

Community Sentences and their Outcomes in Jersey: the fourth report

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November 2015

INTRODUCTION

This report is the fourth in a continuing series which aims to provide a regularly updated evaluation of the outcomes of the Jersey Probation and After-Care Service's work and its contribution to community safety, crime reduction and the rehabilitation of offenders. The work of probation services is notoriously difficult to measure and evaluate. There are hundreds of probation services in the world: the largest survey of probation work in Europe alone covers 32 countries (Van Kalmthout and Durnescu 2008) but very few of them are able to document the outcomes of their work or to specify what difference they make to offenders. The Jersey service is one that can, largely thanks to the conscientiousness of its staff and managers and the quality of data that they provide. As a result, Jersey's probation work has attracted widespread attention and has contributed to the establishment of an international research network studying probation practice (*CREDOS*, the Collaboration of Researchers for the Development of Effective Offender Supervision). Research related to Jersey's probation work has been discussed in many international criminological conferences, and the research collaboration between Swansea University and the Jersey Probation and After-Care Service has also provided the basis for the Jersey Crime and Society Project, a series of linked research projects which now also include a study of the Parish Hall Enquiry system (Miles 2004; Miles and Raynor 2005, 2014) and a review of Youth Justice (Evans et al. 2010).

The fact that this is the fourth report containing data on risk levels and outcomes means that these can now be compared over time, and we have the beginnings of a time series approach to the evaluation of services. The previous reports are available on the JPACS website (Raynor and Miles 2001; Miles and Raynor 2004; Miles, Raynor and Coster 2009). Comparison with the last report in 2009 shows some differences, and we comment on these when they occur. However, numbers of some categories of offender (for example, female offenders, or offenders subject to little-used sentences) remain small, and caution is needed in interpreting trends which may not be statistically significant. The value of these findings increases as the time series lengthens, and it is intended that this series of reports will continue.

The data available for this report concern 1907 clients of the Jersey Probation and After-Care Service assessed using an internationally recognised assessment tool for offenders (Level of Service Inventory - Revised) (LSI-R) between 01 January 2006 and 31 December 2012 (the latest qualifying point for inclusion in the reconviction study with adequate two year follow up). There have been some changes in data handling in Jersey's criminal justice system since the last report in 2009: figures on community sentences are available in much the same way as before, but figures regarding reconviction rates after release from prison are not yet available on a comparable basis, so we have not attempted in this report to set out comparisons between the outcomes of prison and other sentences, as we have done in earlier reports. Consequently the main

focus of this report is on non-custodial sentences only. We hope to re-instate the wider range of comparisons in future reports.

This report covers some general characteristics of the assessed offender population and a comparative study of the risks of re-offending and the actual reconviction rates of those sentenced to some of the more commonly-used sentences. Offenders are followed up for twelve months and twenty four months from the date of sentence. Reconviction rates are examined for whole sentenced populations and for samples subdivided by risk group. In addition, we provide figures for changes in risk levels during supervision.

The report is a product of the partnership set up between the Jersey Probation and After-Care Service, the University of Wales, Swansea and the Cognitive Centre Foundation in 1996 when the Jersey Probation Service became the first in the British Isles to adopt the LSI-R, as part of a conscious strategy for the enhancement of effective probation practice (Heath, Raynor and Miles, 2002). Other pilot areas followed, a substantial Home Office study (Home Office Research Study 211, Raynor et al. 2000) confirmed the broad reliability of the LSI-R as a reconviction predictor and a risk-related change measure for use in probation services in England and Wales, and its use in other countries has grown (Raynor 2007; Raynor and Miles 2007). This is the fourth report to apply it on a substantial scale to the evaluation of probation practice in Jersey.

LSI-R SCORES AND RECONVICTIONS

The sample contained 1907 offenders of which 1547 were male and 360 female. The average age was 30, with a range from 12 to 82. The most frequently occurring age at which the first risk assessment was made was 18. Initial LSI-R scores ranged from 1 to 43 with a mode of 14 and an average of 15.4. The range of sentences received by these offenders on initial conviction is shown in Table 1.

Table 1. Sentences received on initial conviction (N = 1907)

(Where more than one sentence was passed at the same court appearance, Table 1 lists only the most severe.)

Absolute discharge	3
Bind-over (standard)	182
Other bind-over	87
Fine	160
Community service	507
Combination orders	80
Probation	428
Suspended sentence	19
Suspended sentence with supervision	6
Custodial sentence (prison)	369
Custodial sentence (YOI)	32
Other outcomes	34

DATA COLLECTION

Reconviction information about offenders sentenced to community penalties has been gathered from Jersey Court records and Probation records, and we have a high degree of confidence in the accuracy of these figures. For the purposes of this study, “reconviction” refers to a sentence passed by a Court in Jersey. The Jersey system considers reconviction to include *all* court appearances including ‘less serious’ offences such as drunk and disorderly. Such offences, if committed in the United Kingdom, would not appear in the ‘standard list’ and therefore not necessarily show on the offenders’ official records. Given the multiple sources of information to provide data for this study, it is fair to say that this report is able to reflect a highly accurate picture of re-offending for those offenders who commit offences in Jersey, receive a non-custodial sentence and remain in the Island. The data concerning custodial sentences are, for the period covered in this report, more problematic, and full information concerning reconvictions has not been available to us. The reasons for this are not clear. We are trying to resolve this problem so that fuller data can be presented in future reports.

The remainder of the analysis in this section concentrates on the more common sentences, i.e. those received by more than 20 people, since only these provide sufficient numbers for meaningful analysis.

COMMONLY USED SENTENCES

Table 2 shows, for each commonly used sentence across all age groups, the average LSI-R score (risk level, in bold) of those subject to it, the percentage committing a 'serious' offence on initial conviction, the percentage reconvicted within 12 months and 24 months (in bold), and the percentage of those reconvictions which involved a 'serious' offence. ('Serious' offences in this table are the majority of criminal offences leading to court appearances, and include all violent, sexual and major property offences, while less serious offences include infractions such as shoplifting, bicycle theft and malicious damage.) Tables 3 and 5 show similar information, separated by age group. Table 6 shows the same analysis according to gender. In addition, Table 4 includes a comparison of probation reconviction rates with those included in the 2009 report.

**Table 2. Characteristics and outcomes of commonly used sentences
(All ages)**

Sentence		Mean LSI-R	% serious on initial offence	% reconvicted in 12 months	% of reconvictions which were serious	% reconvicted in 24 months	% of reconvictions which were serious
Community Service	507	11.2	80	10% (n=52)	46% (n=24)	15% (n=77)	48% (n=37)
Probation (including combination orders)	508	19.8	69	16% (n=80)	57% (n=46)	30% (n=151)	64% (n=96)

Key comparators (lower risk):

Sentence		Mean LSI-R	% serious on initial offence	% reconvicted in 12 months	% of reconvictions which were serious	% reconvicted in 24 months	% of reconvictions which were serious
Bind Over	261	13.0	54	18% (n=47)	43% (n=20)	28% (n=75)	48% (n=36)
Fine	160	10.1	63	11% (n=18)	56% (n=10)	23% (n=36)	47% (n=17)

Key comparators (higher risk)

Sentence		Mean LSI-R	% serious on initial offence
YOI	32	22.7	90
Prison	369	18.9	95

Table 3 Characteristics and outcomes of commonly used sentences (Adults Only):

Sentence		Mean LSI-R	% serious on initial offence	% reconvicted in 12 months	% of reconvictions which were serious	% reconvicted in 24 months	% of reconvictions which were serious
Community Service	444	11.0	82	10% (n=45)	51% (n=23)	14% (n=62)	52% (n=32)
Probation	318	20.6	69	14% (n=46)	26% (n=12)	26% (n=84)	39% (n=33)
Bind Over	122	13.4	54	14% (n=17)	35% (n=6)	24% (n=29)	45% (n=13)
Prison	364	18.8	96				

The clearest feature of the figures in Tables 2 and 3 is that reconviction rates increase as LSI-R scores rise, indicating that LSI-R continues to provide a useful degree of risk prediction for Jersey. In addition, there are some small but interesting changes from the figures reported in 2009, which covered offenders sentenced in 2002-5. Table 4 shows initial risk scores and reconviction rates for probation and community service in both time periods:

Table 4 – Risk and reconviction 2002-5 and 2006-12

	Mean LSI-R	% reconvicted in 12 months	% reconvicted in 24 months
Probation 2002-5	21.1	22	34
Probation 2006-12	19.8	16	30
Community Service 2002-5	12.0	12	21
Community Service 2006-12	11.2	10	15

These figures should be interpreted cautiously, since they span a 10-year period and there have been changes in recording practices during that time. However, the most natural interpretation is that there have been improvements in reconviction rates for both

probation and community service. There have also been slight reductions in assessed initial risk levels, but these are small and not sufficient, on their own, to account for the improvement in reconviction rates.

Table 5 – Characteristics of commonly used sentences – Youths Only

Sentence		Mean LSI-R	% serious on initial offence	% reconvicted in 12 months	% of reconvictions which were serious	% reconvicted in 24 months	% of reconvictions which were serious
Community Service	37	10.2	59	11 % (n=4)	25% (n=1)	24% (n=9)	22% (n=2)
Probation	84	18.1	58	15% (n=13)	46% (n=6)	39% (n=33)	33% (n=11)
Bind Over	104	12.6	56	27% (n=28)	46% (n=13)	41% (n=43)	51% (n=22)
YOI 16 and 17	5	28.6	80				

Y O I including 18	16	21.6	88				
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It is interesting that for adults, the bind-over seems to be working quite well, whereas for youths it has a higher reconviction rate.

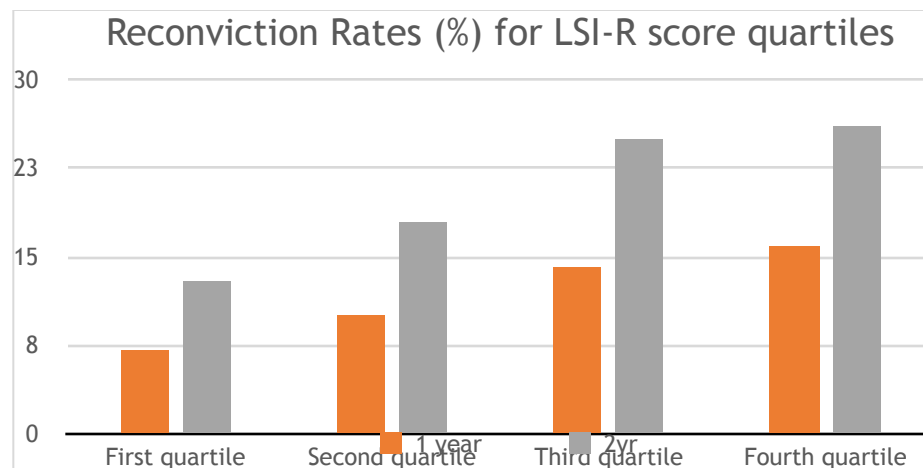
Table 6 - Characteristics of commonly used sentences – Women Only (All Ages).

Sentence		Mean LSI-R	% serious on initial offence	% reconvicted in 12 months	% of reconvictions which were serious	% reconvicted in 24 months	% of reconvictions which were serious
Community Service	89	12.4	82	10 % (n=9)	75 % (n=6)	12 % (n=11)	54 % (n=6)
Probation	91	19.6	69	19 % (n=17)	29 % (n=5)	29 % (n=27)	37 % (n=10)
Bind Over	88	12.8	59	13 % (n=11)	54 % (n=6)	22 % (n=20)	55 % (n=11)
Prison	43	18.3	95				

Women generally reconvict at a lower rate than men in Community Service but they have higher conviction rates at both the 12 month and 24 month point for Probation Orders than the 'Adults' group presented in table 3.

Figure 1 provides another illustration of the relationship between LSI-R scores and reconviction, dividing the LSI-R scores into quartiles (four approximately equal groups of offenders) and indicating the proportions reconvicted in each group:

Figure 1. Reconviction rates (%) for LSI-R score quartiles



Reconviction rates in Jersey are generally lower than would be expected for comparable LSI-R scores in England and Wales, probably reflecting the fact that Jersey has managed to retain many features of a low-crime rural society in spite of rapid economic development (see Miles and Raynor 2014). Earlier findings that women's reconviction rates were substantially lower than those of men with similar initial risk scores are not supported by the current data, and it appears there is now less risk that LSI-R scores in

Jersey will over- predict women's offending. There is therefore less need to make substantial adjustments for gender in the interpretation of scores.

Analysis of the seriousness of reconvictions shows that around half of the recorded reconvictions are for the more serious range of offences, which is, for every sentence group, a lower proportion than the proportion of initial offences which were serious. Analysis of the reconviction rates themselves indicates that most sentences are followed by a level of reconviction which primarily reflects the levels of risk and criminogenic need shown by offenders receiving that sentence. In other words, the choice of sentence usually has a small effect in comparison with the existing characteristics of the offender.

As sentences tend to be used most frequently for different risk groups of offenders, comparisons between sentences can be easier to make if the offender population is divided into risk groups. Tables 7, 8, 9 and 10 compare the most frequently used sentences in each of four risk groups based on the quartile distribution of LSI-R scores - in other words, they divide the sample into four approximately equal groups assessed as low risk, low medium risk, high medium risk and high risk. Sentences are regarded as frequently used if they occur more than 25 times within the risk group.

Table 7. Frequently used sentences: low risk quartile (LSI-R = 1-10)

Sentence	Number	Mean LSI-R	% reconvicted within 12 months	% reconvicted within 24 months
Bind-Over	104	6.4	14.4	23
C o m m u n i t y Service	260	6.9	5.7	8.4
Fine	92	6.4	7.6	17.3
Probation	36	8.1	13.8	22.2
Prison	56	7.6		

Table 7 illustrates that for offenders with a low level of initial risk, reconviction rates are similarly low with fines and Community Service performing particularly well at the 12 month point. Binding over, for the current sample, has a higher reconviction rate than in previous reports.

Table 8. Frequently used sentences: low medium risk quartile (LSI-R = 11-14)

Sentence	Number	Mean LSI-R	% reconvicted within 12 months	% reconvicted within 24 months
Bind Over	61	12.4	13	22.9
C o m m u n i t y Service	142	12.4	9.8	19.0
Fine	41	12.4	12.1	24.3
Probation	48	12.7	18.7	27
Prison	80	12.7		

Table 8 shows that for the low-medium risk quartile, Community Service performs better at both the 12 and the 24 month point.

Table 9 . Frequently used sentences: high medium risk quartile (LSI-R = 15-21)

Sentence	Number	Mean LSI-R	% reconvicted within 12 months	% reconvicted within 24 months
Bind Over	50	17.2	22	40
C o m m u n i t y Service	70	16.6	15.7	21.4
Probation	161	17.5	13.0	29.0
Prison	66	17.4		

Table 9 shows that for high-medium risk offenders, the rates of reconviction differ across all the sentences for which we have good reconviction data. The outcomes of Probation and Community Service are encouraging in this risk group.

Table 10. Frequently used sentences: high risk group (LSI-R = 21-43)

Sentence	Number	Mean LSI-R	% reconvicted within 12 months	% reconvicted within 24 months
Bind Over	42	25.4	28.5	35.7
Community Service	37	25.5	32.0	35.1
Probation	184	26.5	16.8	30.9
YOI	19	29.2		
Prison	108	27.1		

Table 10 shows that within this high risk group, Probation Orders have a comparatively low level of reconviction.

CHANGES IN RISK DURING SUPERVISION

Repeat LSI-R assessments have been undertaken at the end of periods of supervision, and at the end point of programmes for those offenders undertaking them. The national Home Office study (Raynor et al. 2000; Raynor 2007) showed that changes in risk factors measured by repeat assessments using risk/need assessment instruments such as LSI-R were significantly related to subsequent reconviction, so reassessment can be used to evaluate not only how offenders' needs and risk factors change during supervision, but can offer some guidance on whether the period under supervision is having an impact on the risk of reconviction. Table 11 shows the proportion of probation orders terminated in each year since 2009 which showed a decrease in risk during supervision. (These figures are adapted from the JPACS Annual Report for 2014 and Business Plan for 2015.)

Table 11. Changes in risk assessments during supervision.

Year	Number of orders terminated	Proportion (%) showing decreased risk
2014	119	68%
2013	92	59%
2012	135	59%
2011	122	57%
2010	165	55%

2009	153	62%
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Overall Table 11 provides evidence of the positive impact of probation, and also shows improvements in measured impact during the time period covered by this report.

CONCLUSIONS

Evidence-based practice in JPACS

The JPACS has an international reputation for evidence-based development (see, for example, Raynor and Miles 2007) and this has been maintained and enhanced since 2009. There is a clear strategic focus on supporting research which has implications for practice and then applying research findings to improve effectiveness. One example, which has produced results within the time-period covered by this report, is the Jersey Supervision Skills Study (JS3) undertaken in collaboration with JPACS by a research team at Swansea University. Briefly, this involved identification from the international research literature of skills and practices associated with good outcomes in offender supervision, the development of a skills checklist for use in interview analysis, detailed statistical analysis of 95 interviews between probation staff and offenders under supervision, and comparison of outcomes for supervised offenders. The final results (Raynor, Ugwudike and Vanstone 2014) showed clearly that offenders supervised by staff who used a wider range of skills in supervision were less likely to be reconvicted.

Reports of this study have been published in France and the USA as well as in Britain, and it has been discussed in international conferences in Australia, the Czech Republic, England, Hungary, Portugal, Scotland, Singapore, Wales and elsewhere. The research methods developed for it have been used or adapted for use in several countries including France and Romania. One implication of this kind of research is that improvements in skills are one of the most promising approaches to improving the outcomes and effectiveness of supervision, and in JPACS the research instruments are being used in staff development to focus on skills. This approach to continuous development should help to maintain quality and effectiveness in the future. In addition, regular internal evaluations collect information on the experience of service users (for example, the Probation Client Feedback Questionnaire Results 2014 and the Community Service Scheme Beneficiaries Survey 2014). The results of repeat risk assessments are used, as mentioned in the main body of this report, to estimate the changes (mainly reductions) in risk levels achieved during supervision, and are published in the Annual Report (see Annual Report for 2014 and Business Plan for 2015). The JPACS approach to encouraging compliance with supervision has also been studied and included in an international collection of research on compliance (Raynor 2013). All of this means that, for a small Service, JPACS measures its own performance exceptionally thoroughly, earning a global reputation as a pioneer of evidence-based practice.

What this report shows

1. The LSI-R continues to operate as a good predictor of reconviction risk in Jersey, and a useful measure of changes in risk during supervision. It is likely that the revised version, the LS-CMI (Level of Service and Case Management Inventory), being based on the same research and containing many of the same items, will show a similar performance.
2. Reconviction rates for community sentences are lower than in England and Wales, and generally lower than in the last Jersey reconviction report in 2009.
3. In the majority of probation cases (over two thirds in 2014) the risk of re-offending, as measured by LSI-R, is reduced during supervision.
4. The figures collected for this report suggest that overall, the outcomes of supervision by JPACS are continuing to improve. Further reports will aim to establish a more robust time-series to track changes.

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