

# CONFIDENTIALITY LIMITS OF PSR

The report can be accessible to the offender, Judge/Magistrate, prosecutor and defense counsel if present.

The Probation Officer can limit him/herself to read parts that the offender wishes to remain confidential in open Court, but this part remains accessible to the magistrates/prosecutors/defense counsel in the report.

The offender's personal records are always kept strictly confidential and closed to third parties.

Access to such records shall be limited to persons directly concerned with the disposition of the offender's case.



## What is a Pre-Sentencing Report?

A pre-sentencing report (PSR) is a report prepared by a probation officer after an offender have been convicted of a crime. This report contains contextual, historical and personal information about the offender that assists the judge in determining an appropriate sentence.

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## Pre-Sentencing Reports

Once a person has been convicted of an offence a judge may ask a probation officer to find out more about them so they can recommend what the most appropriate sentence should be.

The probation officer will:

- interview the offender
- interview the victim, if applicable
- make enquiries with the offender's family, friends and employer
- gather information from the police, prosecution, and other relevant agencies.

After the probation officer has all the information, he or she will take into account what the law says about sentencing for the particular offence, and make a recommendation on what the most appropriate sentence would be.

## A Pre-Sentencing Report Will include:

A PSR will contain information related to the case, and the following information.

- Personal and Family background
- Criminal History
- Overall attitude toward the crime(s)
- Education
- Employment History
- Physical/Mental Health
- Substance Abuse History
- Victim Impact Statement
- Finances (for restitution)
- Risk Assessment
- Offense Analysis
- Sentence Recommendation

## The Importance of A PSR

The Pre-Sentencing Report is an important document because it helps the Court to understand the character and personality of the offender. It also offers insight into the offender's problems and needs and focuses on the social environment in which the offender lives.

The PSR seeks to discover the possible factors contributing to the offender's anti-social behavior which can be a valuable guide in determining the appropriate sentence. The PSR can also assist the Probation Officer in developing a case plan that will address offending behavior and other factors contributing to offending behavior.

