insideinformation – fact sheet

OASys

Information courtesy of Lisa Gianquitto of Hine Associates Solicitors Beaconsfield

OASys is the abbreviated term for the **Offender Assessment System**, used in England and Wales by Her Majesty's Prison Service and the National Probation Service. It is considered to be the most advanced system of its kind in the world. This risk assessment tool was rolled out in 2002 to measure the risks and needs of criminal offenders under their supervision. It also has an important part to play in delivering the Home Office objectives of reduced re-offending and improved public protection.

The main part of OASys examines the following factors which research has shown can predict the likelihood of an offender being reconvicted and the risk of harm he or she poses to the public:

Offending history and current offence, social and economic factors:

- access to accommodation, education, training and employability
- financial management and income; lifestyle and associates
- relationships, drug and/or alcohol misuse

Personal factors:

- thinking and behaviour, attitude towards offending and towards supervision
- emotional factors such as anxiety or depression

OASys also contains a section on sentence planning as well as a self-assessment questionnaire which the offender is asked to complete. The latter is an important opportunity for the offender to comment on how he sees himself and his offending.

The OASys is a series of computer based forms and is broken down into twelve different areas addressing each of the factors listed above.

The document scores the offender on both their risk of re-offending and the factors that have contributed to their criminal behaviour, whether it's lack of a job or home, or a problem like drug or alcohol abuse. Scores are attributed to each of the areas and totalled together. The total score will be out of 168 points. Generally, the higher the score, the higher the risk of reconviction and the risk of harm to the public.

An OASys assessment will be carried out at the stage that the pre-sentence report (PSR) is produced, with further assessments conducted periodically throughout the sentence (whether in custody or in the community) and at the end of sentence when an offender may be on licence. Typically this is carried out every 16 weeks for offenders in the community or annually for IPP prisoners. Young offenders serving one month or more in custody will also be subject to assessment under the OASys procedure. Any prisoner subject to release by the Parole Board can expect to have an OASys document included within their parole dossier.

OASys

OASys is designed to enable a properly trained and qualified individual; often a Probation Officer, to:

- assess how likely an offender is to re-offend
- identify and classify offending-related needs, including basic personality characteristics and cognitive behavioural problems
- assess risk of serious harm, risks to the individual and other risks e.g. to the public at large
- assist with management of risk of harm
- links the assessment to the supervision or sentence plan
- indicate the need for further specialist assessments or intervention
- measure change in risk during the period of supervision / sentence

The difficulty with an OASys assessment is that one qualified probation officer may not interpret the same information in the same way as another qualified probation officer. Risk assessment is not an exact science and is not set in stone. The information is capable of being interpreted and scored subjectively. This results in an inconsistent approach. I have had OASys assessments that have been over-scored and contain factually inaccurate information. Another factor to bear in mind is that the responsibility for preparing an OASys used to lie with the prison. The prison assessed on what the position was there and then i.e. in prison. A different criteria has been adopted by Probation who assume for the exercise the offender is to be released into the community on the day of the assessment. It is not surprising therefore that when the prison undertook assessment the scores were often lower than when it was undertaken by Probation. In these instances it is important to consider both the previous and current OASys to check for obvious errors. Given that several people have access to the document over a period of time it is important the ‘opinions’ don’t suddenly turn into ‘facts’!

When that happens it is important to contact a prison law solicitor to challenge the contents of the document. OASys is referred to as a ‘locked document’ which means any information stored on it cannot be removed. It can however be amended by way of further entries by the probation officer. A probation officer is entitled to express their professional opinion within the document which can only be challenged by way of representations, however, factually incorrect material which affects the assessment of risk should be challenged at the earliest opportunity.

IMPORTANT NOTICE

Information is given on a strictly 'without-liability' basis, and should be considered for use as guidance only. If you propose taking further action based upon this information you are strongly advised to take further and more specific legal advice before doing so.

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