



Short Format Pre-Sentence Report

This is a Pre-Sentence Report as defined in Section 1 58 of the Criminal Justice Act 2003.

| Offender details | | | |
|-----------------------|---|----------------|----|
| Name: | KS | | |
| Date of Birth: | 01/01/1976 | Age: | 41 |
| Address: | 7 Test Street, Test Region, Test City, SP1 9LK | | |
| Delius CRN: | D557037 | PNC ID: | |

| Offence details |
|---|
| Main offence and dates: Send letter / communication / article / conveying a threatening message – 26th Sept 2017 |
| Other offences and dates: Breach of CBO - 26th Sept 2017 |

Offence analysis:

KS pleaded guilty to the offences and accepts some responsibility for the behaviour. However, during the interview KS was very blaming of his mother and drugs worker. He stated that he had been angry with his mother as he felt she had gone back on her word KS advised me that he had not slept for two days as he had been released from custody being homeless and wanted to go to the caravan to sleep. He described his drugs worker as speaking to his mother and father too frequently and that he feels that they are gossiping about him.

It is my assessment KS is very blaming of other people for his situation. He presents as being very immature for his age which is likely to impact on his inability to resolve situations in a productive manner. KS has been provided with a great deal of support from his drugs worker who has successfully managed to assist him in gaining accommodation on a number of occasions, before KS has then lost the placements due to negative behaviour.

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KS admitted to being in possession of a crack pipe but denied it was for class A drug use, instead stating he had used it to smoke cannabis. He informed me that he does not consider his drug use to be problematic or have any negative impact on him, instead that it calms him down. I suspect that KS is not being honest about the level of drug use he is currently engaging in and the impact this is having on his life.

KS showed some insight into his motivations to offend, he stated that he had been angry with his mother. It appears that he feels excluded from the family, referring to his mother just caring about his sister. However, KS does not appear to be motivated to address any of these issues in a productive manner instead focusing on blaming others.

KS did not appear to grasp the seriousness of the offence, he stated that he would never lay a finger on his mother and did not believe that she would be scared by his comments. He told me that he had said the comments over the phone and not to her face, implying this made it less serious but it wasn't clear why this was. It is my assessment that the victim felt in fear of KS from the comments he made and that this is why she had contacted the Police. KS did not show any remorse for his behaviour, he stated he regretted making the comments as it has resulted in him going to custody.

| Offender assessment issues | | | |
|----------------------------|---|------------------------------------|---|
| Accommodation | ✓ | Employment, training and education | ✓ |
| Finance | | Relationships | |
| Substance misuse | | Physical & mental health | |
| Thinking and behaviour | ✓ | Other issues (specified below) | |

Accommodation

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Employment

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Pattern of offending

KS has a varied pattern of offending behaviour, mainly for possession of drugs. The index offence appears to be the first of this nature but he does have previous convictions for violent and anti-social behaviour. The current behaviour is not an escalation of seriousness, his most serious offence being

committed 2 years ago of a sexual nature. KS was first convicted in 2011 and has received 17 convictions for 27 offences.

Risk assessment

Likelihood of re-offending:

The Offender Group Reconviction Scale (OGRS) tool assess the risk of reconviction as being high (83% in two years). I would agree with this assessment, KS does not appear motivated to address factors linked to his offending behaviour.

Risk of serious harm:

KS is assessed as posing a medium risk of serious harm to members of the public, including his mother and sister. The nature of this risk is physical, sexual and emotional harm. The risk is linked to KS's lifestyle which appears to be focused on obtaining and consuming drugs. Whilst he continues to involve himself in this lifestyle he puts his family at risk of harm. KS is assessed as posing a risk of harm to himself as a result of his substance use issues and possible attacks from drug dealers.

Response to previous supervision:

Poor

Details on previous supervision:

KS failed to report to Probation on his release from custody or make any attempts to contact his Offender Manager.

Proposed sentence (including length and any sentence components)

I have consulted with the sentencing council guidelines in making this proposal to the Court. Having liaised with KS's Offender Manager I find it difficult to make a proposal for community intervention to the Court. KS is of no fixed abode and despite numerous attempts to assist him in this area he has been unable to maintain any placements he has received. Without accommodation the risk of him not complying with an Order is increased. It is clear that KS's offending behaviour is largely linked to his cannabis use, pro-criminal attitudes and anger management difficulties. He does not show any insight into these areas or consider his behaviour to be problematic. KS was unable to tell me what support he would need to assist him in stopping offending and does not appear to see custody as a deterrent to offending at this time.

Due to KSs lack of compliance in the past and no evidence of his motivation to engage having increased I am unable to provide the court with a

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recommendation for a community penalty. Although KS advised me that he would comply with an unpaid work requirement, he has been made subject to unpaid work in the past but failed to attend appointments. KS does not appear motivated to address his drug use and stated he would not be willing to comply with a exclusion requirement prohibiting him from attending his mothers address. I am therefore only able to recommend that the Court sentence KS to a custodial sentence.

| Sources of information | | | |
|--------------------------|---|----------------------------|---|
| Interview | ✓ | Service Records | ✓ |
| CPS Summary | ✓ | Previous OASys Assessments | ✓ |
| Previous Convictions | ✓ | Victim Statement | |
| Children Services Checks | ✓ | Police Information | |

Other sources of information:

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| Sentencing court details | |
|----------------------------|--------------------------------------|
| Court: | Westminster Magistrates Court |
| Date of Hearing: | 27/09/2017 |
| Local Justice Area: | London - Central |

| Completion details | |
|-----------------------------------|----------------|
| Report author: | |
| Office: | Westminster MC |
| Court office phone number: | 0101 0101 0101 |
| Signature: | |
| Counter signature*: | |
| Start date: | 28/06/2017 |
| Completion date: | 29/06/2017 |

* (if required)

V0.108a (REQUIRES VERSION NUMBER)



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