factors have the strongest link to criminal behaviour (Andrews, Bonta & Gendreau):**

- 1. Anti-social attitudes, values, beliefs and cognitive emotional states**
- 2. Pro-criminal associates and isolation from anti-criminal others**
- 3. Anti-social personality and related factors such as impulsiveness, restlessness and aggressiveness, egocentrism, weak problem-solving and coping skills**
- 4. History of antisocial behaviour**

**These factors seems to be the most important and strongest in terms of predictive power explaining criminality.**

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## **RESIDIVISM in Finland**

**46 % prisoners reoffend (monitoring period is 3 years)  
60 % if the time is 5 years**

**28 % clients serving community service ( 3 years period)  
39 % if the time is 5 years**

<b>Lifers</b>	<b>1980-1999</b>	<b>20 years time</b>
	<b>21 %</b>	
	<b>2000-2009</b>	<b>10 years time</b>
	<b>21 %</b>	
	<b>2010-2013</b>	<b>4 years time</b>
	<b>12 %</b>	

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## SHORT HISTORY

### Assessment of lifers

--01.10.2006    **comments from prison and from central administration**  
**no criterias in law                    established practice**

01.10.2006 -----    **nature of the offence** led to the sentence of life imprisonment,  
**subsequent criminality** of the convicted person  
**threats** made by the prisoner            the evident danger that on release he or she  
would commit an aggravated offence against life, health or liberty and  
postponement of the release is necessary in order to prevent the offence  
implementation of the **plan for the term of sentence** and  
otherwise to the **conduct while in prison.**

01.10.2011            an assessment of the **risk of the prisoner committing violent crime**

**this person cannot be considered "not dangerous"**

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**RISK and NEEDS ASSESSMENT**

**10 sections**

**ATTITUDE** (a positive attitude to crime, hostility, attitude towards staff and authorities, towards parole supervision and also motivation for achieving change and giving up criminal behaviour)

**THINKING and CONDUCT**

(level of social skills and interactive skills, lack of self-control and impulsive violence, target-oriented aggressive behaviour, recognition of problematic aspects in life and defining them, problem-solving skills and understanding the viewpoints of others),

**CRIMINAL STATUS**

(points for accepting responsibility for a criminal act, awareness of the impacts of the act on the victim and community, awareness of factors and motives in the background of the act).

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## **SIR – R1**

**points**

### **Risk evaluation**

**from 1.10.2011**

**high risk**

**medium risk**

**low risk**

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## **”NOT DANGEROUS”**

**This person cannot be considered ”not dangerous”**

	<b>released</b>	<b>re-offended</b>	<b>risk and need</b>	<b>SIR –R1</b>
<b>1</b>	<b>2009</b>	<b>no</b>	-----	
<b>2</b>	<b>2009</b>	<b>yes</b>	-----	
<b>3</b>	<b>2010</b>	<b>no</b>	<b>37</b>	
<b>4</b>	<b>2010</b>	<b>yes</b>	<b>21</b>	
<b>5</b>	<b>2012</b>	<b>no</b>	<b>16</b>	<b>2</b>
<b>6</b>	<b>2012</b>	<b>yes</b>	---	<b>-4</b>

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# RISK and NEED ASSESSMENT

Released since 2008

red = re-offended  
blue= remand prisoner

	TOTAL POINTS	ATTITUDE	THINKING CONDUCT	CRIMINAL STATUS	new crime
	120	10	12	14	
1	----	----	----	----	violent crime
2	----	----	----	----	not violent crime
3	----	----	----	----	murders
4	37	0	2	4	
5	21	4	8	3	violent crime
6	40	1	2	3	violent crime
7	16	3	4	4	
8	59	0	3	6	violent crime
9	52	8	9	-	
10	30	1	5	3	
<i>max</i>	<i>59</i>	<i>8</i>	<i>11</i>	<i>8</i>	



**RISK ASSESSMENT AND RISK AND NEED ASSESSMENT AND SIR-RI**

**An assessment of the risk of re-offending  
by committing a new violent crime**

	<b>Risk</b>	<b>Risk and needs</b>	<b>SIR RI</b>
1	low	-----	15
2	medium	51	6
3	low	27	0
4	low	23	1
5	low +	24	22
6	medium	19	-7
7	medium	39	15
8	medium	---	14
9	low +	18	4
10	low	25	14
11	medium	54	-8
12	medium	30	1
13	medium?	43	-14
14	low +	57	7
15	high	47	13
16	medium	35	-1
17	medium	19	19
18	medium	26	11

## **IMPORTANT**

### **Substance abuse problem**

**The enforcement period should be divided into suitable periods, setting clear rehabilitation goals for each, and assessing the implementation of each separately**

**The re-offending happens very often quickly after release.**

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