

PRE-SENTENCE ASSESSMENT OF  
SEXUAL OFFENDERS FOR  
CORRECTIONAL SUPERVISION

M. ERASMUS

2004

**PRE-SENTENCE ASSESSMENT OF  
SEXUAL OFFENDERS FOR  
CORRECTIONAL SUPERVISION**

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Manuscript submitted in partial fulfillment of the  
requirements of the degree

**MAGISTER ARTIUM (SOCIAL WORK)**

in the

**FACULTY OF HEALTH SCIENCES**

at the

**NORTH-WEST UNIVERSITY**

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Potchefstroom

October 2004

## Word of Thanks

A sincere word of thanks to the following people:

- Professor G.J. Kotze for his patience and wise guidance and support.
- My family for their continuous love, encouragement and support.
- Ms. M. Geysler for the linguistic editing.

Finally, to the One who, through His Son, taught us to have compassion with offenders.

*Opgedra aan my ma.*

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## **Summary**

***Key words: Pre-sentence assessment, sexual offenders, correctional supervision***

Research has indicated that there is a worldwide increase in the numbers of sexual offenders brought before court in the last two decades as well as an increase in recidivism after imprisonment of sexual offenders. It was found that imprisonment is not the only effective sentence option for sexual offenders and that there are certain categories of sexual offenders that can be rehabilitated more effectively within the community while serving a community-based sentence like correctional supervision. Research has also shown that the risk of re-offending can be decreased by such a sentence.

In order for courts to consider correctional supervision as sentence for certain sexual offenders they request pre-sentence assessment reports from social workers to assist them to determine the suitable offenders for this sentence option. The court has certain expectations from social workers in terms of these pre-sentence assessments that are not always met. Amongst other factors, this is caused by the difference in approach between social workers and judicial officials as well as the different goals each profession has in terms of sexual offenders.

The problems and needs of social workers with the pre-sentence assessment of sexual offenders were explored in this study as well as the expectations and problems of judicial officials in this regard. Social workers indicated that they lack certain skills, knowledge and confidence as well as professional support and resources to compile effective pre-sentence reports. Judicial officials expect more intensive and comprehensive assessments that focus on the determination of risk of re-offending and the risk to the community. In order to address the problems and needs of both the social workers and judicial officials, suggestions for the improvement of co-operation and understanding of the two different approaches were made as well as guidelines for social workers, trainers and supervisors to enable social workers to present more effective pre-sentence assessments to courts.

## **Opsomming**

### ***Sleutelterme: Voorvonnis assessering, seksuele oortreders, korrektiewe toesig***

Navorsing het getoon dat daar 'n wêreldwye toename is in die getal seksuele oortreders wat voor die hof gebring word in die afgelope twee dekades asook 'n toename in residivisme na gevangenisskap van seksuele oortreders. Daar is bevind dat 'n vonnis tot gevangenisskap nie die enigste effektiewe vonnis is vir seksuele oortreders nie en dat daar kategorieë van seksuele oortreders is wat meer effektief gerehabiliteer kan word met 'n gemeenskapsgebaseerde vonnis soos korrektiewe toesig. Navorsing het ook getoon dat residivisme verminder kan word met so 'n vonnis.

Howe versoek maatskaplike werkers om voorvonnisverslae op te stel vir sekere seksuele oortreders wat oorweeg word vir korrektiewe toesig as vonnis om hulle te help om vas te stel of oortreders geskik is vir hierdie vonnis. Die hof het sekere verwagtinge van maatskaplike werkers in terme van voorvonnis assesserings waaraan nie altyd voldoen word nie. Die oorsaak hiervan is onder andere die verskil in benadering wat die twee professies het ten opsigte van seksuele oortreders.

Die probleme en behoeftes van maatskaplike werkers met voorvonnisassessering van seksuele oortreders is ondersoek in hierdie studie asook die verwagtinge en probleme van juridiese personeel in hierdie verband. Maatskaplike werkers het aangetoon dat hulle 'n gebrek beleef aan sekere vaardighede, kennis en selfvertroue asook professionele ondersteuning en hulpbronne. Juridiese personeel verwag meer intensiewe en volledige assesserings wat fokus op die bepaling van die risiko van residivisme en vir die gemeenskap. Aanbevelings en riglyne vir die verbetering van samewerking en begrip tussen die twee professies asook riglyne vir maatskaplike werkers om voorvonnisassesserings te verbeter is gedoen na aanleiding van die navorsing met die oog op die aanbieding van meer effektiewe voorvonnisverslae aan howe.

## **PREFACE**

This manuscript is presented in article format in accordance with Regulation A.11.2.5 for the degree MA (SW). The article will comply with the requirements of one of the professional magazines for social work, titled *Die Maatskaplike Werk Navorsers-Praktisyn / The Social Work Practitioner-Researcher*. **The manuscript represents 10% of the total course compilation.**

Guidelines for authors as required by this magazine are described next.

## **GUIDELINES TO AUTHORS**

*The Social Work Practitioner-Researcher* is an interdisciplinary magazine that deals with the methods and practice of rendering help to individuals, families, small groups, organisations and communities. The practice of professional help services broadly concerns the application of purposive developed intervention programs and processes in problems of individual and community interest, including the implementation and evaluation of social policy.

The magazine serves as instrument for the publication of authentic reports on quantitative orientated evaluation studies; reports on the development and validity of new appraisal methods for practice; empirical-based evaluation of literature of value to practice; theoretical and conceptual articles that impact on practice; qualitative investigations that inform practice; and new developments in the area of organized research. All empirical articles must adhere to acceptable standards of science, applicability and objectivity or verification.

The selection of articles is done on a blind peer group basis. Authors can expect to be informed within three months after receipt of the decision of the editorial committee. Manuscripts and a summary must be sent in triplicate to The Editor, Social Work Practitioner-Researcher, P.O. Box 524, Auckland Park, 2006. Articles must be typed in double-spacing, with tables and figures on separate pages. The manuscript should follow the guidelines or the *Publication Manual of the American Psychological Association*, 4<sup>th</sup> edition.

The final reviewed manuscript must be submitted on a IBM-compatible disk in MS Word format, or posted via electronic post to [wam@w.rau.ac.za](mailto:wam@w.rau.ac.za) . Authors are not allowed to hand in manuscripts or published manuscripts in the same or similar format at any other magazine simultaneously. Applicable fees are payable by authors before publication.

# PRE-SENTENCE ASSESSMENT OF SEXUAL OFFENDERS FOR CORRECTIONAL SUPERVISION

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# **PRE-SENTENCE ASSESSMENT OF SEXUAL OFFENDERS FOR CORRECTIONAL SUPERVISION**

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## **1. INTRODUCTION**

In this article the emphasis falls on the possible placement of certain sexual offenders on correctional supervision. When courts consider this option, a pre-sentence report is usually requested and social workers are expected to conduct a proper assessment of the suitability to sentence an offender to correctional supervision. This article will research and discuss the expectations of courts in this regard, the problems experienced by social workers and courts, and suggestions and guidelines to address problems and improve pre-sentence assessments by social workers. Research conducted on this subject by the Department of Corrections in Alaska (1996:1) indicate that the improvement of pre-sentence assessments for sexual offenders should result in more treatment orientated sentencing and this can result in the decrease of re-offending and the prevention of further harm to families worldwide. This is an indication of the need to research and address problems that courts and social workers experience with the pre-sentence assessment of sexual offenders for correctional supervision.

## **2. BACKGROUND**

There has been a worldwide increase in the number of sexual offenders that are brought before court during the last two decades. Redpath (2002:1) discusses figures released by the Department of Correctional Services that confirms this tendency in South Africa as well. According to Briggs et al (1998:9) this is due to the fact that the reporting of these offences has increased. This resulted in an outcry from the community for severe sentences and efforts by the helping professions for more effective treatment and prevention of these offences.

Imprisonment was the most popular sentence in the past according to Nesor (1993:26), but he found that a worldwide search for alternative strategies for offenders developed due to the proven negative influence of prisons, prison overcrowding and scepticism of the possibilities for rehabilitation in the abnormal prison environment. Wilson et al (2000:178) remarks that community-based sexual offender treatment is a relatively

recent innovation largely prompted by recommendations made in response to tragic re-offences in the community. Social workers are frequently requested by court to assess sexual offenders in order to assist them in considering this sentence option.

### **3. PROBLEM STATEMENT**

May & Vass (1996:162) found that certain categories of sexual offenders in England could benefit more from correctional supervision as a sentence than from imprisonment. The reason is that treatment and rehabilitation within the community and without the effects of imprisonment can be more effective in cases where a low risk of re-offending or further harm exists. Guidelines provided by the South African Department of Correctional Services (1993) also describe the sexual offenders that would qualify for correctional supervision, as the less dangerous offenders. Kemshall & Pritchard (1997:146) also indicate that the less dangerous offender is determined by the potential risk of re-offending or the potential of causing harm to the victim or any other member of the community. Blanchette (1996:4) states that sexual offenders vary in their risk for re-offending and in their response to treatment, which is why individual assessment is necessary.

Society, including some court officials and social workers, are inclined to place all sexual offenders in one category and demand severe punishment, meaning a prison sentence for all. Briggs et al (1998:9) describes the intense reaction from society worldwide as understandable when considering the harm these offences inflict to children, families and society. These authors plead, however for a more measured response to this problem if we are to have any hope of successfully reducing the serious harm. They further suggest that this response should begin with proper assessment of the offenders.

Steen & Monnette (1989:3) found that in America residential treatment is not suitable for all sexual offenders because of the cost, the disruption it causes and the 'transfer of learning' problem from an institution to society. In research done by the Department of Corrections in Alaska (1996:1) it was found that treatment of both offender and victim is more effective as part of a community-based sentence in cases where a thorough assessment was done to determine a suitable treatment program, indicating the necessity of intensive assessment by social workers. Gerber (1995:197) also emphasizes the importance of comprehensive and effective pre-sentence assessment,

and says that these assessments should provide courts with adequate information and guidance for appropriate sentencing.

In research done by Naser et al (1993:33), 72% of magistrates indicated that certain categories of offenders found guilty of sexual offences should qualify for correctional supervision as an alternative sentence option. Holmes and Holmes (2002:xi) remark that the classification, danger and risk, and handling of several types of offenders are different and, therefore, knowledge and understanding of these factors are important. Social workers and judicial officials are not always aware of rehabilitation options available in the community and of the effect of these services, which is also one of the reasons why some sex offenders are not considered for correctional supervision. Rossouw (1997:1) asks whether the situation in prisons of overcrowding, labelling, abuse, terrorizing and injury really serve as a deterrent for crime, protection of the community or rehabilitation of all offenders.

May & Vass (1996:162) refer to research in England indicating that this is indeed not the case and that some offenders rehabilitate better in a community setting. Kotze (2003:234) mentions the reign of terror by gangs in South African prisons that often affects offenders for the rest of their lives. Dissel & Mnyani (1995:2) have done research in South African prisons on rehabilitation and found that imprisonment did not provide the ideal forum for rehabilitation due to lack of time and resources to run successful rehabilitation programs. Van Zyl (1999:1) doubts whether imprisonment effects the punitive motives of deterrence, retribution and protection of the community and rehabilitation of the offender.

With the above mentioned in mind, the importance of comprehensive and effective pre-sentence assessment becomes clear. Barker and Branson (2000: xi) say that social workers in courtrooms are expected to be expert and fact witnesses, requiring considerable knowledge and experience. Social workers seem to experience problems in this regard. According to a recent report by the Committee on Serious and Violent Offenders in Scotland, (2003:1) this problem is experienced worldwide. They report that some judges accuse social workers of doing no risk assessment as part of general assessment in pre-sentence assessments. According to Milner & O' Byrne (1998:167) the assessment tools for the evaluation of sexual offenders are inadequate, and social workers in England lack the necessary guidelines and formats.

Clifford (1998:4) adds that the lack of a theoretical framework embracing the range of tasks necessary in assessments contributes to the problem. May & Vass (1996:1) identify pre-sentence assessment as one of the areas that demands more skills, knowledge and competency than previously in social work. Adams et al (2002:62) describes the experience of social workers with the legal system as stressful because social workers are anxious or uncertain about their opinions and reports. Due to this vulnerability social workers are often not prepared to take a professional stand that is not popular with the judicial system. They rather choose to go along with the opinion of society and courts so as not to expose themselves to fierce reactions from courts. Pitts (1990:72) also discusses this problem and says that the differences in orientation between magistrates and social workers and the conflict it engenders, cause a decline of community based sentences resulting in neglect of treatment for offenders. He pleads for professional assessments by social workers to address the problem.

Barker & Branson (2000:89) found that the challenge that confronts social workers more than other professions in court assessments is the social work orientation to the person-in-environment perspective, which is different than the focus in other fields.

The expectations and demands in terms of pre-sentence assessment on social workers and the lack of performance in this regard indicate a lack of knowledge of the nature of sexual offending and of the risk to the community. Rehabilitation options and the impact of the offence on the victim, as well as proper tools to assess this are often also not known and used. Quinsey & Lalumière (1996:4) emphasize that clinical assessments by social workers frequently have a major influence on decisions regarding the legal disposition of the offender.

From the above mentioned, the following **research questions** arise:

- What are the criteria social workers can use in the pre-sentence assessment of sexual offenders to determine suitability of correctional supervision as sentence?
- What are the expectations and opinions of the judicial role-players such as prosecutors, magistrates and probation officers in terms of pre-sentence assessment of sexual offenders?
- What are the problems and needs of social workers in terms of pre-sentence assessment?
- What guidelines are necessary for social workers to enable them to compile more effective pre-sentence assessments for correctional supervision as sentence option?

#### **4. GOALS OF RESEARCH**

The overall goal of this exploratory-descriptive research is to develop guidelines for the assessment of sexual offenders for correctional supervision, thereby implying applied developmental research. In order to achieve this goal, these objectives were set:

- To determine through literature study and empirical research which criteria are suitable in a South African context when correctional supervision is considered for sexual offenders.
- To determine the expectations and opinions of judicial role-players through empirical research on correctional supervision for certain sexual offenders and pre-sentence assessment.
- To determine the needs and problems of social workers through empirical research in terms of pre-sentence assessment of sexual offenders.
- To provide guidelines for social workers on pre-sentence assessment of sexual offenders for correctional supervision based on the literature study and empirical research.

#### **5. CENTRAL THEORETICAL STATEMENT**

Certain categories of sexual offenders benefit more from correctional supervision as sentence than from imprisonment, but it requires thorough pre-sentence assessment by social workers to motivate and justify the sentence option. Due to a lack of training, assessment tools and guidelines for social workers in this regard, inadequate reports are presented to court that result in ineffective sentence options.

#### **6. RESEARCH METHODOLOGY**

In this research, the following methods were used:

##### **6.1 Literature study**

Literature study was done on the following subjects:

- The applicability and suitability of a community based sentence for sexual offenders.
- The relevant criteria to consider in terms of the categories of sexual offenders that should benefit from correctional supervision as sentence will also be studied.
- Guidelines for the effective pre-sentence assessment of sexual offenders.

For this purpose, use was made of books on the subject, professional journals, manuals, Acts and completed and current research material. Literature from other relevant fields of knowledge like Criminology, Psychology, Sociology, and Law was also consulted. A systematic search was conducted in view of the following databases: Library catalogue, which includes South African and International publications, Repertoire of South African Magazine articles, Catalogue of South African Dissertations and Thesis, several Internet websites on the relevant subjects, Nexus and Ebsco Host.

## **6.2 Empirical research**

The aim of empirical research is to investigate and analyse relevant aspects that will clarify and interpret the research question and is based on the literature study.

### **6.2.1 Research design**

The research strived to gather qualitative and quantitative data about the assessment of sexual offenders in terms of correctional supervision as sentence option. This was done through the study of literature and the use of questionnaires. The nature of the design is mainly exploratory-descriptive.

### **6.2.2 Research procedures**

The survey method was used to obtain the relevant information. According to Strydom (2002:76), the survey variables in terms of all the relevant target groups for the research are conceptualised and operationalised as questions. Two groups of respondents completed separate questionnaires with aspects relating to their professional interest in the subject. The researcher distributed and collected the questionnaires by hand.

### **6.2.3 Measuring instruments**

Two separately structured and self-designed questionnaires were used for the two respondent groups to gather quantitative and qualitative information for the research (See Annexure 1 and 2). It was submitted to colleagues and role-players to confirm the validity and relevancy before distributing it. According to De Vos et al (1998:83) validity is measured by determining whether the instrument measures the relevant and correct

information that is needed for the research. The quantitative questions were measured on a six-point scale and partly consisted of open-ended questions. Space was left for remarks by the respondents, which were used for qualitative aspects of the research. The questions in the questionnaires covered the relevant criteria according to applicable literature for the assessment of sexual offenders, the expectations and views of the judicial participants, the problems of social workers in terms of pre-sentence assessment of sexual offenders and suggestions to address the problems mentioned above.

#### **6.2.4 Participants and sampling methods**

- Role players in the judicial systems in the Newcastle area, namely prosecutors and magistrates, were sampled to complete questionnaires. Due to the small number of magistrates in the area, they were all included. Only five magistrates and five prosecutors were, however prepared to participate in the research because the others felt that they did not handle these cases and have no experience. Only magistrates and prosecutors from regional courts participated.
- Social workers from different organisations in the Newcastle area that deal with sexual offenders were requested to complete questionnaires with social work related questions. Only ten of the twenty social workers that were asked were prepared to participate due to the fact that the others did not have experience in the field.

#### **6.2.5 Ethical aspects**

According to Strydom (2002:22) professional ethics refer to the principles that should ensure the rights and responsibilities of researchers as well as their relationships and conduct with other professionals and participants and all role-players. According to De Vos et al (1998:24) ethical guidelines serve as the basis upon which each researcher should evaluate his own conduct. The different ethical aspects that received attention in this research are as follows:

- Voluntary participation.
- Informed consent from all participants.
- No material or any other compensation for participation was given to any of the participants.
- The information was handled in a confidential and anonymous way, without violating any participant's privacy.

- Participants were informed verbally and by the covering letter to the questionnaire of the exact purpose and methods of the research in order to prevent any misconceptions.
- Reporting on the research will be done in an honest and responsible manner.

#### **6.2.6 Processing, analysing and interpretation of data**

The data of the questionnaires were processed and analysed by the researcher.

### **7. LIMITATIONS OF RESEARCH**

In order to comply with scientific procedures, the following limitation is mentioned:

- The research was limited to the area of Newcastle and therefore information cannot be generalized.

### **8. ANALYSIS OF FINDINGS**

The judicial officials and social workers completed separate questionnaires and the results are therefore analysed and discussed separately.

#### **8.1 Profile of judicial respondents**

Five of the respondents are magistrates in the regional courts or have acted as magistrates in the regional court. Five respondents are prosecutors and all of them either prosecute in regional court or have acted as prosecutors in regional court.

All respondents work in courts in the Newcastle area in Kwa -Zulu Natal. All 10 judicial respondents have obtained University degrees in their profession. Eight respondents have LLB degrees, one has a B Iuris degree and one has a LLM degree.

## **8.2 Perceptions of judicial officials on pre-sentence assessments by social workers**

The results from the questionnaires that were completed by judicial officials were as follows:

### **8.2.1 Quality of pre-sentence reports**

**Table 1**

<b>Quality rating</b>	<b>N</b>	<b>%</b>
Below average	1	10
Average	8	80
Above average	1	10
<b>Total</b>	<b>10</b>	<b>100</b>

This data indicates that the highest percentage of judicial officials (80%) rate the pre-sentence reports by social workers as of average quality.

### **8.2.2 The provision of relevant information**

**Table 2**

<b>Relevant information</b>	<b>N</b>	<b>%</b>
50% of time	7	70
Often	3	30
<b>Total</b>	<b>10</b>	<b>100%</b>

From this data it appears that most of the judicial officials (70%) found that social workers provide relevant information 50% of the time in pre-sentence assessment reports. Three (30%) indicated that social workers often (75% of times) provide information that is considered as relevant by the judicial officials in their reports.

### **8.2.3 The use of specific assessment tools/instruments by social workers**

**Table 3**

<b>Indication of assessment tools</b>	<b>N</b>	<b>%</b>
Never	5	50
Rarely	5	50
<b>Total</b>	<b>10</b>	<b>100</b>

The above data indicates that half (50%) of judicial officials find that there is no indication of the use of assessment tools by social workers and half (50%) feel that they indicate it rarely. The judicial officials could indicate any scale, test or assessment aid that social workers mention in reports in this section of the questionnaire. From this result it is clear that few social workers use assessment instruments in pre-sentence assessments.

### **8.2.4 Meeting of expectations by court of social workers**

**Table 4**

<b>Meeting of expectations by court</b>	<b>N</b>	<b>%</b>
50% of time	8	80
Often	2	20
<b>Total</b>	<b>10</b>	<b>100</b>

Most judicial officials (80%) feel that social workers meet the expectations of court with their pre-sentence assessments only half of the time (50%). Two respondents (20%) said the expectations were often met. This result confirms the previous result (7.2.2) on the provision of relevant information in the social worker reports, as information that can be used for sentence purposes is considered relevant by court and is what they expect from social workers.

### **8.2.5 Specific expectations that are not met by social workers at court**

Seven (70%) of the judicial officials indicated that the use of other sources of information than only that which is provided by the offender, is an expectation that is not met. They expect reference of interviews in the report with teachers, family members, investigating officers from the SAPS and other experts such as

psychologists, doctors and social workers that know the family. Four (40%) respondents indicated that the victim is not included in the investigation or not taken into account at all, which is an aspect they expect from social workers. Three (30%) judicial officials expect clear recommendations about sentence options or at least assistance on sentence options and feel that this is not done by social workers.

Two (20%) indicated that no risk assessments are done by the social workers.

Two (20%) remarked that only a general overview of personal circumstances of the offender is provided in pre-sentence reports. One (10%) remarked that assessments are done by inexperienced social workers who do not investigate the situation thoroughly at all. From these results it is clear that judicial officials need social workers to investigate information on the offender, victim and offence more thoroughly in order to make a professional recommendation for court on the sentencing of sexual offenders.

### **8.3 Suggestions by judicial officials on the improvement of quality of pre-sentence reports**

Judicial officials were requested in the questionnaire to indicate how the quality of pre-sentence assessments can improve and only five respondents (50%) had suggestions. This is an indication that judicial officials experience a problem with the assessments of social workers but also have no clear solutions or suggestions to address it.

The following suggestions were made by the judicial officials to social workers to improve the quality of pre-sentence assessments:

- To consult as many sources as possible and mention these in the report.
- To focus on risk assessment and use valid assessment instruments.
- To include the opinion and feelings of the community in the report.
- To be aware of the prevalence of certain crimes in certain areas, and look at the whole picture, not only at the offender's personal circumstances.
- Reports should reflect methods of assessments such as scales, tests and interviews.
- The interest of the victim and the impact on the community should be taken into account.
- Social workers should reflect a more confident opinion, based on scientific knowledge and tests.
- Social workers should regard themselves as experts in their own field, and not allow the court to intimidate them.

- Social workers should not make assumptions on what the court's motives are and act on those or try to please the court.
- Social workers should make more definite and clear recommendations on sentence options.

Most of these suggestions are valuable and useful and can be included as guidelines for social workers that compile pre-sentence assessments.

#### **8.4 Training needs for social workers according to judicial officials**

This question was answered by 7 (70%) of the respondents. They felt that social workers needed training in the following areas:

- How to investigate and research other sources of information.
- The motives for sexual offences.
- Overall training on the sentence process and sentence options.
- Awareness and knowledge of crime in general.
- The drafting of pre-sentence reports with relevant information.
- Meaningful report writing on sexual offenders and child offenders.
- Knowledge on legislation and minimum sentences.
- Profiles of sexual offenders and the identification and analysis of risk factors.

The judicial officials made recommendations on the contents of training needed in their opinion without an indication of who should provide the training. Some of the subjects that were mentioned were in the field of judicial officials and training could be provided by court to social workers that compiled these assessments in every area.

#### **8.5 Criteria for placement of sexual offenders on correctional supervision**

The criteria mentioned in this question are based on the literature study done on this subject.

##### **8.5.1 Relevant criteria for assessments according to judicial officials**

The respondents had to prioritise the criteria that they considered most important for sexual offenders by giving each mentioned criterion a numeric value. The value given by all respondents to a specific criterion is added up to get a combined score. The most important criterion as indicated by the respondents, is placed first and the least important last.

1. The nature of the offence
2. Previous convictions of offender
3. Safety/protection of the victim
4. Risk of re-offending
5. Amount of aggression used
6. Safety of the community
7. Background of the offender
8. Circumstances of the offender
9. Motive of crime
10. Age of the offender
11. Attitude of the community
12. Viewpoint of the victim
13. Availability of treatment
14. Effects of imprisonment on offender
15. Lifestyle/pattern in the community
16. Family of the offender

Several respondents reported verbally that they found it difficult to prioritise the criteria and that as judicial officials they did not realise that all these factors could be relevant. Most authors on the subject recommend the use of as many criteria as possible and as many sources of information as possible in order to do a proper assessment on the complicated problem of the treatment of sexual offenders.

#### **8.5.2 Other criteria that should be considered**

On the question of what other criteria was not mentioned in the previous question but should be considered as well, the respondents added the following criteria:

- Prevalence of the offence in the area
- Viewpoint of the Investigating Officer of the SAPS on the specific case
- Circumstances of the victim
- Other similar pending cases against the offender or in the area
- Age of victim
- Relationship of the offender with the victim
- Employment situation of the offender

These added criteria indicate that judicial officials want social workers to cooperate with the SAPS as well and to rely on them for information.

### **8.5.3 Criteria overlooked by social workers**

On the question of criteria often overlooked or not considered by social workers, the respondents found that the following criteria were not considered enough by social workers in their pre-sentence assessments:

- The effect of the offence on the victim and the safety and protection of the victim
- The risk of re-offending and in-depth analysis of the possible risk of the offender to the community
- The nature of the offence
- The motive of the offence and the amount of aggression used
- The viewpoint, safety and pattern of the community
- The viewpoint and docket information of the SAPS, to which social workers have access
- Previous convictions of the offender

These are all criteria that can contribute to an assessment that can assist the court in considering correctional supervision as sentence as they focus on the risk of offenders to the community and the risk of re-offending.

### **8.6 Further comments and suggestions by judicial officials on pre-sentence assessments by social workers**

Two (20%) of the respondents had further comments on the subject.

One respondent remarked that social workers should not take their lead from the attitude of the prosecution and make recommendations accordingly, but should be more confident and assertive in their own field. One respondent commented that social workers overemphasized the rights of the offender in comparison with the victim.

### **9. Perceptions and needs of social workers on pre-sentence assessments of sexual offenders**

Questions on the following matters were answered by social workers that had experience with pre-sentence assessments of sexual offenders.

## **9.1 Profile of social worker respondents**

Five of the respondents work for the Department of Social Welfare and Population Development in and around Newcastle, one of the respondents is a social worker in private practice and four respondents are social workers in service of the Department of Correctional Services in Newcastle and surrounding prisons in Northern Kwa-Zulu Natal. Eight of the respondents have university degrees in social work, one respondent has a diploma in social work and one respondent has a Masters degree in social work.

## **9.2 The use of specific assessment tools with pre-sentence assessments**

On the question whether specific assessment tools are used for pre-sentence assessments of sexual offenders, two (20%) of the ten social workers indicated that they use assessment tools. The tools that are used are the following:

- Hudson scale
- Heimler test
- Risk Assessment scales

### **9.2.1 Training received on the use of assessment tools**

Three (30%) of the respondents received training on assessment tools and this training was done as in-service training during workshops by the separate departments that employed them. The training was done on the instruments mentioned in the previous question.

### **9.2.2 Undergraduate training received to conduct pre-sentence assessments**

None of the respondents indicated that they had adequate undergraduate training that equipped them to conduct pre-sentence assessments.

### **9.2.3 Training requirements for improved assessment skills**

The respondents made the following suggestions on undergraduate training needs that would equip them to improve pre-sentence assessments:

- Methods and techniques of pre-sentence assessment
- Guidelines on court requirements
- Assessment interviewing skills and assessment instruments/tools

- Knowledge on the dynamics of the sexual offender and cycle of offending
- Knowledge on mandates, acts and protocols on sexual offenders
- Writing and presentation of pre-sentence reports
- Practical court experience training with offenders

These suggestions are in line with the suggestions by judicial officials and although some suggestions imply specific and basic social work training, others concern specialised training in the judicial field that can be done by courts.

#### **9.2.4 Problems experienced by social workers with pre-sentence assessments of sexual offenders**

All the respondents indicated that they have experienced problems in the field of pre-sentence assessments of sexual offenders. The problems mentioned were the following:

- Objectivity; three (30%) of the respondents mentioned that they find it difficult to treat sexual offenders like other offenders due to their own negative feelings in terms of the nature of the offence and devastating effects on victims
- Five respondents (50%) mentioned uncertainty on the requirements and criteria to be considered for pre-sentence assessments
- The lack of resources like assessment instruments, internet facilities and contact with other role-players, to assist with pre-sentence assessments was mentioned by all social workers
- One (10%) respondent mentioned that the difference in expectations and viewpoints of different judicial officials was confusing
- Seven (70%) respondents mentioned that they experienced a lack of supervision and professional support when faced with pre-sentence assessments of sexual offenders

The problems mentioned by social workers indicate a lack of confidence, resources and professional support. These are all aspects that can be addressed by organisations in the field through in service training and infra-structural adjustments.

#### **9.2.5 Clarity on expectations from court**

None of the respondents indicated clarity on court expectations from social workers in terms of pre-sentence assessments. They indicated that they needed more clarity on the following aspects:

- Specific and consequent requirements and guidelines from court in terms of assessments, reports and recommendations. All respondents mentioned this aspect.
- Factors that are regarded as significant by the court in pre-sentence assessments
- Relevant sentence options to consider for sexual offenders

Although all respondents indicated uncertainty on the expectations from court, 70% of the respondents identified specific aspects that needed more clarification.

### **9.3 Criteria for consideration of correctional supervision for sexual offenders**

The social work respondents had to complete the same question in terms of prioritising criteria as the judicial officials.

#### **9.3.1 Relevant criteria according to social workers**

The respondents prioritised the criteria that they considered important for sexual offenders by giving each mentioned criterion a numeric value. The value given by all respondents to a specific criterion is added up to get a total score. The most important criterion according to the respondents is placed first and the least important last.

1. Safety/ protection of the victim
2. Risk of re-offending
3. Viewpoint of the victim
4. Safety of the community
5. Motive of crime
6. Availability of treatment
7. Previous convictions
8. Background of the offender
9. Effects of imprisonment on the offender
10. Nature of the offence
11. Circumstances of the offender
12. Age of the offender
13. Pattern/lifestyle of the community
14. Amount of aggression used
15. Attitude of the community
16. Family of the offender

From this data it is clear that the safety of the victim is considered the most important criteria by social workers, and the family of the offender the least important. Respondents indicated that they found it difficult to choose between the criteria as all should be considered and should form part of pre-sentence assessments.

### **9.3.2 Other relevant criteria according to social workers**

Other criteria that was added by the respondents for consideration in pre-sentence assessments for sexual offenders were the following:

- The level and signs of remorse, conscience and guilt with the offender
- HIV status of the offender and the presence of sexually transmitted diseases
- Age of the victim
- General attitude of the offender

The social work respondents seem to focus more on the criteria that could affect treatment while the judicial officials focused more on criteria that can affect sentencing.

### **9.4 Guidelines and suggestions from social workers on pre-sentence assessment of sexual offenders**

The respondents mentioned the following guidelines and suggestions to improve the quality of pre-sentence assessments and equip social workers better to do it effectively:

- Undergraduate training on methods and procedures of pre-sentence assessment of sexual offenders.
- Inter-sectoral training where different Departments have a combined workshop to indicate problems, needs and requirements in terms of pre-sentence assessments as well as in-service training at organisations.
- The availability and development of resources, including instruments, specialists and documents that can assist social workers doing pre-sentence assessments for sexual offenders.
- Regular meetings with local courts to discuss the expectations and needs of both the courts and social workers in terms of pre-sentence assessments.
- Improved supervision and professional support for social workers working with sexual offenders in order to develop perspective, balance and to deal with negative feelings and attitudes.

## 10. DISCUSSION

Khan & Chambers (1991:334) indicate with research that courts rely on the clinical opinions of experts like social workers in imposing community-based sentences. The implication for social workers is that they should be skilled and knowledgeable on all aspects of sexual offenders and assessments. Briggs et al (1998:9) found that this expectation from court and the community placed a high burden of responsibility on social workers working with sexual offenders.

This investigation indicated that judicial officials had certain **expectations** from social workers and that these were often not met due to the fact that social workers were uncertain of the expectations, and that they had a different approach to the handling of sexual offenders. Due to the different focus of judicial officials and social workers, conflicting purposes arise that social workers might wish to challenge but to which, due to their position, they are expected to conform (Adams et al, 2002:67). The difference in focus lies in judicial officials' focus on an appropriate sentence and the social workers' focus on rehabilitation and the well being of persons and families.

The perception of judicial officials on pre-sentence assessments by social workers was investigated and it was found that most of the respondents found the **quality of these assessments** on an average level. Serin et al (1997:1) also found that there was an acute concern in Canada regarding the assessment of sex offenders. Briggs et al (1998:70) mention research done in England that identified a tendency with social workers doing pre-sentence reports with sexual offenders to either present collusive reports in the face of explanations by offenders, or use punitive language that show natural revulsion of them. They plead for balance and quality control systems to rectify this problem. The fact that pre-sentence reports by social workers actually affect sentence options, especially non-custodial options, and thereby indirectly also impact on the safety of society according to May & Vass (1996:146), indicates the necessity of assessments being of a better quality in order to assist court with effective sentencing.

On the question of the inclusion of useful and **relevant information** in the assessment reports, most of the judicial officials found that it was only done half of the time and 30% found that it was done often. In this regard, several social worker respondents also indicated that they were uncertain about information regarded relevant to court. It seems that there is often a difference in approach to offenders by judicial officials and social workers that result in conflict. Pitts (1990:72) is concerned that the differences in

orientation between magistrates and social workers in England and worldwide have been a major cause of the decline in the use of community-based sentences, which then also affects effective treatment of sexual offenders. The McLean Committee (2003:2) confirms this in Scotland as well and says that it results in a lack of consistency in working with sexual offenders that increase risk factors instead of decreasing the risk. They recommend the development of a risk management authority for sexual and serious offenders, consisting of representation of all role-players in the system, who produce strategies, set standards and accredit assessment tools amongst other things in order to control the situation better.

Judicial officials indicated that there was never or rarely an indication of the use of specific **assessment tools** in the pre-sentence assessment reports. The social worker respondents indicated that only 20% of them used specific assessment tools during their assessments, which was probably why there was rarely or never an indication of this in reports. Both social workers and judicial respondents also mention that knowledge on and the use of assessment instruments is a training need for social workers. The indication from literature is that there are numerous tools that have been developed over time to assess risk but they are not standardised. Lösel et al (1992:111) report that the assessment tools that are developed for offenders are not designed to address legal questions, but rather to determine treatment needs. Therefore these tools are not always suitable for use in pre-sentence assessments.

Most of the judicial officials reported that social workers only meet their **expectations** in court half of the time. On the question directed to the social work respondents whether they were clear on what was expected from them by court, none of the respondents indicated clarity on this. According to judicial officials they want social workers to use more sources of information, give more attention to the victim, be more clear on sentence options and determine risk through intensive risk assessment. In this regard, Pitts (1990:71) mentions that magistrates expect social workers to give 'value-free', 'expert' opinions and recommendations about the impact of any sentence the court wishes to impose. They expect social workers to consider the same aspects as the court in recommending a sentence while ignoring the fact that social workers are professionally bound to also work in the best interest of the client. It becomes clear that there should be more discussion and mutual agreement between social workers and court officials on expectations and the difference in focus.

The social work respondents indicated that they needed **more clarity on specific requirements** in terms of assessments, reports and recommendations, significant factors and sentence options that could be considered. From this information it is obvious that the areas in which judicial officials feel social workers do not meet their expectations, correlate with the areas in which social workers are uncertain in terms of what court expects from them. May & Vass (1996:148) came to the same conclusion and advised co-operation between the two groups for social workers to produce reports with the information required. They also say that social workers in criminal justice depend on the **co-operation** of others and therefore need skills of negotiation and articulate advocacy with other professional groups whose interests will not always coincide with those of social workers. It is also necessary for social workers to explain their approach and interest to court officials, as the tension that develops is not only due to lack of skills with social workers but also with the judicial officials on social work principles.

Half of the judicial officials had **suggestions for the improvement of pre-sentence assessments**. Most of the suggestions are focused on the information that is needed by court and includes the prevalence of the offence, the interest of the community and victim and the use of scientific instruments for assessment. There were also comments on the lack of confidence that social workers portrayed when they presented their assessment reports and a suggestion was made that social workers had to regard themselves as experts in their own field and not try to please the court. Several literature sources also discuss the lack of confidence with social workers and the causes of this. Barker & Branson (2000:40) say that the most effective social workers in courts are those that prepare thoroughly and give careful thought to their presentation. Thorough knowledge and certainty of facts is also important according to them. The conclusion can be made that certainty of knowledge creates confidence and that a confident social worker is better heard in courts and thus has more effect.

The judicial respondents felt that **social workers needed training** on the investigation of sources, the sentence process, better understanding of the sexual offender and the analysing of risk factors. Social worker respondents felt they needed training on undergraduate level in methods and techniques of pre-sentence assessments, court requirements, dynamics of the sexual offender, legal issues like acts and protocols and the writing and presentation of reports. Practical court experience on undergraduate level was also suggested. Briggs et al (1998:43) adds that the basic interviewing skills taught in professional training in England is not adequate when assessing sexual

offenders, whom they feel need sophisticated skills that should be addressed by training. The fact that all social work respondents indicate a need for improved training in this area, explains the general uncertainty of social workers in courts, which is related to a lack of knowledge and skills. The problem faced by training institutions is that it is impossible to train social workers in all possible fields of practice and in-service training would therefore be a more realistic recommendation.

Social work respondents all indicated that they **experienced problems** in the field of assessments of sexual offenders for community-based sentences like correctional supervision. Problems with objectivity was reported, lack of professional support, supervision and resources as well as uncertainty on court procedures and requirements. Briggs et al (1998:18) also found that social workers had difficulty with objectivity when working with sexual offenders because of the abusiveness and distressing nature it usually has. They encourage the creation of a healthy environment within agencies where a supportive atmosphere prevails to assist social workers in this regard. Inconsequent expectations by different judicial officials are also a problem for social workers. Milner & O'Byrne (1998:25) agree with this and say that assessment activity is defined differently in each new piece of legislation with differing emphasis on risk, needs and resources, making it difficult for social workers to develop a framework for assessments. Clifford (1998:4) also found that problems developed because of social workers that did court assessments work with little or no agreed theoretical framework. This is probably an essential remark that addresses a core problem. It can be addressed by training, in-service training, better co-operation between courts and social workers and related professional support.

The two groups of respondents were asked to prioritise the **relevant criteria** that should be considered when assessing sexual offenders for correctional supervision. The nature of the offence was the most important criterion with the judicial officials while the safety of the victim was the most important with the social work respondents. For both groups the family of the offender was the least important factor. When these findings are compared, the difference in approach between judicial officials and social workers becomes clear. It is also clear that this difference can be used in a complementary manner and that a more co-operative approach would improve the effectiveness of finding a suitable sentence for individual sexual offenders that would address rehabilitation more effectively like correctional supervision in certain cases.

The judicial officials added criteria that they also considered relevant like the prevalence of the offence, the viewpoint of the Investigating Officer, the age of the victim, the relationship of the offender with the victim, and the circumstances of the victim. The implication of this is that social workers will need more time to also involve the victim in the assessment process. This cannot be done without dealing with the victim's intense feelings and becoming involved with his/her circumstances. According to Van Niekerk (2002) it is not effective for social workers to work with the offender and the victim simultaneously and therefore this part of the assessment could rather be done by a social worker that is not involved with the offender. It is therefore recommended that another social worker that can concentrate on the victim is involved and that they work together to present an effective assessment. May & Vass (1996:145) add the criteria of cultural background to their list of criteria. This is a relevant criterion for the situation in South Africa as the different cultures have different views on sexual behaviour, the position of the women, and the handling of problems in this regard.

Judicial officials felt that social workers **overlooked criteria** like the effect of the crime on the victim, the risk of re-offending and nature of the offence as well as the amount of aggression used during the offence and the motive of the offence. More attention should also be given to previous convictions. They also felt that more attention should be given to the view, safety and pattern of the community. Steen & Monette (1989:4) feel so strongly about the safety of the community as criterion, that they call it an 'overriding' aspect that should prevail more than any other criteria. Nagayama Hall (1996:162) also finds the social environment of the offender an important aspect, as social isolation is part of the profile of sexual offenders. The Police should also be involved in the assessment and much of the criteria mentioned can actually be obtained from them. Kemshall & Pritchard (1997:155) also listed these criteria and add the impact of the crime on the family members of the victim to be considered in the assessments as well.

Criteria added to the list by most of the social work respondents were levels and signs of remorse of the offender. This is not an aspect that is mentioned in literature and is possibly a criterion that is significant in practice, as the level of remorse of the offender determines the direction and intensity of the assessment process. Social workers are inclined to be more concerned with offenders' treatment and well being who show remorse, while the general attitude of social workers towards those that do not show remorse is negative from the beginning. Two respondents also added the HIV and STD

status as well as the general attitude of the offender. Wilson et al (2000: 179) discuss the importance of evaluation of existing sexual offender programs in the community before considering offenders for correctional supervision. The fact that social workers do not mention this important criterion is probably related to the mentioned problem of lack of resources in the community, implying that official sexual offender programs are not generally available.

Two judicial officials made further comments on the subject. One said that social workers were inclined to **take their lead from prosecution** when assessing sexual offenders and found that negative. This is in line with the findings that social workers are uncertain of themselves in this regard. Kemshall & Pritchard (1997:1) confirm the situation of social workers in practice where philosophies and policies are in conflict and there is little practical guidance and training available to them. The fact that they have to make decisions in a climate of uncertainty exposes social workers to risk themselves. They say that the result is social workers with careful, non-committal and scared attitudes when it comes to the pre-sentence assessment of sexual offenders.

All the social work respondents mentioned the **need for training** on undergraduate level as a suggestion for the improvement of pre-sentence assessments of sexual offenders. They also mention in-service training and workshops with courts to discuss problems, needs and requirements. Due to the fact that undergraduate training cannot provide for every speciality field, undergraduate training should be more focused on the improvement of basic social work skills like interviewing. In-service training can then rather address certain speciality fields. The development of resources and instruments is also mentioned by most of the respondents. Professional support and supervision seems to be a severe need with respondents. This is probably a need in smaller areas and towns like Newcastle where supervisors are not in the same office but serve a large area and are not accessible at any time. This aspect is also discussed by Kemshall & Pritchard (1997:11) who are concerned about social workers in the field that prepare assessments. They address the responsibilities of supervisors and managers in this regard and feel that much more support should be provided. Briggs et al (1998:18) describes practitioner support as a powerful way to improve assessments and effect better treatment of offenders and protection of the community.

## **11. CONCLUSIONS**

- Certain categories of sexual offenders, where a low risk of re-offending or further harm can be assessed, could benefit more from correctional supervision than imprisonment.
- Courts rely on opinions and recommendations from social workers in imposing community-based sentences.
- Social workers are in a position to provide courts with information and guidance through pre-sentence assessments, thereby increasing community protection and treatment of sexual offenders.
- In order to achieve this, comprehensive and effective pre-sentence assessments that demand certain skills and knowledge from social workers are necessary.
- Courts expect social workers to be expert witnesses with considerable knowledge and experience on all aspects of sexual offenders and the impact of these offences on society.
- These expectations place a high burden of responsibility on social workers and they experience problems to meet this standard due to the difference in approach and orientation between social workers and judicial officials. This causes tension, uncertainty and vulnerability with social workers and frustration for judicial officials.
- Judicial officials have certain expectations in terms of pre-sentence assessments that are often not met and they do not receive the relevant information that they need in court.
- Social workers are not clear on court expectations and experience a lack of training, resources like assessment instruments and professional support.
- The criteria needed by court for sentencing purposes of sexual offenders and the criteria considered important by social workers are different due to the orientation and approach of each profession, but can be used complementary to each other.
- Social workers have a need for improved co-operation with the judicial system in order to have standardised and clear guidelines for pre-sentence assessments of sexual offenders.

## **12. GUIDELINES FOR SOCIAL WORKERS ON PRE-SENTENCE ASSESSMENTS OF SEXUAL OFFENDERS**

- Social workers should see themselves more as experts in their own field and not allow other professions to intimidate them. Confidence is built by increasing knowledge and skills in assessment of risk, with the use of effective assessment tools and the compilation of pre-sentence reports that address the relevant aspects in a professional way.
- Thorough preparation of each case by social workers is essential. Professional support from supervisors and consultation with other social workers in the field is necessary to ensure professional and effective assessments that can assist the court with appropriate sentencing of sexual offenders. In areas where supervision is not always available, social workers should take initiative to consult with other professionals.
- Social workers need to negotiate confidently with other role-players in the judicial system in order to articulate what it is that gives social work a distinctive and important role in the criminal justice process, but also to give them a better understanding of the expectations of other role-players.
- The sensitive nature of the subject of sexual offenders requires careful assessment strategies that should be developed in co-operation with all the other role-players in the sentencing process, like the SAPS and judicial officials.
- The pre-sentence assessments of sexual offenders should include different criteria that are considered important by both social workers and courts and social workers should ensure that they have clarity on what is considered important. As many sources of information as possible must be consulted and validated in order to compile an assessment of high quality.
- Social workers will need to know and understand the complex nature of risk assessment with sexual offenders and the potential for miss-classification of offenders.
- Social workers must ensure that they have adequate knowledge and information on sexual offenders and their profile and also on available assessment instruments that are effective. They should seek opportunities for training by organisations dealing with sexual offenders or victims that offer in-service training and special programmes on related subjects. Universities and institutions that offer postgraduate training in this regard can also be of assistance.

### **13. RECOMMENDATIONS FOR IMPROVED PRE-SENTENCE ASSESSMENTS OF SEXUAL OFFENDERS**

- Undergraduate training for social workers that include aspects of pre-sentence assessment of different offenders is recommended. Although it will be impossible for training institutions to include all the different speciality fields in undergraduate training, the subject can be touched to inform students of the existence of specific assessment instruments and the importance of developing their own skills in this regard as professional social workers.
- The development of quality assurance mechanisms for pre-sentence assessments on a national level is needed. Experts from social work, judicial, criminological and psychological fields can form a committee that set standards and guidelines for pre-sentence assessments and offer training and information for everybody concerned in the process on a continuous basis. It would be meaningful to base this committee at a university or a national welfare office where accessibility by all role-players is possible. This training can then also be accredited and used by social workers in the field as points for continuous professional development as required to register as social workers.
- Provision of adequate professional support to social workers that compile pre-sentence assessments is a necessity. This includes training, supervision and consultation by organisations and social work supervisors. Supervisors should take responsibility for this but social workers should also ensure that they receive this support.
- The development of a theoretical framework for pre-sentence assessments that focus on key elements and dictated by professional judgement and the legal and policy framework is important. In terms of social workers, this should be done by the National Department of Social Development and should include further and continuous research of assessment instruments and other aspects related to the assessment of sexual offenders.
- Promotion and facilitation of inter-departmental and inter-agency collaboration and co-operation on pre-sentence assessments of sexual offenders is recommended. This can be done on national and local level through round-table discussions on a regular basis and the sharing of new information and perspectives. The discussion of problems and frustrations can also be done during these discussions. The professional council for social workers could play an important role in the promotion and arrangement of these discussions.

- Social workers should focus on treatment options for sexual offenders in assessments, requiring knowledge and evaluation of existing treatment programmes and the possible development of improved treatment programmes. The co-operation of the Department of Correctional Services is relevant in this respect as they are responsible for the rehabilitation of sentenced offenders.
- Adequate knowledge of legal aspects on sentencing and sentence options as well as the impact of specific sentences is a necessity for social workers that compile pre-sentence assessments for sexual offenders. Each social worker that compiles pre-sentence assessments should take responsibility to ensure that he/she is aware of legal aspects pertaining to the specific case that he/she deals with.
- Correctional supervision as a possible and effective sentence for certain sexual offenders should be promoted and explored by social workers and the Department of Correctional Services. More research is to be done in South Africa on the outcome of this sentence on the rehabilitation of sexual offenders as it has already been proved as an effective sentence for certain, well-assessed sexual offenders in several other countries.

#### **14. CLOSING STATEMENT**

Social workers are expected to make judgments about potentially dangerous clients when they are requested to assess sexual offenders for correctional supervision. No single response can be the best for all circumstances and social workers can only make recommendations using their best professional judgment for each unique offender and circumstance. The many different legal interpretations and variables in clients complicate this task incredibly. Social workers will remain uncertain and ineffective with assessments of this nature unless the training needs, i.e. the need for professional support and collaboration with courts to clarify expectations is addressed. The different role-players in the judicial process, the professional council of social workers, and the applicable state departments should all take responsibility and work together to find ways to improve the assessment of sexual offenders in order to protect the community better through the consideration and application of effective sentence options.

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**ANNEXURE 1**

**PRE-SENTENCE ASSESSMENT OF CERTAIN SEXUAL OFFENDERS FOR  
CORRECTIONAL SUPERVISION  
QUESTIONNAIRE FOR JUDICIAL OFFICIALS**

**SECTION I**

**1. IDENTIFYING DETAILS**

1.1 Occupation:.....

1.2 Educational qualifications: .....

**SECTION II**

(Please mark the applicable block with an X or answer on line provided)

**2. PRE-SENTENCE ASSESSMENT BY SOCIAL WORKERS**

2.1 How would you rate the quality of pre-sentence assessments by social workers for sexual offenders?

Unacceptable	below average	average	above average	Excellent	unknown

2.2 To what extent do the pre-sentence assessment reports provide information that is relevant and useful in general for sentence purposes?

Never	Rarely	50% of the time	often	Always	unknown

2.3 Do social workers indicate the use of specific assessment tools (refer to instruction page for definition) for offenders that are assessed?

never	rarely	50% of times	often	Always	unknown

2.4 Do social workers meet your expectations with pre-sentence assessments?

Never	rarely	50% of the time	often	Always	Unknown



**3. SUITABILITY OF SEXUAL OFFENDERS FOR CORRECTIONAL SUPERVISION**

3.1 The following criteria are considered in literature as relevant in terms of the assessment of sexual offenders for correctional supervision.

*Could you please indicate which criteria you consider the most important by starting with the most important criterion marked as 1 and prioritising them until the less important, marking it as 16.*

1. Safety/protection of the victim	
2. Viewpoint of the victim	
3. Risk of re-offending	
4. Safety of the community	
5. Attitude of the community	
6. Family of the offender	
7. Circumstances of the offender	
8. Previous convictions	
9. Nature of the offence	
10. Background of the offender	
11. Lifestyle/pattern in the community	
12. Effects of imprisonment on offender	
13. Availability of treatment	
14. Motive of crime	
15. Age	
16. Amount of aggression used	

3.2 Which other criteria would you add?

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3.3 In your opinion, which criteria are not considered adequately by social workers?

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**3.4 Should you have any other comment or problem regarding the pre-sentence assessment of sexual offenders by social workers, please indicate it in the space provided**

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Thank you very much for your participation and time.

Ms. M. Erasmus  
MA (SW) student

**PRE-SENTENCE ASSESSMENT OF CERTAIN SEXUAL OFFENDERS FOR  
CORRECTIONAL SUPERVISION  
QUESTIONNAIRE FOR SOCIAL WORKERS**

**SECTION I**

**1. IDENTIFYING DETAILS**

1.1 Employer:.....

1.2 Educational qualifications:  
.....

**2. PROBLEMS AND NEEDS OF SOCIAL WORKERS IN TERMS OF PRE-SENTENCE  
ASSESSMENTS**

2.1 Do you use specific assessment tools for sexual offenders during pre-sentence  
assessments?

Yes  No

2.2 If so, which do you use?

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2.3 Have you been trained to use any assessment tools for sexual offenders?

Yes  No

2.4 If yes, on the use of which tools were you trained?

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2.5 Did your undergraduate training as social worker equip you adequately to conduct pre-  
sentence assessments?

Yes  No

2.6 If not, what do you suggest should be included in the undergraduate training of social workers to equip them better for pre-sentence assessments?

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2.7 Do you experience any problems in the field of pre-sentence assessments of sexual offenders?

Yes  No

2.8 If so, which problems do you have?

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2.9 Are you clear on what the court expects from social workers in terms of pre-sentence assessments?

Yes  No

2.10 If not, on which aspects do you need more clarity?

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.....

**3. SUITABILITY OF SEXUAL OFFENDERS FOR CORRECTIONAL SUPERVISION**

3.1 The following criteria are considered in literature as relevant in terms of the assessment of sexual offenders for correctional supervision.

*Could you please indicate which criteria you consider the most important by starting with the most important criterion marked as 1 and prioritising them until the less important, marking it as 16.*

- 1. Safety/protection of the victim
- 2. Viewpoint of the victim
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- 4. Safety of the community
- 5. Attitude of the community
- 6. Family of the offender
- 7. Circumstances of the offender
- 8. Previous convictions
- 9. Nature of the offence
- 10. Background of the offender
- 11. Lifestyle/pattern in the community
- 12. Effects of imprisonment on offender
- 13. Availability of treatment
- 14. Motive of crime
- 15. Age of offender
- 16. Amount of aggression used


3.2 Which other criteria would you add?

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**4. GUIDELINES AND SUGGESTIONS**

4.1 Please indicate below if you have any suggestions/guidelines that can improve the quality of pre- sentence assessments or equip social workers better to do them effectively.

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Thank you for your participation and your time.

Ms. M. Erasmus  
MA (SW) student