Sex offender risk assessment in the Netherlands: Towards a risk need responsivity oriented approach
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CHAPTER 3
RISK LEVELS, TREATMENT DURATION AND DROP OUT IN A CLINICALLY COMPOSED OUTPATIENT SEX OFFENDER TREATMENT GROUP
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ABSTRACT

Previous research in the Netherlands documented that clinical judgment may yield a substantial amount of treatment referrals for sexual offenders that are inconsistent with actuarial risk assessment and the Risk Need Responsivity (RNR) principles. The present study tested the risk level distribution of a high-intensity, open format outpatient treatment group. Eighty patients were enrolled during a 620-week period, and their STATIC-99R risk levels were retrospectively determined. The distribution of risk levels in this treatment group did not differ from the distribution of a representative sample of sex offenders referred to outpatient treatment in The Netherlands between 1996-2002 (N = 145), nor from the combined Canadian samples (N = 2011) used to assess STATIC-99R normative percentile. These findings suggest that no selection in terms of actuarial risk level occurred between conviction and treatment, leading to over-inclusion of low risk offenders in this high-intensity outpatient treatment group. It is concluded that the standard use of structured risk assessment for the compilation of treatment groups may improve both the effectiveness and efficiency of sex offender treatment in The Netherlands.
Sexual offending behavior is a widespread societal problem that carries great costs and suffering for its victims. To illustrate, in the Netherlands, each year over 1% of the population reports being confronted with some form of unwanted sexual contact (Kalindien, De Heer-De Lange, & Van Rosmalen, 2011), with women being almost five times more likely to experience such behavior than men (2.4% of women versus 0.5% of men). Prior research indicated that the majority of these incidents tend to be described as annoying or insulting behavior; and about 15% tends to be described as an actual (attempted) sexual assault or rape (Frenken, 2002).

Consistent with findings from a meta-analysis of 23 recidivism outcome studies (Hanson, Bourgon, Helmus, & Hodgson, 2009), one principal way to reduce the number of victims of sexual offending is to provide adequate treatment for apprehended sex offenders who are at risk to reoffend. Hanson et al. (2009) furthermore concluded that sex offender treatment is most effective when designed corresponding to the risk need responsivity principles (RNR) (Andrews, Bonta, & Hoge, 1990; Andrews & Bonta, 2010). The RNR principles constitute the most influential model for the assessment and treatment of all types of offenders (Blanchette & Brown, 2006; Ward, Mesler, & Yates, 2007). The risk principle dictates that the level of treatment services must be proportional to the offender’s risk to reoffend, i.e., high risk offenders should receive the most intensive treatment. Prior research has shown that sex offenders’ risk levels can be most accurately assessed through the use of structured actuarial risk assessment instruments (Hanson & Morton-Bourgon, 2009) and that so determined risk levels should guide treatment selection (Bonta & Andrews, 2007).

Specific recommendations on treatment duration for sex offenders are scarce in the literature. One study (Marshall, Jones, Ward, Johnston, & Barbaree, 1991) indicated that two sessions a week during three months would suffice for low-risk offenders, whereas high-risk offenders would need three sessions a week during nine months, thus implying a roughly four times higher dose of treatment for high-risk offenders than for low-risk offenders. Hanson (2009) described a high-intensity treatment consisting of daily group treatment sessions amounting to 15 hours per week during 8-12 months, and a low-intensity treatment consisting of 2-5 hours of group sessions per week during 4-8 months, implying an at least three times higher treatment dose for high-risk offenders than for low-risk offenders. This large difference in recommended treatment dosages between low- and high-risk offenders points to practical advantages of separate treatment groups for these offender groups. Moreover, in line with the RNR principles, research regarding general offenders has demonstrated that placing low-risk offenders in intensive treatment programs may actually increase their recidivism rates (Bonta, Wallace-Capretta, & Rooney, 2000; Lowenkamp & Latessa, 2002). This adverse effect may come about by affiliation of low-risk offenders with high-risk
offenders within the treatment group, and/or by the disruption of the low-risk offenders’ prosocial activities and social circles (school, employment etc.) due to the long and intensive treatment (Lowenkamp, Latessa, & Holsinger, 2006). In sum, there appears to be ample reason to assess sex offenders’ risk levels accurately and to refer them to separate treatment groups of corresponding dosage.

In the Netherlands, approximately half of the offenders who are convicted for a sexual offense are referred to some form of treatment to reduce recidivism risk (Smid, Kamphuis, Wever, & Van Beek, 2013). Referral to these treatments is not guided by validated risk assessment instruments. When instruments are included in the assessment, the results serve as complementary information in overall unstructured clinical evaluations. A recent study (Smid et al., 2013) showed that this clinically guided treatment selection yielded an insufficient match between risk levels and referred treatment levels. More specifically, a substantial proportion of high-risk offenders, especially rapists, were not referred to any form of treatment. Also, a substantial number of low-risk offenders, especially child molesters, were referred to outpatient treatment. Regarding the further referral of sex offenders to specific treatment groups within treatment facilities, clinical treatment selection equally predominates, and while validated actuarial risk assessment instruments may be administered, they serve as one of several inputs for clinically guided treatment group selection. Outpatient treatment groups in The Netherlands usually have an open format with continuous enrollment, and the patients progress through the stages of treatment at their individual pace. To be in line with the risk principle, clinical referral to a specific treatment group should result in sufficient homogeneity regarding the risk levels within that treatment group.

The aim of the current study is to test whether the composition of an open format sex offender treatment group based on clinical treatment selection is in line with the risk principle. Specifically, we first test whether the clinically guided formation of a treatment group resulted in the selection of offenders of a specific risk level. Presumably, if clinical formation yielded a specific risk selection effect, then the distribution of risk levels within the treatment group should differ significantly from the distribution of risk levels of all offenders referred to treatment, as well as from the distribution of risk levels among all convicted sex offenders. An equal distribution of risk levels in these three offender groups is the null hypothesis we are seeking to reject.

Second, if offenders of varying risk levels are included in the open format treatment group, we test whether the treatment duration of high risk offenders, following the risk principle, exceeds the treatment duration of lower risk offenders. Equal treatment duration for offenders of all risk levels within the open format treatment group is the null hypothesis we are seeking to reject.
Finally, based on the existing literature (Andrews & Bonta, 2010), we predicted that high-risk sexual offenders were more likely to drop out.

**Method**

*Description of Samples*

The study sample consisted of three separate samples: the treatment group and two comparison samples. The treatment sample consisted of 80 men who were charged or convicted for a contact sexual offense and entered a specific treatment group between January 1999 and March 2011. The large majority (71%) of the offenders exclusively victimized children under the age of 16 (i.e. the age of consent in The Netherlands). Eight percent of the offenders had victims of 16 years or older, and 21% of the offenders had victims both under and over the age of 16. The open format treatment group involved four 6-hour treatment sessions per week, thus representing high-intensity outpatient treatment. The program consisted of cognitive behavioral group therapy regarding personal history, psychosexual problems, offense behaviors, cognitive distortions, emotion regulation, victim empathy, social circle and positive life goals. A more extensive description of treatment goals and means can be found in Verschuur (2012). There was a script and time schedule for some aspects of the treatment, but other modules continued until a satisfying result was achieved. The general aim was to not exceed duration of two years because the added value of the treatment beyond two years was regarded as doubtful (Verschuur, 2012).

The first comparison sample consisted of a random selection of 25% of all Dutch males convicted for a contact sexual offense who were discharged from prison or jail between 1996 and 2002 and were referred to outpatient treatment (*n* = 145). This first comparison sample was obtained by selecting half of all Dutch jurisdictions, stratified for urban and rural areas, and subsequently randomly selecting half of the obtainable files from each selected jurisdiction. There was no overlap between the treatment group sample and the random Dutch comparison sample (a subsample from the Smid et al. study, 2013).

The second comparison sample consisted of four combined Canadian subsamples (1990 to 2005; *n* = 2011) that were used to develop normative percentile ranks for the STATIC-99R scores (Hanson, Lloyd, Helmus, & Thornton, 2012). These four Canadian subsamples of the second comparison sample consisted of sexual offenders released between 1990 and 2005 from the three major divisions of the Canadian criminal justice system: (1) community, (2) provincial prison (sentences of less than 2 years that are administered by the provinces), and (3) federal prison (sentences of 2 years or more that are administered federally by the Correctional Service of Canada). None of these
four Canadian subsamples of the second comparison sample had been explicitly pre-selected on risk relevant criteria (e.g. need for treatment). Hanson et al. (2012) used standard survey sampling statistics (Kalton, 1983) to estimate a representative normative sample from the four Canadian subsamples.

**Setting**

The study was conducted at a forensic outpatient treatment centre in the eastern region of the Netherlands. The institution admitted approximately 40 contact sex offenders per year, and referred approximately one in ten offenders to the high-intensity outpatient treatment group used in this study. Most of the remaining offenders were referred to ‘outpatient prevention groups’ consisting of two weekly one-hour sessions, or to individual treatment.

Inclusion criteria for the referral of offenders to the high-intensity outpatient treatment group were a perceived moderate to high recidivism risk for serious offenses like (incestuous) child abuse. Furthermore, offenders had to be deemed suitable for group treatment and any present personality problems had to be perceived as manageable (Verschuur, 2012). Individual treatment was reserved for offenders who were deemed incapable of following treatment in groups, due to Pervasive Developmental Disorder, mild brain damage, a threatening/aggressive attitude or serious psycho trauma (Verschuur, 2012). Exclusion criteria for entering any of the treatment programs at this facility were acute psychosis, decreased mental functioning due to a medical or physical disease (e.g. delirium, dementia, amnesia), serious and acute substance abuse, serious developmental disorder and (clinically assessed) acute high risk of reoffending (Verschuur, 2012).

Initial referral to the high-intensity outpatient treatment group was based on clinical considerations/case-conceptualization by a multi-disciplinary team, including a psychiatrist, psychologist and therapist, and determined without the use of structured risk assessment. Starting 2010, offenders underwent a more specific assessment before entering the high-intensity outpatient treatment group, which included risk assessment by means of the *Sexual Violence Risk-20* (SVR-20; Boer, Hart, Kropp, & Webster, 1997), careful examination of the nature of the sexual offending behavior and assessment of the offender’s social system. The results of the structured risk assessment, however, served only as one input for the multi-disciplinary team that decided on the final allocation to the treatment group (Verschuur, 2012).

**Procedure**

All participants’ files were studied by trained coders to retrospectively code the items of the STATIC-99R (Hanson & Thornton, 2000; Helmus, Thornton, Hanson, &
Of note, none of the offenders were assessed for risk level with a structured actuarial risk assessment instrument at their conviction, nor at the start of their treatment. All items were coded as if the assessment had taken place at the start of treatment. For instance, items referring to the age of the offender were coded by their age at the start of treatment.

Treatment completion and duration was assessed for the participants in the treatment group. Treatment duration was defined as the number of weeks between the start- and the end date of participation in the treatment group. When the record indicated that the patient had dropped out of the treatment group, the patient was indicated as a non-completer. Treatment was regarded as completed when the record indicated official discharge from treatment. Generally, dismissal was granted on account of clinically assessed sufficient improvement. However, due to quality of record keeping, we cannot rule out that a number of offenders left treatment because their probation expired and treatment was no longer mandatory. To examine this possibility, the exact end dates of probation were retrieved for 65% of the offenders (n = 52) and this information indicated that 10% of the offenders (n = 5) ended their treatment between five weeks before and five weeks after the end date of their probation. Three of these offenders were of low-, one of low-moderate-, and one of moderate-high risk levels. These numbers suggest it is unlikely that treatment duration was strongly influenced by the expiration of probation, or that this influence would specifically apply to a subset of offenders of a certain (higher) risk level.

In total, 19 offenders had not completed their treatment in the high-intensity outpatient treatment group at the time of data collection: nine offenders dropped out of treatment, six were transferred to individual treatment, and four offenders were still in treatment at the time of data collection. A final sample of 61 offenders who completed their treatment was thus included in the comparison regarding treatment duration. All but the four offenders, who were still in treatment at the moment of data collection, were included in the comparison regarding completion rates.

**Instruments**

**The STATIC-99(R).** The STATIC-99 is the most commonly used actuarial risk assessment instrument for sex offenders (Hanson & Morton-Bourgon, 2005). It was developed by Hanson and Thornton (2000) as a combination of extant instruments; specifically the RRASOR (Hanson, 1997) and SACJ-Min (Grubin, 1998). The STATIC-99 consists of ten items referring to individual risk factors. The first item refers to the number of charges and/or convictions for previous sexual offenses and produces a score between 0 and 3. All remaining risk items follow binary scoring, (0 for absence and 1 for presence). The total score is calculated by adding up the scores of the individual items. The total score
refers to any of four different risk categories: low (total score 0 or 1), low-medium (total score 2 or 3), high-medium (total score 4 or 5) or high (total score 6 or higher). The STATIC-99 has been widely validated (42 studies, comprising a total of 14160 subjects) for sex offender risk assessment (sexual recidivism), and yielded an average AUC of .70, median .74 (Hanson & Morton-Bourgon, 2009). Recent research found age to add incrementally to the predictive validity to the Static-99, resulting in a revised scoring system for Static-99 that more accurately describes older offenders’ risk of recidivism (Helmus et al., 2012). In the current study the revised scales with the new age weights are used: the STATIC-99R.

**Statistical Analyses**

The distribution of risk levels within the high-intensity outpatient treatment group was compared to the distribution of risk levels of the random sample of all offenders referred to outpatient treatment in The Netherlands (n = 145) and the distribution of the observed percentages of risk levels in a large combined Canadian samples (Hanson et al., 2012) by means of two 4 x 2 Pearson Chi square analyses including 4 risk levels (low, medium-low, medium-high, high) and two sets of samples. Differences between the average duration of treatment between patients (completers) from different risk levels was compared by means of a univariate ANOVA with risk level as the independent variable with four levels (low, medium-low, medium-high, high), and treatment duration as the continuous dependent variable. Finally, the relationship between risk level and drop out was assessed by means of a Mann-Whitney U-test, comparing the mean rank of the risk levels of completers with the mean rank of the risk levels of non-completers.

**Results**

**Preliminary Reliability Analyses**

Fifty-four files were assessed by two coders independently to establish inter rater reliability. Strong inter rater reliability (Cicchetti, 1994) was observed for the Static-99R items, with an average kappa of .85, ranging from .66 (item 7, hands-off conviction) to 1.00 (items 8, unrelated victim and item 9, stranger victim).

**Demographic and Penal Comparison of Samples**

Table 1 provides an overview of the demographic variables for the high-intensity outpatient treatment sample and the Dutch random comparison sample. Offenders in the high-intensity outpatient treatment sample were significantly more often in a relationship (67.5% versus 49.7%, \( \chi^2 (1, n = 225) = 6.66, p = .01 \)), were less likely to be without
education (5.0% versus 19.8%, $\chi^2 (1, n = 225) = 8.98, p = .003$), and were more often employed (17.5% versus 30.3%, $\chi^2 (1, n = 225) = 4.45, p = .03$). The marginally higher sentences imposed for the sexual offense in the high-intensity outpatient treatment sample, 18.6 months versus 16.4 months ($z = -1.74, p = .08$) were likely due to the fact that the treatment sample was of more recent date and it is generally assumed that sentences have increased in The Netherlands in recent years (Van den Eerenbeemt & Van Hoorn, 2002). However, after deduction of the suspended part of the sentences, the unsuspended prison time did not significantly differ between both groups ($z = -.43, p = .67$).

### TABLE 1  DEMOGRAPHIC VARIABLES AND SENTENCING INFORMATION FOR THE HIGH-INTENSITY OUTPATIENT TREATMENT GROUP AND A DUTCH NATIONAL SAMPLE OF OFFENDERS REFERRED TO OUTPATIENT TREATMENT

<table>
<thead>
<tr>
<th>Demographics</th>
<th>Outpatient treatment group ($N = 80$)</th>
<th>Dutch national sample ($N = 145$)</th>
<th>Cohen’s $d$</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Demographics</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Age at conviction</td>
<td>$M = 41.8$ (11.4)</td>
<td>$M = 40.4$ (13.0)</td>
<td></td>
</tr>
<tr>
<td>Ethnicity Caucasian</td>
<td>92.5 (74)</td>
<td>89.7 (130)</td>
<td>.05</td>
</tr>
<tr>
<td>Religious†</td>
<td>37.5 (30)</td>
<td>26.2 (38)</td>
<td>.12</td>
</tr>
<tr>
<td>Marital status single*</td>
<td>32.5 (26)</td>
<td>50.3 (73)</td>
<td>.17</td>
</tr>
<tr>
<td>No education (beyond elementary school)**</td>
<td>5.0 (4)</td>
<td>19.8 (26)</td>
<td>.21</td>
</tr>
<tr>
<td>Unemployed*</td>
<td>20.5 (15)</td>
<td>33.6 (46)</td>
<td>.14</td>
</tr>
<tr>
<td><strong>Sentencing</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Months sentence, $M$ (SD) †</td>
<td>$M = 18.6$ (10.8)</td>
<td>$M = 16.4$ (9.6)</td>
<td>.22</td>
</tr>
<tr>
<td>Months suspended, $M$ (SD)**</td>
<td>$M = 6.9$ (3.2)</td>
<td>$M = 5.7$ (3.0)</td>
<td>.39</td>
</tr>
<tr>
<td>Net sentence (minus suspended)</td>
<td>$M = 11.7$ (10.7)</td>
<td>$M = 10.4$ (8.2)</td>
<td>.14</td>
</tr>
<tr>
<td>Months probation, $M$ (SD)*</td>
<td>$M = 28.1$ (9.3)</td>
<td>$M = 24.8$ (9.6)</td>
<td>.35</td>
</tr>
</tbody>
</table>

Note: † $p < .10$; * $p < .05$; ** $p < .01$

**Composition of Risk Levels**

Figure 1 depicts the constellation of the high-intensity outpatient treatment group in terms of offenders’ risk levels over the course of 620 weeks. Table 2 shows the distribution of the risk levels of all participants of the high-intensity outpatient treatment group, compared to the random sample of 25% of sex offenders referred to outpatient treatment in The Netherlands between 1996 and 2002 and the combined Canadian samples used for the STATIC-99R percentile ranks (Hanson et al., 2012). No significant
difference between the treatment sample and the Dutch random sample was found in terms of the distribution of risk levels ($\chi^2 (3, n = 225) = 1.67, p = .64$). Likewise, no significant difference in the distribution of risk level was found between the high-intensity outpatient treatment sample and the combined Canadian samples used for the STATIC-99R percentile ranks (Hanson et al., 2012) ($\chi^2 (3, n = 2,091) = 2.56, p = .47$).

**Figure 1** Overview of the participation of offenders of different risk levels in group treatment over the course of 620 weeks

*Note:* Each bar represents an offender with the color indicating risk levels and the length of the bar indicating the period spend in treatment. Week 1 is January first 1999 and week 620 is March 2011.

**Table 2** Distribution of risk levels based on STATIC-99R scores for the three samples

<table>
<thead>
<tr>
<th>Risk level</th>
<th>Outpatient treatment group</th>
<th>Dutch national sample</th>
<th>Canadian sample</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>($N = 80$)</td>
<td>($N = 145$)</td>
<td>($N = 2,011$)</td>
</tr>
<tr>
<td>Low risk</td>
<td>43.8% (35)</td>
<td>42.1% (61)</td>
<td>39.6% (796)</td>
</tr>
<tr>
<td>Low-moderate risk</td>
<td>30.0% (24)</td>
<td>28.3% (41)</td>
<td>34.7% (698)</td>
</tr>
<tr>
<td>Moderate-high risk</td>
<td>15.0% (12)</td>
<td>21.4% (31)</td>
<td>18.1% (364)</td>
</tr>
<tr>
<td>High risk</td>
<td>11.3% (9)</td>
<td>8.3% (12)</td>
<td>7.6% (153)</td>
</tr>
<tr>
<td>Mean STATIC score</td>
<td>2.2 (2.6)</td>
<td>2.3 (2.3)</td>
<td>2.3 (2.5)</td>
</tr>
</tbody>
</table>

*Note:* No significant differences were found
Treatment Duration and Drop Out

The average treatment duration for participants of the high-intensity outpatient treatment group at each risk level as well as the percentage of non-completers at each risk level are presented in Table 3. No statistically significant difference in treatment duration was observed across participants of different risk levels ($F(3, 60) = 1.05$, $p = .38$, $\eta^2_p = 0.05$) (0.01-.06 is small; 0.06-.14 is medium; $\geq 0.14$ is large). Tukey post-hoc comparisons revealed no significant differences between any of the individual risk categories, nor was there significant difference between the treatment duration of high-risk offenders ($M = 97.3$, $SD = 33.0$) and all other offenders combined ($M = 77.9$, $SD = 52.5$; $t(59) = 1.36$, $p = .18$, Cohen’s $d = .44$). When the small subgroups of moderate-high risk offenders ($n = 8$) and high-risk offenders ($n = 7$) were combined to one level ($n = 15$, $M = 93.5$, $SD = 40.9$), no significant difference in treatment duration was observed across risk levels ($F(2.58) = 1.52$, $p = .23$, $\eta^2_p = 0.05$). The Mann-Whitney U-test revealed a trend for the non-completers to have higher risk levels (mean rank = 46.9), than the completers (mean rank = 36.4); $z = -1.74$, $p = .08$, two-tailed.

<table>
<thead>
<tr>
<th>Risk level</th>
<th>Completed ($n = 61$)</th>
<th>Treatment duration in weeks ($M \pm SD$)</th>
<th>Drop out % ($n$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low risk</td>
<td>($n = 29$)</td>
<td>73.9 (34.3)</td>
<td>9.4 (3)</td>
</tr>
<tr>
<td>Low-moderate risk</td>
<td>($n = 17$)</td>
<td>79.1 (32.2)</td>
<td>26.1 (6)</td>
</tr>
<tr>
<td>Moderate-high risk</td>
<td>($n = 8$)</td>
<td>90.1 (30.8)</td>
<td>33.3 (4)</td>
</tr>
<tr>
<td>High risk</td>
<td>($n = 7$)</td>
<td>97.3 (52.5)</td>
<td>22.2 (2)</td>
</tr>
</tbody>
</table>

Note: No significant differences were found

Discussion

The aim of the present study was to assess the distribution of risk levels in a clinically composed treatment group. The distribution of risk levels within the treatment group did not deviate from the total population of sex offenders referred to outpatient treatment in The Netherlands (between 1996-2002), nor from the combined Canadian samples that were used to compile the percentile ranks for the STATIC-99R (Hanson et al., 2012). In other words: these findings are consistent with a distribution that would be obtained if no selection regarding risk level occurred between conviction and treatment of these offenders. Consequently, offenders of all risk levels were present in the treatment group. Contrary to expectation, treatment duration and treatment completion of the offenders in the treatment group were not significantly related to their risk levels. Taken together,
the findings suggest that whatever selection occurred in the clinical trajectory leading up to
the compilation of this high-intensity outpatient treatment group, it must have been
guided by other factors than risk-level. The demographic differences in terms of educa-
tion, relationship status, and employment between the treatment group and the total
sample of offenders referred to outpatient treatment, may point to a clinical selection of
a subset of offenders that is more capable and motivated for treatment.

Given the high-intensity (24 hours per week) and the long duration (the average
treatment length was 80 weeks), a distribution of risk levels skewed towards the higher
end would a priori seem appropriate in view of the suggested recommendations in the
international literature. Instead, the largest segment (44%) of the enrolled offenders
was of the lowest risk level. Accordingly, a major problem emerging from our find-
ings is the likely over-treatment of low-risk offenders. This notion is strengthened by
the minimal association between risk level and treatment duration within the group.
The average treatment duration for the low-risk offenders (74 weeks) was 92% of the
general average treatment length (80 weeks), and about three-quarters of the average
treatment length of the high-risk offenders. The small effect size in treatment duration
does not nearly approach the three of four times factor recommended in the literature
(Hanson, 2009; Marshall et al., 1991). The overtreatment of low risk offenders results
in a considerable waste of resources, especially given their relatively large numbers.
Furthermore there is a possibility that overtreatment increases low risk offenders’
recidivism rates (Bonta et al., 2000; Lowenkamp & Latessa, 2002). The finding that
clinical group composition did not result in any selection regarding risk level also sug-
gests that high-risk offenders may be placed in low intensity treatment groups, lead-
ing to under-treatment of high-risk offenders. Future research should assess whether
moderate-high and high-risk offenders are indeed included in clinically composed low
intensity outpatient treatment groups.

The question why low-risk offenders are allocated to high-intensity treatment and
why they remain in treatment for such a long period is hard to answer. Clinical treat-
ment selection in general is an understudied topic, and often remains a black box (but
see Van Manen, Kamphuis, Goossensen, Timman, Busschbach, & Verheul, 2012 for an
interesting effort to visualize the clinical decision process in the context of personality
disorders). Enquiry among treatment providers indicated that low-risk offenders often
present with numerous problems and complaints that they are very motivated to work
on and willing to accept help for. These problems for the larger part are not linked to
their recidivism risk and might also be treated in regular mental health care settings,
but instead are given attention during the forensic treatment. This problematic state
of affairs seems to spring from misinformation in two directions. Forensic treatment
providers are insufficiently informed about dynamic risk factors related to reoffending
and therefore providing treatment that is insufficiently guided by the Need principle (the focus of treatment on risk related factors). Conversely, regular mental health practitioners are often inexperienced and reluctant to treat sex offenders at all, and generally lack knowledge about which psychological factors are and which are not related to sexual offending. As a result low-risk offenders remain in their forensic treatment groups to work on these general issues.

The current study has a number of limitations that limit the generalization of the results. The study sample consisted of one treatment group only and examination of other treatment groups may have yielded different results. However, the current treatment group was followed over a long period of time (almost 12 years), and the treatment facility providing the treatment is a well-respected facility in The Netherlands, utilizing procedures that are to a high degree representative for other treatment facilities in The Netherlands. Indeed, in general the formation of treatment groups is not guided by the use of internationally validated actuarial risk assessment instruments.

Another limitation of the study is that the achievement of treatment goals was insufficiently documented, leaving the possibility open that a (small) number of offenders may have completed their treatment due to the expiring of their probation instead of sufficient improvement. Future research on this topic may be of great interest and in that respect it is recommended to treatment providers to keep careful track of the goals and progress of their clients. With respect to the comparison groups, it should be noted that both the national treatment referral group and the Canadian sample were of older date than the treatment group, introducing possible cohort effects. On the other hand, mitigating these concerns, Hanson et al. (2012) indicate that the distribution of STATIC-99R risk levels has shown to be very consistent over different cohorts in time and in numerous countries.

Finally and most importantly, while the current study tested whether clinical treatment selection leads to selection in terms of risk levels, it should be acknowledged that it cannot test whether this clinical treatment selection yielded worse treatment outcome than would have occurred when based on actuarial risk levels. As noted by Hanson et al. (2009), this kind of evaluation of the application of the risk principle in terms of recidivism would require comparison to treatment in which the intensity was indeed matched to risk. As there currently are no such treatment groups in The Netherlands (yet), no adequate comparison group was available for this purpose. Should such a group be available in the future, this question certainly needs to be addressed first and foremost. However, although it is theoretically possible that the clinical treatment selection in this sample has lead to better treatment results than a risk oriented selection would have, this is very unlikely given the accumulating evidence underlining the importance of the risk principle both in correctional treatment in general (Bonta et al., 2000; Lowenkamp
& Latessa, 2002) and in the treatment of sex offenders specifically (Hanson et al., 2009; Olver, Nicholaichuk, Gu, & Wong, 2013; Smid, Kamphuis, Wever, & Van Beek, 2014).

Notwithstanding the limitations, the current study carries a number of practical implications and suggestions. The standard use of validated actuarial risk assessment instruments to guide the assembling of treatment groups could improve adherence to the RNR model, and in so doing lead to more efficient and possibly more effective treatment programs. The most feasible way to decrease the mixing and possible affiliation between high- and low-risk offenders would be to adequately select the high-risk offenders and provide them with individual treatment, because their numbers are not large. Alternatively, one may provide separate treatment groups for (moderate-high and) high-risk offenders and low (and low-moderate) risk offenders. Treatment duration should then be adjusted to risk level, most importantly implying a much shorter treatment for the low-risk offenders. Moreover, extensive education on the subject of dynamic risk factors related to sexual offending behavior is warranted for forensic treatment providers. Remaining psychological problems of low-risk offenders that are not related to their recidivism risk could either be treated in general mental health care, which would require training of general mental health practitioners on this subject, or a follow up module of the low-risk group treatment could be created, dedicated to general mental health problems.
References


