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INTERVENTION IN THE FRAMEWORK OF PENAL MEASURES COMMUNITY

NEWSLETTER DISSEMINATION OF RESEARCH

INVESTIREU

1 Research

Analysis of change motivation in subjects who have done a domestic violence training programme

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1. Introduction

In recent years the interest of legislative and judicial bodies in addressing problems in the field of family violence has been patent. The people most directly involved in the conflict (perpetrator and victim) have been the main focus of intervention and research. Major efforts have been made to identify the main socio-demographic and criminal characteristics of perpetrators, different profiles have been explored in terms of most important personality or psychopathological traits, numerous therapeutic interventions have been designed, etc.

Alternative penal measures are some of the most relevant legal measures that can be taken in cases of partner violence today. The range of alternative penal measures includes specific rehabilitation and/or psychological treatment programmes (TP). These interventions aim to provide a number of facilitators for the reintegration of the offender in the community. However, to achieve there has to be a complex process called *therapeutic change* in the individual and the bulk of authors believe that strong motivation on the part of the individual is required for that process to take place.

The most well-known theory about motivation and behaviour change is Prochaska and DiClemente's transtheoretical model. The most well-known and used structure in this model is the stages of change or motivational phases through which an individual progresses. These stages are: 1) *pre-contemplation*: the subject is not aware of the presence of a problem and, consequently, there is no desire to change; 2) *contemplation*: initial awareness of the problem appears and with it, the desire to change, 3) *action*: the subject performs actions clearly designed to solve their problem and has already achieved some success; and 4) *maintenance*: the individual has changed their behaviour and uses strategies to prevent relapse.

2. Aims

From this standpoint, this study aims to assess motivation for change in a sample of intimate partner abusers doing a domestic violence training programme in Girona and compare it with a sample of intimate partner abusers who did not receive any therapy. The secondary aim is to explore the existence of different profiles of intimate partner abusers in the sample bearing in mind clinical personality characteristics.



3. Hypothesis

The hypotheses in this study are:

- Hypothesis 1: individuals who do a domestic violence training programme will be at the initial stages of motivation (pre-contemplation or contemplation) prior to doing the programme and will be at more advanced stages (action and maintenance) after completing it.
- Hypothesis 2: There is a significant relationship between criminogenic needs and the level of motivation of individuals.
- Hypothesis 3: There is a significant relationship between an individual's level of risk and their level of motivation at the time prior to doing a training programme.

4. Methodology

This study is based on an intra-subject and inter-group comparison and we collected a total sample of 116 men who had been ordered to do a domestic violence training programme (TP). The sample was divided into a treatment group consisting of 48 intimate partner abusers who did the TP and a control group of 23 perpetrators who were on the waiting list to do the TP.

The assessment tools used were:

- A template for collecting the main socio-demographic and criminal career data designed for the purpose by the research group. This information was obtained from various sources: reports of interviews by members of the Girona alternative penal measures team, court records and rulings, the juvenile justice records and alternative penal measures (JOVO) management application and consulting the Catalan prison information system (SIPC).
- The motivation to change scale (URICA), a 32-item self-report on a Likert scale of 1 to 5 points. This scale meant we could place the subjects at each of the stages of change postulated by Prochaska and DiClemente's transtheoretical model. The scale also offers the possibility of obtaining a continuous measure indicating the level of change.
- Personality Assessment Inventory (PAI). This research has used the abridged or screening PAI which consists of 165 items on a Likert scale.

5. Results

Descriptive results of the personality assessment inventory (PAI) and the motivation to change scale (URICA)

The results of the PAI in the cases finally considered valid (86 of the 116 forming the sample) show that 80% of cases were within the standards of normality established for the PAI assessment. There were also no statistically significant differences between the control group and the experimental one on the scales of this instrument.

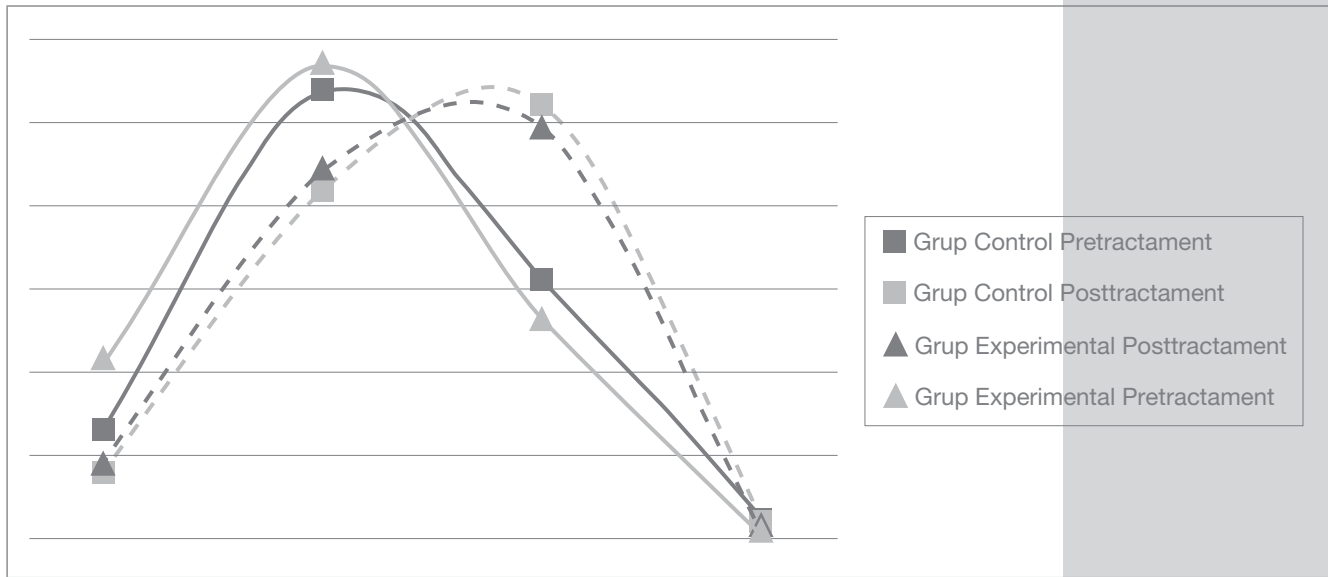
With regard to the motivation to change scale (URICA), pre-treatment and post-treatment measures were finally obtained in 71 cases (control group N = 23, experimental group N = 48). Figure 1 shows the percentage for each group of subjects who were at each stage of change at the different assessment times, i.e., pre-treatment and post-treatment. The results are consistent with Prochaska and DiClemente's theory since both groups have more individuals at the contemplation stage in the pre-treatment assessment, while in the post-treatment assessment the highest percentage of individuals is found in the action stage.

Testing the study hypotheses

Hypothesis 1 (relationship between motivation stages and doing the TP): the results of the statistical tests indicate that there was no significant difference between the control group and the experimental group in the pre-treatment assessment for any of the stages of change, thus indicating that the groups were the same. The results in the comparison of the stages of change presented by the control and experimental groups during post-treatment were not significant either. The intra-group comparison tests of the level of motivation were not significant for either of the groups. These results indicate that the first hypothesis should be rejected.

Hypothesis 2 (relationship between individuals' criminogenic needs and their stage of change): the results partially confirm this hypothesis. Initially, none of the socio-demographic and criminogenic variables regularly evaluated (the assailant's age, level of education, current employment status, drug use, criminal record, acts committed in the base offence, length of imprisonment imposed or recognition of the crime) were not associated with the subjects' level of motivation to change. However, correlations between the PAI and motivation to change (continuous measurement) indicate a possible association between five of the PAI scales relating to psychopathological problems (*anxiety, anxiety-related disorders, mania, schizophrenia and borderline traits*) and motivation to change.

Figure 1. Percentage of experimental group and control group subjects at each stage of change at the two assessment times.



Hypothesis 3 (significant relationship between an individual’s level of risk and their pre-treatment level of motivation): of the total sample with data about risk assessment, 32.4% (N = 35) had a low risk, 56.5% moderate (N = 61) and 11.1% high (N = 12). The results did not indicate significant differences either and therefore the hypothesis was rejected.

However, with respect to the secondary aim of the study, the results of the cluster analysis performed according to the PAI scores indicated that the sample could be classified into three different groups. While bearing in mind the limitations resulting from the sample size, we suggest naming the groups as follows: *deniers* (N = 58 subjects), *moderate* (N = 24) and *realistic* (N = 4).

The *denier* profile corresponds to individuals who presented themselves as calm, optimistic and with few clinical alterations, but with a high degree of self-satisfaction and little motivation to start treatment. The *moderate* profile had intermediate scores on all scales, except the *mania* scale, which is associated with restlessness and increased impulsivity and energy levels. This second group of individuals recognised the need for changes in their lives, had a positive attitude towards treatment and accepted their responsibility. Finally, the *realistic* group consisted of those individuals with major clinical symptoms, high awareness of their problem and extensive acceptance of the need for treatment.

A second analysis about the level of motivation to change and the three subject profiles showed significant results ($F [2.83] = 10.05; P < 0.01$) and indicates differences in the motivation levels of the various subject profiles (Table 1).

Table 1. Percentage of individuals of each profile located at the different stages of change

	Deniers	Moderate	Realistic
Pre-contemplation	36.2%	8.3%	0.0%
Contemplation	37.9%	33.3%	25.0%
Action	25.9%	58.3%	75.0%

6. Conclusions

Firstly, although the literature suggests a high prevalence of clinical symptoms in intimate partner abusers, the sample in this study did not present serious psychopathological problems. This may relate to the tendency of the individuals to deny personal flaws or defective social relationships as indicated by high scores on the PAI positive impression scale. Secondly, the results about the motivation to change and doing the TP were not as expected, as they suggest that the training programme fails to produce an effect on the subjects’ motivation to change. However, the results should be interpreted with caution given the limited size of the sample and the

possible existence of different profiles of perpetrators, factors that might also be interfering with the results obtained between the study groups (control and experimental).

The results highlight the need to systematically assess both individuals' level of motivation to change and their acceptance of responsibility for the facts and also the clinical characteristics of the subjects before beginning the therapy. A complete assessment of the criminogenic needs of these offenders using standardised tools such as PAI would provide individuals with the work plan best suited to their motivational level and characteristics.

As the results indicate, the possible existence of different profiles of perpetrators would be a variable that should be taken into account in the course of the intervention. Current research has emphasised the need to adapt the various psychological techniques available to the characteristics of subjects (responsivity principle). Thus some individuals may require more intensive work aimed at promoting awareness of their behavioural or clinical problems, while others at more advanced stages of motivation and awareness can benefit from more direct techniques such as cognitive restructuring and training in social skills and conflict resolution.

2 Inform

Alternative penal measures in Catalonia: an approach to improving the resilience of the probation officer

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1. Introduction

In 1981 powers in juvenile law were transferred to the Catalan government. It was then that the first work in the sphere of the implementation of open custody measures was done. In 1984 penitentiary powers were transferred. The will of the Catalan government to assume those powers and the guiding principles in penal matters set out in the recommendations of the Council of Europe brought about the creation of the first experiment in penal mediation and reparation in the jurisdiction of minors (1990) and the Social Care and Orientation Service, which in 1991 began to advise the legal organs and monitor the alternative penal measures (hereinafter APM) of the previous Penal Code.

And so, when on 25 May 1996 Law 10/1995, of 23 November, of the Penal Code, which amended the penal system that had been in place until then, came into force, the conditions for assuming the implementation of the new alternative penal measures to prison had already been created.

From the outset, the Justice Department provided the legal organs of Catalonia with teams of professionals to meet the needs for technical advice and the implementation of those measures.

In Barcelona, since 2001 the APM implementation programme has been managed by external entities. In Girona, Lleida and Tarragona, Terres de l'Ebre and Alt Pirineu and Aran the management was outsourced in March 2010. Those programmes are supervised and monitored directly by the Alternative Penal Measures Section of the Catalan Government Justice Department.

The APM enable the legal organs (courts and tribunals) to provide a less harsh response than the sentences involving deprivation of freedom for the commission of a misdemeanour or a less serious offence, while still safeguarding the victims' rights.

The probation officer controls and monitors the offender for the duration of the measure. He has to keep the competent legal body informed of its enforcement and evolution. The intervention of the probation officer is part of a task of regular and ongoing coordination with the community resources of the closest sociocultural and geographical environment as support for the person sentenced to the penal measure.

The active participation of the community with the institutional and human resources is a fundamental element. The family is also available as a possible element of support, as are other secondary groups that can have a positive effect on the processes of social integration.

Moreover, the programmes developed around the APM involve coordination with the broader *sociocommunity* network.

The resources used –the entities implementing the APM– enable the fulfilment of the obligations imposed and, to a certain extent, provide a response to the specific needs of each person. We also have the general resources, not directly related to the measure, which can be used by anyone needing them and serve as a support for the intervention of the Justice Department professionals.

2. Bases of the SPORE project: a European experiment

The SPORE Project (Sustaining Probation Officers' Resilience in Europe¹ (<http://spore-resilience.eu/en/library/methodology/project-spore-research-design-protocol>) was developed to tackle the issue of the health and welfare of probation officers in Europe with the aim of recognising and looking more deeply into the concept of resilience in relation to the practice of the APM and increasing and improving communication, cooperation and learning among the member states of the EU.

The SPORE Project is scheduled to last 20 months (from March 2012 to September 2013) and is funded 80% by the EU and 20% by the beneficiary countries (Bulgaria, Estonia, Holland and Latvia), with a cost of about €300,000. The project has four main lines:

1. Research into the resilience of workers from the four participant countries led by the University of York (UK) with the support of the University of Avans (Holland).
2. Drafting a pilot or action plan for the concept in each participant country.
3. International conference to share the results (September in Riga)
4. Creation of a website to publish the results and the main related aspects: <http://spore-resilience.eu/>

In January 2013 the organisation of the SPORE Project offered the Catalan administration an opportunity to take part in a workshop to study the concept of resilience jointly with other European countries.

The present economic crisis and successive reforms of the Penal Code have significantly affected, among other things, the profile of the persons sentenced to an APM. With the inclusion all over Europe of the profession of the probation officer in the group of jobs that are exposed by their nature to traumatic situations, the Reparation and Sentencing in the Community and Juvenile Law Section agreed to take part in the SPORE project.

For that purpose a working party was set up with representatives of the three external entities that manage the APM in Catalonia and staff of the Justice Department who have been working since then to analyse the present state of the APM services in Catalonia and reflect that in a document which was submitted to the SPORE project on 7 March in Amsterdam.

3. Objectives of the document

With this document the working party proposed:

- To present the penal community service management system in Catalonia at a European meeting point, taking part with a voice of its own;
- To analyse the situation of the APM service in Catalonia and put forward proposals for improvement through the drafting of a document with the participation of all the agents involved.
- To discover and learn new actions designed to improve the variables related to the resilience of the probation officers which can be applied to our management system;
- To incorporate any possible improvements from other systems to promote resilience among the probation officers in Catalonia.

4. Work methodology

As we have said, for the participation of the Justice Department APM services in this SPORE seminar on resilience a committee was set up in Catalonia led by the Reparation and Sentencing in the Community and Juvenile Law Section and a representation of the three entities entrusted with the management of the APM in Catalonia (Fundació APIP-ACAM, Fundació IRES and INTRESS).

The methodology used by the group set up to develop the work proposals to be submitted to the SPORE seminar was the *SWOT analysis*²: analysis of the internal strengths and weaknesses and the external opportunities and threats. The analysis was applied to the appraisal of each of those points regarding their effect on the task carried out by the probation officers in Catalonia.

For each of the points analysed –strengths, weaknesses, opportunities and threats– different proposals were put forward and debated by the members of the group. The ones that drew a general consensus were compiled.

1. *Resilience* is defined as “the capacity of organisations and individuals to draw on their resources and competencies (individual, collective and institutional), to cope with, adapt to and develop from the demands, challenges and changes encountered during and after a critical incident. Importantly, these resources and competencies can all be developed through selection, training and organisational development programmes”.
2. SWOT is a strategic planning method used to assess the strengths, weaknesses, opportunities and threats of a project. It consists of an analysis that distinguishes between the internal factors (strengths and weaknesses) of an organisation and the external ones (opportunities and threats). The point is to specify the goal of a project and identify the internal and external factors that are favourable and unfavourable to accomplishing that goal.

Once those needs had been identified the working party concentrated on collecting priority proposals for action as a consequence of the analysis done. They were submitted at the European seminar held in March 2013 in Amsterdam.

5. Results

Now we will summarise the points agreed by the working party concerning the SWOT analysis.

Internal analysis - strengths (to be used or promoted)

- The chance of multidisciplinary access to the post of probation officer.
- The personal competencies of the professionals are the right ones for the professional role they have to develop.
- The main motivation of the probation officer is the accomplishment of the mission entrusted.
- The Justice Department reinforces the post of the probation officer.
- The soundness of the organisation.
- The positive work atmosphere.

Internal analysis - weaknesses (to be neutralised or compensated or minimised)

- The increase in the length of sentences has meant heavier work loads in the management of the cases.
- The probation officer's lack of experience in the management of the risks associated with the most complex cases.
- The interferences of social control in the professional role in non-urban environments.
- The lack of special post-university training for the probation officers.
- The lack of design of the professional career.

External analysis - opportunities (take advantage of them, create them)

- The capacity of the Justice Department to manage ICTs and legal spaces.
- The possibility of creating synergy and communication spaces with the legislators so that they are aware of the practical impact of their decisions.
- The wealth of the Catalan associations fabric.
- The possibility of spreading stories that generate positive opinion.
- The incorporation of efficiency as a value of the organisation.
- The probation officer reinforces his role as case manager.

External analysis – threats (to be countered or turned into opportunities)

- The impact of discordant legal actions.
- The legal changes brought in which are opposed to criminological evidence.
- Negative public opinion related to the concept of rehabilitation.
- Direct and indirect budgetary restrictions.
- The effect of the economic crisis on the profile of the people sentenced.
- The crisis and defensive acts.
- Failure to assume rehabilitation as an *inter-institutional* task.

6. Priority proposals for action

5.1 Training, research and external supervision

It must be ensured that the probation officer is provided with continuous learning mechanisms to reinforce his perception of expertise in order to cope with the changing technical challenges he has to face. Here it is considered essential to pay special attention to the quality of the introductory and ongoing training so that both include modules which are directly aimed at qualification and the improvement of the personal skills associated with the strengthening of resilience, and which also take account of the legal and/or technical novelties that enable the probation officer to adapt to new situations.

Along the same lines, the incorporation of the main practical contributions from the sphere of research is a necessary element for innovation to reach the whole organisation transversally, on the understanding that constant improvement strengthens resilience.

Lastly, the organisation itself is advised to adopt external supervision mechanisms from an environment which is not directly linked to the programme as a means of support for the work of the probation officers. That distance makes it possible to assess one's own role and professional action constructively.

If budgetary conditioning factors allow, the use of personal coaching strategies, designed for middle managers or probation officers with special needs for individual support, is valued as a particularly promising experiment.

6.2 Cooperation, collaboration and dissemination

We have already said that intervention with the people sentenced is increasingly becoming a task for different agents. And so the fact that the mission, vision, goals and work systems of the APM services are known to the other operators and that from that knowledge systematised work circuits validated by the organisations represented by the different professionals are derived makes it far easier for the probation officer not to undertake on his own responsibility loads which are beyond his role and capacities for action. Clearly, that *empowerment* of the probation officer through collaborative work acts as a mechanism for protecting and reinforcing his resilience.

And so we have identified the importance of those knowledge exchange and collaboration mechanisms spanning the local environment, the agents involved in the implementation, the *inter-institutional* context and the international level (as is the case of the SPORE Project).

6.3 Internal supervision mechanisms

The figure of the coordinator as a model of professional and personal competence is crucial for the *empowerment* of the probation officer. And so the systematisation of supervision spaces with the whole team and individually with each of the probation officers is part of the team management strategy.

We must also meet the coordinator's need to have mechanisms available for a constant improvement of his managerial skills to reinforce the exercise of his responsibility, also from innovation.

6.4 Availability of computer tools on a network

The probation officer spends a large part of his time consulting or feeding databases or recording his activity on the computer. Another activity that keeps him very busy is making contact with professionals working in other organisations in order to receive and pass on information. The fact that the information exchange processes are done by computer platforms shared among most of the operators who are acting in a specific case is a protection factor for the resilience of the probation officer, insofar as it increases the level of efficiency of all the operators he interacts with.

6.5 Management of the processes of change

In the last ten years the APM service in Catalonia has undergone continual changes: legislative, management model, increase in human resources at the outset and a decrease in those resources in the last two years.

The learning that follows from this dynamic shows us the need for the organisation to have transversal management strategies for those processes that minimise the effect of stress on the probation officer and allow him to continue to perform his tasks properly.

We have learned that bad news cannot be avoided and ten consecutive years of growth of the staff are not a guarantee of a perpetual increase; on the contrary, as of now there is no guarantee that there will be no risk to stability at the workplace in the long term. This is undoubtedly the main source of discontent for professionals, many of whom have to face a new source of anxiety in their professional career.

The challenge of reducing that discontent cannot be met by offering imaginary guarantees or denying the terms of reality. On the contrary: the organisations have to adapt their most vigorous strategies in the communication and contextualisation of the present and the future so as not to cause more alarm than necessary, but not to arouse false expectations either.

Therefore, bad news must be handled with transparency, it must be given at the right moment and in the right way and the persons directly affected and the others in the group they belong to must be supported in order to cope with their distress and to readapt.

6.6 Taking advantage of internal talent

The probation officers work in the front line. Their expertise allows them to pass on the general instructions for specific actions designed for the end users of the programme. That very expertise also allows them to identify possibilities for improvement, which may be generalised to other teams or spheres of the organisation. Providing the probation officer with participation mechanisms, such as a corporate mailbox (joinnovompa@gencat.cat) where suggestions and/or proposals for improvement can be sent. If the mailbox is alive and nourishes the processes of constant improvement of the organisation, it will undoubtedly act as a mechanism for maintaining levels of internal motivation in relation to the mission, a vital internal protection factor in strengthening the resilience of the probation officer.

Invesbrenu published newsletters

- 1 *Immigrants i criminalitat a Europa. Els exemples d'Alemanya i Espanya. Gener 1995*
- 2 *La preso pública de Barcelona durant l'etapa isabelina / La casa de correcció de Barcelona (1836-1856). Gener 1998.*
- 3 *El cost de la justícia penal. Privació de llibertat i alternatives. Febrer 1998.*
- 4 *El nen abusat sexualment com a testimoni / Els delictes contra la llibertat sexual relacionats amb menors. Març 1998.*
- 5 *Intel·ligència i personalitat en el procés rehabilitador del delinqüent. Maig 1998.*
- 6 *Salut i presó. Octubre 1998.*
- 7 *La premsa envers la violència juvenil i la presó. Novembre 1998.*
- 8 *El tractament dels agressors sexuals. Febrer 1999.*
- 9 *La victimització a Catalunya l'any 1996. Abril 1999.*
- 10 *Programes aplicats de psicologia comunitària amb personal penitenciari. Juny 1999.*
- 11 *Justícia juvenil: inserció laboral i mesures en medi obert. Octubre 1999.*
- 12 *Reincidència i delinqüència juvenil. Novembre 1999.*
- 13 *Violència domèstica. Desembre 1999.*
- 14 *L'estat de l'adopció a Catalunya (1998-1999).*
- 15 *Maltractaments infantils a Catalunya. Juny 2000*
- 16 *Presó i dones. La incidència dels programes motivacionals en la conducta social. Un estudi evolutiu (1988-2000) a la presó de dones de Barcelona. Setembre 2000*
- 17 *Avaluació d'un programa de tractament per a joves violents. Novembre 2000*
- 18 *Avaluació de l'efectivitat dels programes de tractament amb delinqüents a Europa. Gener 2001*
- 19 *La victimització a Catalunya l'any 1999. Maig 2001*
- 20 *L'arrest de cap de setmana a Catalunya (1996-2000)*
- 21 *Addictes a les drogues i reincidència en el delicte*
- 22 *Maltractaments físics greus a nadons i menors de quatre anys ingressats en centres d'acolliment*
- 23 *Intervenció institucional. Elements per a l'anàlisi en menors infractors o en risc*
- 24 *Els menors estrangers indocumentats no acompanyats (MEINA)*
- 25 *La medicació penal*
- 26 *La reincidència*
- 27 *Família i conducta antisocial*
- 28 *Presentació de dues recerques de l'àmbit penitenciari*
- 29 *Intervenció en centres de justícia juvenil*
- 30 *La Classificació inicial en règim obert dels condemnats a presó*
- 31 *La reincidència en les penes alternatives a la presó a Catalunya*
- 32 *L'assistència religiosa i la llibertat de culte a les presons de Catalunya*
- 33 *Bullying - Violència de gènere Elements per a l'anàlisi*
- 34 *Violència dels joves a la família*
- 35 *Infractors i conducta violenta*
- 36 *Drogues i tractament penitenciari*
- 37 *Perfil professional del jutge de primera instància i instrucció de Catalunya*
- 38 *Violència de gènere i justícia*
- 39 *Delictes sexuals i reincidència*
- 40 *Intervenció amb infractors juvenils*
- 41 *Mediació i resolució de conflictes en entorns penitenciaris*
- 42 *Perfil professional del Secretari Judicial de Catalunya*
- 43 *Predicció del risc de violència en contextos institucionals. Els sistemes de control monitorat aplicat a penats adults*
- 44 *Drogues i presó. Mesures de seguretat i salut mental*
- 45 *Models de política criminal i penitenciària internacional*
- 46 *Dona i violència de gènere*
- 47 *La formació dels funcionaris de seguretat dels centres penitenciaris a Catalunya i a França*
- 48 *Perfil dels penats per delictes contra la seguretat del trànsit*
- 49 *Intervenció amb agressors de violència de gènere*
- 50 *Intervenció amb infractors condemnats per delictes de trànsit a programes formatius*
- 51 *Abús sexual infantil: valoració psicosocial des de l'àmbit de la justícia*
- 52 *Agressors en violència de parella*
- 53 *Inserció després de la presó*
- 54 *Estrangers en centres penitenciaris*
- 55 *Victimologia i ciberdelicte en menors*
- 56 *La reincidència en el programa de mediació i reparació de menors*
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