



## Pre-Sentence Reports By Breena Murray

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We often see in newspaper articles that a criminal case has been remanded to a further date in order for the court to obtain a pre-sentence report. This can be confusing if you do not understand what exactly a pre-sentence report is.

Simply put, a pre-sentence report is document that tells the judge all about the offender. They can help the judge design a sentence that is most likely to keep the offender out of trouble.

These reports are prepared by a probation officer only after the offender has either pled guilty or been found guilty of the crime. The probation officer interviews the offender, and other people connected to him, known as collaterals. These collaterals can include the offender's family, friends, co-workers, or people who have seen the offender in a professional capacity, such as social workers, psychiatrists or doctors.

The report covers a variety of topics, all of which have been determined to be risk factors for criminal activity. The first topic

discussed is the offender's relationships. This includes the type of relationship he has with his family members, his spouse and children, and his friends. The report will look at whether these relationships are positive influences on the offender, or whether these people are also involved in criminal activity and will negatively influence the offender.

The report also looks at how the offender spends his time. This includes whether the offender is attending school or working. If the offender is attending school or is employed, the report will look at how well he gets along with his co-workers and boss, and if there have been any discipline issues. The report will also look at whether the offender is involved in any organized activities that will reduce his risk of reoffending, or whether he needs to make better use of his time.

A third subject looked at by a pre-sentence report is the offender's attitude. This includes whether the offender accepts responsibility for his

offence, or if he tries to justify his actions or makes excuses for them. The report will cover the offender's attitude towards the victim(s) of his offence. It will also look at how the offender views the criminal justice system and crime in general and his sentence specifically. If the offender has a negative view of the justice system or supports crime, this will be seen as a risk factor for reoffending.

Fourth, the report looks at whether the offender has any addictions to drugs or alcohol, including whether the offender has had issues in the past, current addictions. As well, it will discuss whether the offender is seeking help for these addictions.

The report also covers a number of other topics. Some of these topics include any mental health issues the offender may have, the offender's criminal record, and whether the offender has any financial issues.

The probation officer uses this information to tell the court the offender's overall risk to reoffend and make

recommendations about what type of sentence is most appropriate for the offender. Some examples of recommendations made by probation officers include that the offender attend addictions counselling, anger management or parenting classes, and that the offender maintain employment or be registered and attend an educational program, while on a Probation Order or a Conditional Sentence. The judge will use this report to craft a sentence for the offender that will hopefully keep him from reoffending in the future.