



Jersey Probation and After Care Service
Annual Report for 2012 and Business Plan for 2013

Probation Board

The Probation and After-Care Service is a department of Jersey's Judiciary. The Probation Board is appointed by the Bailiff on behalf of the Royal Court to oversee the work of the Service and consists of five Jurats (elected Judges of the Royal Court of Jersey).

Probation Board membership – January 2013

Chairman of Probation Board
Jurat J M Clapham - Lieutenant Bailiff

Jurat S J Le Cornu: Jurat G W Fisher: Jurat P Nicolle: Jurat C Crill

Probation Board Chairman's Foreword

Chairman's Foreword to the Annual Report

2012 has been a special year for the Jersey Probation and After Care Service with two significant anniversaries. It was 75 years since the 1937 Probation Law brought about the creation of the Probation service in the Island and 30 years since the Community Service Scheme was established. Both these events had a hugely beneficial impact on the judicial and penal processes in the Island.

To mark these milestones a celebratory reception was held in November in the Old Library which was attended by many who had worked for or with the Probation Service in either a professional or voluntary capacity. It was a great success and the Board is very grateful to Karen Pallot, the Support Services Manager and Nicki Rosier, Case Management Assistant, for their expert organisation of the event and their enthusiasm in collating and displaying the many photographs and newspaper reports which provided great entertainment, especially to those who recognised their younger selves. A very special guest was Mr Pat Fenoughty, the inspirational Chief Officer in 1982 who launched the Community Service Scheme. It was indeed Mr Fenoughty who also had the foresight to appoint as a young *delegué* many years ago our current Chief Probation Officer, Brian Heath.

Brian leads a very enthusiastic, happy and cohesive team and one of the great strengths of the service is the loyalty it engenders in its staff. At the November celebration the Deputy Bailiff, Mr William Bailhache, presented medals in recognition of 25 years' service to Mrs N Allix, Court Officer, Mr M Cutland, Assistant Chief Probation Officer, Mr B Heath, Chief Probation Officer, Mrs C Rose, Restorative Justice Officer, Mr M Saralis, Substance Misuse Officer and Mr D Trott, Probation Team Leader. They were all warmly congratulated and thanked by the Deputy Bailiff.

The service continues to conduct frequent reviews of its aims and practices both internally and externally. This year an inspection of the Community Service Scheme was conducted by Senior Probation Managers from the Isle of Man and Guernsey and the results of that are awaited. The service is aware that there is still work to be done in convincing the public that Community Service is not just a soft option but is in most cases a very effective tool. The statistics on rates of reoffending by those who undertake Community Service remain encouraging.

The Chief Officer's report details the many facets of the department's work and of course the relevant statistics, but useful and important though they are, this is not a statistics driven service. The necessary time and care are afforded to every individual, be they client or staff.

At a time when the Probation Service in the UK is in a state of flux I am pleased to be able to say that the Jersey Probation and After Care Service in Jersey goes from strength to strength providing an excellent service to the courts, its troubled clients and thereby the Island community. It is to be commended.

Jurat J M Clapham Lieutenant Bailiff
Probation Board Chairman

Glossary of Abbreviations

ACPO	Assistant Chief Probation Officer
APO	Assistant Probation Officer
BASS	Building a Safer Society; interagency strategy approved by the States of Jersey in 2004 and 2009.
BOTO	Bound Over with treatment order
CAFCASS	Statutory body working with children and families in Family Court proceedings in England and Wales
CEP	European Probation Organisation
CMA	Case Management Assistant
CPG	Children's Policy Group of Ministers
CPO	Chief Probation Officer
CREDOS	an international group of academics and senior managers researching Probation effectiveness
CSO	Community Service Order
CSR	Comprehensive Spending Review; States of Jersey resource allocation process
DAISy	Data Analysis and Information System - computerised case management and management information system
ESC	Education Sport and Culture Department of the States of Jersey
HCR20	assessment used with violent offenders
HA	Home Affairs Department of the States of Jersey
H and SS	Health and Social Services Department
HMIP	Her Majesty's Inspectorate of Probation
ICT	Information and Communications Technology
"J" category staff	staff recruited from outside of Jersey, given temporary Population Office consent to occupy certain properties
JFCAS	Jersey Family Court Advisory Service
JMAPPA	Jersey Multi Agency Public Protection Arrangements
JLIB	Jersey Legal Information Board
JPACS	Jersey Probation and After Care Service
Jurat	Royal Court Judge of fact and sentencer
KPI	Key Performance Indicator
LSI-R, LSI CMI,	Risk assessment systems used or under consideration by the JPACS

NOMS	National Offender Management Service incorporating Probation in England.
OASyS	Risk Assessment and Case Management system used by the National Offender Management Service
OINTOC	Offending Is Not the Only Choice – skills based cognitive behavioural programme for offenders, used by JPACS
PO	Probation Officer
RAMAS	Risk Assessment Management and Audit Systems; an interagency method for assessing and managing those people most likely to harm themselves or others
RJ	Restorative Justice
Risk Matrix 2000	Assessment tool used with sex offenders
SAO7	Assessment tool used with sex offenders
SER	Social Enquiry Report
VS	Voluntary Supervision

KEY PIECES OF LEGISLATION

The key pieces of legislation giving authority to the Jersey Probation and After-Care Service are as follows:

Loi (1937) sur l'atténuation des peines et sur la mise en liberté surveillée. (Probation Law)

Criminal Justice (Community Service Orders) (Jersey) Law 2001

Criminal Justice (Young Offenders) (Jersey) Law 1994

Children (Jersey) Law 2002

Matrimonial Causes (Jersey) Law 1949

Adoption (Jersey) Law 1961

Sex Offenders (Jersey) Law 2010

Chief Probation Officer's Report

Chairman and Members of the Probation Board of the Royal Court, I have the pleasure of submitting the Jersey Probation and After Care Service (JPACS) Annual Report for 2012 and the Business Plan for 2013.

2012 marked the 75th anniversary of the Loi (1937) sur l'atténuation des peines et sur la mise en liberté surveillée which provides the statutory basis for Probation work in Jersey. It was a far sighted piece of legislation which is still fit for purpose in the 21st century and compliant with the European Rules on Probation issued by the Council of Europe. Probation Orders in Jersey are made instead of a punishment, require the informed consent of the Probationer and provide for a named person to be responsible for supervision all features that are recognised today as being important for rehabilitation.

In 1982, the then Chief Probation Officer, Mr Patrick Fenoughty launched the Jersey Community Service Scheme, so 2012 also marked the 30th Anniversary of that very successful custodial alternative. Offenders on Community Service now perform over 20,000 hours of work each year for the benefit of charities and other non profit organisations.

Workload in 2012 remained broadly on a par with recent years with small increases in work for the Magistrate's Court and Lieutenant Governor's Office being offset by a decrease in work required for the Royal Court and Youth Court, the latter continuing a welcome reduction seen over the last few years.

Training and succession planning are always a priority for a small service requiring highly specialist skills. Our two trainee Probation Officers who both also occupy permanent posts with other duties continued their progression towards their Social Work Degrees. One trainee completed a practice placement in Madeira combining this compulsory element of training with an opportunity to renew our links with our counterparts. Both trainees will begin 2013 with their second and final practice placements. We will also welcome two local trainee Social Workers from Health and Social Services and the NSPCC, who will complete placements within the JFCAS and Probation and After Care areas of work.

The Probation Officers and Assistant Probation Officers were trained in the use of a locally developed checklist to assist with peer review of client supervision sessions implementing the findings of Jersey research which has been of worldwide significance. The staff team have embraced what can be a challenging process welcoming the focus on their individual practice with the people they are entrusted to supervise. Dr David Briggs continued to provide training and consultancy for Probation Officers working with sex offenders; this arrangement has operated for a number of years and ensures that Jersey Probation Officers are as well trained as specialist teams elsewhere.

Community Service provided over 19,000 hours of unpaid work to the Island by people who would otherwise have been in prison. The scheme was inspected towards the end of 2012 with the report due to be presented to the Probation Board at its March meeting.

Prison throughcare was re organised during 2012, partly as response to budget cuts to JPACS and the prison through the CSR process but, principally because it was recognised that the existing arrangements could be improved without sacrificing any of the principles of effective probation practice with prisoners. The result is that the seconded Probation Officer post has been reduced to a 0.5 of a full time post, complemented by two community based Probation Officers holding a caseload composed almost entirely of serving and released prisoners instead of all community based officers performing this work. Early indications are that the changes have improved efficiency. Whilst supervising people through and after release from custody cannot have the same impact that is seen with a community penalty, it is still worthwhile to aid resettlement and reduce the chances of reconviction.

The Jersey Family Court Advisory Service (JFCAS) was launched on 24 November 2010. The rationale for the Service was to provide a specific and specialist service to the Family Division of the Royal Court in the area of private law applications, fulfilling a longstanding objective of JPACS and the Children's Service. In addition the Service would perform the role of Guardian ad Litem in adoption applications. However, prior to the launch of the Service the need for Social Work Guardians in public law proceedings became more evident to the Royal Court. Initially the NSPCC in the UK provided this service but following a change in their focus they ended this arrangement. Several independent guardians were appointed from the United Kingdom. However, understandably, it was felt that it would be more appropriate to have a Jersey based service.

2011 was spent consolidating practice in private law, this included developing our own leaflets for adults and children explaining the role of the JFCAS. In addition, in conjunction with the Registrars, we developed a process for interviewing of parties and writing a short report highlighting any issues, prior to the first Case Review Hearing (CRH). This was designed to attempt to divert parties away from the Court process and achieve an agreed settlement which is better for the parties and the children.

Early indications are that this approach has been successful - 2012 figures show that there were 69 applications in private law but only 28 (40.5%) of those cases went on to have a full report prepared. However those that did come to a full report were complex cases some of which included child protection issues, this meant that there were more case review hearings and 68% of those 28 cases required third party reports to assess the risk. The figures show that (including the initial case review hearings which ended the matter) JFCAS Officers attended the Court 192 times during 2012 for case review hearings. It is of note that only three cases came to a final hearing and were settled beforehand often on receipt of the JFCAS report.

This success meant that in 2012 JFCAS was able to absorb the role of children's Guardian in Public Law proceedings into its work, two Officers having been trained for this role in December 2011. With one exception no U.K. Guardians have been required during this year as JFCAS have had capacity to allocate them all. One U.K. Guardian was appointed in a freeing application; this was appropriate as that Guardian had been involved in the Care proceedings previously.

There were 3 adoptions in 2012 in which we acted as Guardian ad Litem. One of those applications was complex and required Directions from the Deputy Bailiff which is unusual.

It is always a challenge to find Officers with the right qualifications experience and aptitude and it took three recruitment campaigns before the team came up to strength with the appointment of Mr Peter McBride at the end of September 2012.

JFCAS responded to a request by the Royal Court in the summer of 2012 to develop a supervised contact service. Six people were trained mid September and employed with zero hours contracts, all have other employment in the Childcare sector. JFCAS currently has 3 supervised contact orders. We intend to consolidate this new service in 2013.

The Jersey Probation and After Care Service is a small service; it is successful because it works to its strengths and recognises the expertise of others and the need to work in partnership to deliver the positive outcomes for clients which the Courts and the community expect. The list of those we work with is extensive and spans the States of Jersey, voluntary and private sectors.

We are fortunate to have a staff and volunteer team who are dedicated, hard working and highly skilled. They are JPACS. Although much of the work performed by the service is of a statutory nature there is no *requirement* for our services to be used other than in a very limited way. This helps to keep us focussed on providing services which are of high quality and effective just as any business would; the extensive use of our services demonstrates the value placed upon our work.

Brian Heath
Chief Probation Officer

Objectives and Performance Indicators for 2012

Objective 1: To provide an efficient and effective verbal and written report service to Parish Halls, Courts and Prisons.

Success criteria:

- (I) A minimum of 95% of reports will be provided within the agreed deadlines;

Achieved

- (II) The Family Court Welfare Service will provide social work guardians in Public Law proceedings, only using Guardians from outside of Jersey when this is in the best interests of the child.

Achieved. JFCAS officers were appointed as Guardians in 5 of the 6 cases commenced in 2012. An external Guardian was appointed in the remaining case because she had acted as a Guardian for the children in a previous matter.

- (III) All reports continue to be peer-reviewed to ensure consistent quality and in particular that Royal Court Reports will be peer-reviewed by a member of the management team.

Achieved

- (IV) To develop in conjunction with Government House and the Customs and Immigration Department a template for Probation Service reports to assist H.E the Lt Governor in deportation matters.

Achieved

Objective 2: To provide community supervision which reduces re-offending, allows offenders to make restitution and protects the public from further offending.

Success criteria:

- (I) To maintain a statistically significant reduction in Probationers' risk of re-offending using locally calibrated measures;
No separate review in 2012: next review due in 2013

- (II) To achieve an average work rate of at least three hours per week in Community Service cases;
Achieved and exceeded for many years: target needs revision or removal

- (III) To place at least one third of Community Service cases in individual placements, subject to satisfactory risk assessments being completed;
Not achieved – All new Community Service workers were assessed for an individual placement however only 29% were assessed as suitable.

- (IV) To review the implementation of recommendations arising from the review of Youth Justice commissioned by the Children's Policy group and the SWIA inspection into looked after children;
Achieved: The recommendations and their implementation schedule have been incorporated into a regular report for the Children's Policy Group of Ministers

- (V) To implement a skills development programme for Probation staff incorporating the use of direct observation or videotaped interviews using the checklist developed by Swansea University and JPACS;
Achieved: All front line staff were trained in the use of the supervision checklist and have begun submitting a number of interviews for review each year.

- (VI) To continue to drive efforts to provide for the transfer of community penalties between Jersey, the other Crown Dependencies and EU member states.
Partially achieved: whilst there was no legislative opportunity made available by the United Kingdom in 2012, the Crown Dependencies continued to communicate the importance of this being introduced at the earliest opportunity and linking this into implementation of the EU framework directive on the transfer of community penalties. All the jurisdictions concerned continue to co-operate by providing supervision on a non statutory basis.

Objective 3: To work with the prison to provide integrated sentence planning and supervision programmes for prisoners.

Success criteria:

- (I) To develop and implement a measure which demonstrates the effectiveness of Probation involvement in prisoner resettlement;

Partially achieved: the focus for resettlement work has been defined as part of the review into Probation services to the prison. A meaningful measure which reflects that work remains outstanding.

- (II) Each prisoner to have an integrated sentence plan which reduces their risk of re-offending and increases their chance of successful rehabilitation;

85% of prisoners' sentence plan contributions were provided within the timescale agreed with the prison

- (III) To review the Probation service involvement at HMP La Moye and implement any changes necessary.

Achieved: As part of the Comprehensive Spending Review (CSR) the seconded prison Probation Officer role was reduced by the prison to 0.5 of a full time post. A specialist throughcare and resettlement field team of two Probation Officers has been created to work with prisoners serving sentences of six months or more with all field Probation Officers retaining responsibility for short term prisoners or those cases where transfer to the specialist team would be counterproductive. These new arrangements have been received positively by prisoners and prison colleagues.

- (IV) To provide any assistance required by the Minister for Home Affairs in implementing a change from restricted to unrestricted transfer of prisoners to other British jurisdictions where this is in the best interests of the prisoner and the community.

Achieved: The change takes effect from the 31st January 2013.

Aims and Key Performance Indicators for 2013 – 2015

- 1. To provide and information and assessment to the Parish Halls, Criminal and Family Courts, H.M Lieutenant Governor and prisons which are accurate, timely and aid decision making.**

This will be achieved and measured by:

- i) Having published standards detailing the structure and process for the production of reports and assessments
- ii) Conducting inspections into reports for both the criminal justice and family court arenas which include the views of service users and those who receive reports and assessments.
- iii) Ensuring all written reports are peer reviewed prior to submission

In 2013:

- i) The timescales and processes for providing reports will be reviewed to ensure that they remain efficient.***

2. To provide supervision services to the Parish Halls, Courts and prisons which assist people effectively to make positive changes in their lives which reduce re offending

This will be achieved and measured by:

- i) Having published evidence based standards for supervision which reflect the expectations of the Centeniers, Courts and the Prison authorities who entrust people to our care.
- ii) Using the LSI-R likelihood of re-offending measure at the beginning and the end of Probation Orders to measure change and producing at least one reconviction study in conjunction with an academic institution which measures actual reconviction rates for the range of measures used by the Courts.
- iii) Ensuring that all members of staff receive appropriate training, resources and supervision in line with the evidence about effective practice.
- iv) Conducting inspections into Family Court work and into Probation work at H.M. Prison, La Moye

In 2013:

- i) A updated reconviction study will be produced in conjunction with Swansea University and the service will contribute to a world wide review of the LSI-R assessment tool being produced by the Canadian Government and Multi Health Systems Ltd***
- ii) Ensuring that video peer review of supervision sessions commenced in 2012 becomes embedded into Probation Officer practice.***
- iii) The inspection report into Community Service will be published together with a plan for the implementation of any recommendations endorsed by the Probation Board.***
- iv) An inspection into Probation work with prisoners will take place.***
- v) Continue to provide training and consultancy for Probation staff in work with sex offenders from Dr D. Briggs.***
- vi) Provide initial and refresher training in pro social modelling and problem solving with involuntary clients for all staff.***

3. To provide monitoring and where necessary timely enforcement action to assist in the protection of the public from further offending.

This will be achieved and measured by:

- i) Having fair, clear and transparent written compliance and enforcement policies.
- ii) Sharing information with other agencies when it is reasonable and proportionate to do so for the protection of the public.
- iii) Conducting inspections into Community Service and Probation work at HM Prison La Moye and contributing to reviews of the Jersey Multi Agency Public Protection Arrangements established under the Sex Offenders Jersey Law.

In 2013:

- i) Conduct a training and awareness session for all staff on the principles and application of data protection legislation.***
- ii) Ensure that that DAISy remains fit for purpose by upgrading security features to reflect the information sharing and confidentiality requirements of interagency working.***
- iii) Conduct an inspection into Probation work with prisoners.***

Annual Statistical Summary 2012

Reports for the Courts

Social Enquiry Reports - The total number of SERs produced for the courts has decreased by 5%, although the decreases are in Youth and Royal Court, with a 10% increase in Magistrate's Court:

	Social Enquiry Reports				
Court	2008	2009	2010	2011	2012
Youth Court	70	51	53	47	15
Magistrate's Court	267	242	221	248	272
Royal Court	125	143	137	119	106
Total	462	436	411	414	393

The use of stand-downs continues to increase in the Magistrate's court (23%) with a 19% overall increase compared to last year:

	Stand-downs				
Court	2008	2009	2010	2011	2012
Youth Court	21	17	21	15	14
Magistrate's Court	48	71	86	89	110
Total	69	88	107	104	124

Other reports:

4 Sex Offender Notification reports were completed during 2012, with another 3 prepared pending hearing.

13 Deportation reports were written, although this type of report only started to be recorded separately from early March 2012 so may not have captured the whole year to date.

Probation Supervision

There has been a slight decrease (5%) in the overall number of new Orders imposed compared to 2011, although Order levels are similar for Magistrate's Court, with the decrease being in Youth and Royal Court:

	New Probation Orders				
Court	2008	2009	2010	2011	2012
Youth Court	40	56	35	29	22
Magistrate's Court	94	108	94	113	114
Royal Court	20	26	25	18	15
Total	154	190	154	160	151

The main offence groups for new supervisions in order of frequency are for offences of violence (22%), public order, road traffic law, drugs and larceny. (*This measures the main offence only although an individual may have multiple offences*).

The gender split for those placed on Probation is 89% male, 11% female.

Community Service Orders

The increased use of Community Service orders has been maintained with similar overall numbers to last year but with a further decrease from Youth Court (44%):

	New Community Service Orders				
Court	2008	2009	2010	2011	2012
Youth Court	13	16	20	9	5
Magistrate's Court	110	152	161	182	188
Royal Court	33	50	38	27	28
Total	156	218	219	218	221

3 Orders were also supervised on behalf of UK Community Service departments.

The main offence group continues to be those committed under the Road Traffic Law (37%) followed by violence, larceny, drug trafficking and public order offences.

The gender split for those placed on Community Service is 87% male, 13% female.

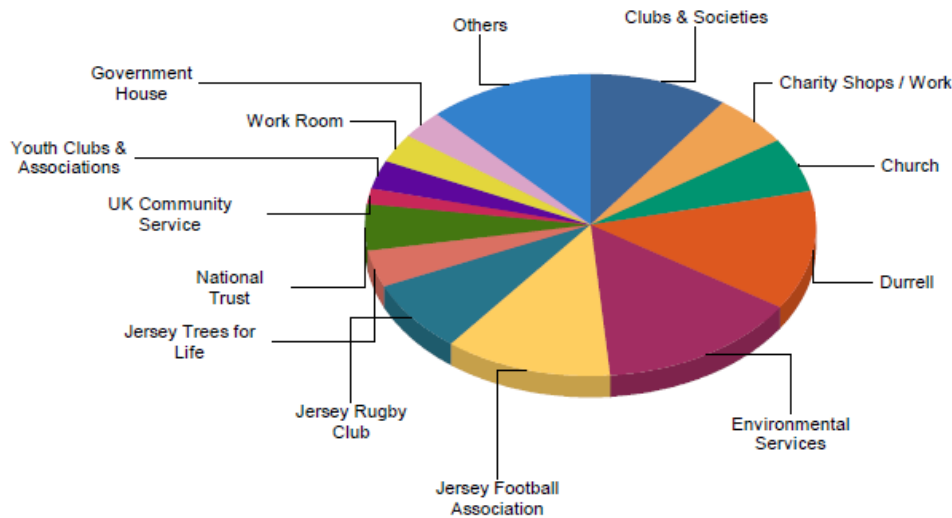
There has been a slight increase in the total number of Community Service (CS) hours ordered (5%) compared to 2011, with the high trend seen over previous years continuing:

CS Orders	2008	2009	2010	2011	2012
Hours ordered	11467	23682	23587	21546	22743
Hours worked	no data	17211	20577	20151	19441
Average order length	97	107	106	98	101

41% of Orders were in the 51-100 hour bracket, a similar percentage to last year.

29% of CS Orders were undertaken on individual placements, on a par with last year.

Hours Worked 2012 by project



Breakdown of Hours worked by project

Location	CS Hours worked				
	2008	2009	2010	2011	2012
Clubs & Societies	746.00	1217.00	553.00	560.50	1968.50
Charity Shops / Work	868.00	2348.00	2267.00	2098.00	1069.00
Church (new cat. previously 'Others')	-	-	-	932.50	1105.50
Durrell	1013.50	1666.00	2797.50	5026.00	2515.00
Environmental Services	2118.00	3711.00	4290.00	2583.00	2814.00
Friends of Val de la Mare	0.00	385.00	887.00	381.00	0.00
Government House	313.00	95.00	219.50	202.50	601.00
Jersey Football Assoc.	1993.00	2038.00	1524.00	1714.00	2340.00
Jersey Rugby Club	621.50	923.50	1321.00	1646.50	1494.00
Trees for Life	986.00	584.00	474.00	857.00	729.00
National Trust	579.50	796.00	1246.50	675.00	1004.50
Parish & Community Facilities	233.00	0.00	40.00	15.00	0.00
Residential Charities	120.25	274.00	0.00	90.00	0.00
Scouts	200.00	291.00	0.00	0.00	0.00
UK Community Service	0.00	160.00	0.00	298.50	323.00
Youth Clubs & Associations	347.50	449.00	1030.00	414.00	571.00
CS Workroom	0.00	1071.00	938.50	684.00	607.00
Others	2740.50	745.00	2625.50	1766.50	2320.00
Total	12,997.75	17,131.00	20,446.00	19,944.00	19,461.50

The 'Others' category includes some large projects such as the Oasis Centre (698.50hrs).

Other community supervisions

Children/Young people:

- 1 Bind Over with a condition to undertake Restorative Justice (RJ) was imposed compared to 5 in 2011 (not used in 2010).
- 1 Bind Over with a condition of Probation assistance including basic skills tutoring.
- Bind Over with a Treatment Option was not used at all this year with only 1 order being made during both preceding years.
- 5 deferred decisions from Youth Court were made in 2012 compared to 4 in 2011 and 1 in 2010.
- According to our data just 3 cases were sent direct to Youth Court from PHQ, in contrast to 26 in 2011 and 56 in 2010 (26 in 2009; 23 in 2008).

Adults:

- 9 Binding Over Orders with a condition to undertake Restorative Justice were imposed in 2012 compared to 2 in 2011; (they were not used in 2010).
- Binding Over Orders with a Treatment Option has stayed on a par to previous years, 7 in 2012, 9 in 2011 and 8 in 2010.
- The increased use of the option of Voluntary Supervision by adult clients dropped to 12 in 2012 compared to 16 in 2011; 8 were made in 2010.
- 3 Suspended Supervision Orders were imposed in 2012 compared to 2 in 2011 (3 in 2010).

Custodial Supervision

New custodial supervisions have dropped by 19% reflecting a drop in the prison population:

	2008		2009		2010		2011		2012	
	Adult	Yth	Adult	Yth	Adult	Yth	Adult	Yth	Adult	Yth
Youth Crt	0	4	0	2	0	4	0	3	0	0
Mag's Crt	5	0	7	3	16	1	16	2	14	1
Royal Crt	57	11	66	15	70	15	72	9	61	7
Sub total	62	15	73	20	86	20	88	14	75	8
	77		93		106		102		83	

Note: Youth custodial supervision applies to those aged 21 and under

102 prison releases were recorded during 2012 (on sentences over 6 months for adults; 4 months for Youths) compared to 115 in 2011 (99 in 2010). Of these, 21 (21%) accepted the offer of Voluntary After Care (23% in 2011). 11 were released on YOI Licence and 10 on Home Curfew Licence. Therefore a total of 42 prisoners (41%) were supervised post release.

Officers also supervised 3 clients on post-custodial supervision from the UK and Guernsey.

Pre-release assessments

There has been a small overall increase in pre-release reports prepared for the prison compared to last year; however the increase is totally in Release on Temporary Licence reports (ROTL) (16%) with a 29% decrease in Home Curfew reports:

Report type:	2008	2009	2010	2011	2012
ROTL	76	58	60	55	64
TRMS*	33	35	n/a	n/a	n/a
Home Curfew	-	-	26	17	12
Total	109	93	86	72	76

*Temporary Release Monitoring Scheme (TRMS) was discontinued in 2009.

Restorative Justice (RJ)

The yearly summary reveals RJ officer involvement in relation to 61 clients across the spectrum of supervision types and pre-court sentencing (72 clients in 2011 - a 15% decrease). This includes 3 Restorative Justice Conferences, 8 letters of apology and 14 face to face direct apologies, the latter on a par with last year. Two victims declined the offer of meeting their perpetrator even though the offender was willing to proceed. This year has seen an increase in the number of Binding Over Orders with RJ reflecting its use as an effective sentencing tool by the Magistrates.

There have been a total of 60 other RJ Initiatives which include making amends, school visits, 'Effects upon victims and reparation' sessions, office and prison visits. This year we moved a step closer to implementing RJ across all secondary schools and children's homes as per the Youth Justice Review 2010 recommendations, by holding training sessions in conjunction with Guernsey Probation Service's RJ Coordinator.

Programme intervention

The following table details the various programmes which ran over the year in either a group setting or on a one-to-one basis:

Programme Type	2011		2012	
	No. of attendees	Total no. of sessions attended	No. of attendees	Total no. of sessions attended
Aggression Control Training	18	111	12	50
ADAPT	17	239	22	317
Alcohol Study Group	16	79	26	121
Domestic Violence 1:1	2	13	1	3
Offending is not the only choice	29	350	19	253
Only Pictures	1	1	0	0
Self-Management and Rational Thinking	20	387	7	89
Sex Offender Programme	8	38	7	25
Family Problem Solving	7	21	7	20

Our Substance Misuse Officer also delivers a 12 week programme called Dialectical Behaviour Therapy Skills Training which runs in conjunction with Psychology Department for clients of Probation, Alcohol and Drug Service and the Mental Health Service, who experience difficulties dealing with emotions. Only one group ran during 2012 due to restructuring, three participants of which were on Probation.

Basic skills

13 clients received tutor support during 2012 with a total of 84 tutor sessions being delivered. One client was successfully referred by her tutor on the 'Get Into Horses' course with the Princes Trust and went on to complete 11 weeks of the Princes Trust Team course. In addition, 3 clients were referred to the Second Chance programme run by Highlands College and 2 to the Improve Your Skills evening classes in Maths and English.

Parish Halls

The number of young people appearing at Parish Hall Enquiries has risen from the drop seen in the previous two years with a 17% increase on 2011, although numbers are still generally down on previous years:

	2008	2009	2010	2011	2012
PHE - Grouville	6	3	7	5	2
PHE - St. Brelade	29	29	22	16	10
PHE - St. Clement	24	40	22	30	66
PHE - St. Helier	259	234	153	168	186
PHE - St. John	2	4	0	4	0
PHE - St. Lawrence	12	15	4	14	9
PHE - St. Martin	6	6	5	4	13
PHE - St. Mary	2	2	0	2	4
PHE - St. Ouen	1	7	10	3	6
PHE - St. Peter	20	17	8	5	12
PHE - St. Saviour	40	42	55	45	39
PHE - Trinity	5	1	2	3	2
Total	406	400	288	299	349

206 (59%) of Parish Hall cases were first offenders, a slight increase on last year (55%). The main offence groups were road traffic (54%); public order (19%); larceny (8%); violence (5%) and malicious damage (5%).

This compares to 56%, 21%, 18%, 6% and 5% respectively for 2011.

20 cases were sent from Parish Hall to Youth Court during 2012 (6 in 2011; 7 in 2010). 2 cases were also sent to Magistrate's Court.

There has been a 44% overall decrease in the number of supervisions imposed at Parish Hall, 20 this year compared to 36 in 2011:

Supervision type:	2009	2010	2011	2012
Deferred dec with RJ	15	16	17	9
Deferred dec with VS	20	22	12	9
Deferred dec with Alc & Drug Education	6	6	7	2
Total	41	44	36	20

LSI-r profiles

The LSI-R provides a validated assessment of the likelihood of reconviction of offenders other than for those convicted of violence in the home or sexual offenders.

Probation orders – 20% of new orders made were in the low band, 37% medium and 36% high (7% no data).

This compares to figures for 2011 of 14%, 39% and 41% respectively (6% no data).

CS orders – 60% of new orders made were in the low band compared to 48% last year, although the usual profile is just over 50%. *(We adjusted our data capture this year which may explain this)*. 20% scored in the medium band and 14% high (6% no data).

Terminations/LSI-r

Taking a collective view across all risk bands, 59% of orders terminated during 2012 displayed a decrease in LSI-r score, 31% an increase and 10% no change. *(This is based on 135 terminations; there were a total of 164 in the period the remainder being either unscored or score pending)*.

	No. of orders terminated	% showing decrease	% showing increase	% showing no change
2012	135	59	31	10
2011	122	57.4	34.4	8.2
2010	165	55.1	32.1	12.8
2009	153	61.5	31.4	7.1
2008	120	68.5	18.5	13

Caseloads

Including all supervision categories, month end caseload figures for 2012 reveal an average of 442 cases based on an average of 337 individual clients. This compares with 465 cases in 2011 with 360 individual clients (499 cases in 2010 and 502 in 2009).

PROBATION SERVICE STAFF - January 2013

Chief Probation Officer

Mr Brian Heath

Assistant Chief Probation Officer/Community Service Manager

Mr Michael Cutland

Team Leader

Mr David Trott

Support Services Manager

Mrs Karen Pallot

Probation Officers

Mrs Natalie Austin – part time

Ms Susan Brown – part time

Ms Sarah Baudains

Mrs Lisa Lister – part time

Mr James Lynch

Mr Chay Pike

Ms Janette Urquhart

Mrs Sarah Barrowcliffe

Mrs Jane Christmas – part time

Mr Christopher Langford

Ms Emma Luce

Ms Adelaide Ormesher (JMAPP)

Mr Robert Taylor

Assistant Probation Officers

Mrs Nicky Allix (Court Officer)

Mrs Chantelle Rose (RJ) – part time

Mrs Barbara Machon - part time

Ms Maurilia Veloso

Trainee Probation Officers (Also Assistant Probation Officers)

Mrs Barbara Machon (part time)

Ms Maurilia Veloso

Court Liaison Officer

Mr Mark Saralis

Case Management Assistants

Mrs Gillian Gosselin - part time

Miss Donna Bisson Ms Melanie Dowinton

Ms Nicki Rosier

Mr Rui Soares – part time

Volunteers

Mr Jason Syvret

Mrs Rosie Boleat

Mr Trevor Renouf

Mr Guy Le Maistre

Mrs Elizabeth O'Connor

Mr Ted Pafitis

Mrs Katie Le Quesne

Jersey Family Court Advisory Service

Team Leader

Mrs Jane Ferguson

Senior Practitioners

Mrs Elsa Fernandes

Mr Peter McBride

Ms Eleanor Green

Supervised Contact Workers (Zero Hours Contracts)

Ms Margaret Carroll

Mrs Fiona O'Brien

Ms Roisin Slattery

Ms Patricia Davey

Mrs Jean Young

Miss Izabella Harasymowicz

Assistant Community Service Managers

Mr Andy Le Marrec

Mrs Nicky Allix (also Court Officer) part time

Community Service Supervisors (Part time or zero hours contracts)

Mr Peter Bisson

Mr Rui de Abreu

Mr Philip Hague

Mr John Lennane

Mr Chic McHendry

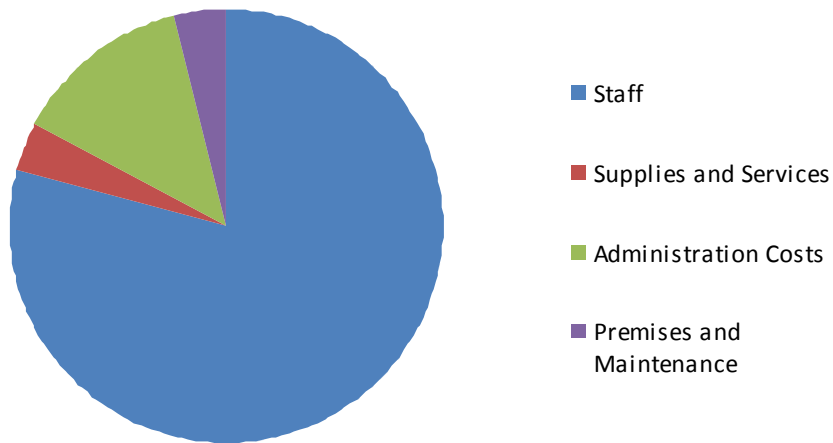
Mr Trevor Renouf

Mr Terry Saussey

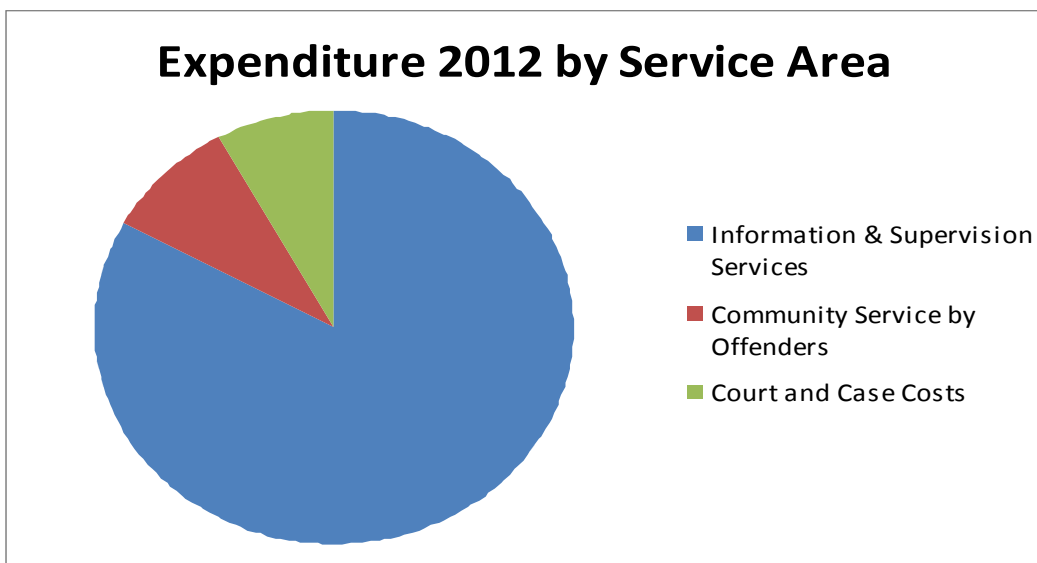
Probation and After Care Service Expenditure 2012

Area of Expenditure	Expenditure 2012 by Type £
Staff	1,620,958
Supplies and Services	71,597
Administration Costs	106,058
Premises and Maintenance	79,207
Court and Case Costs	166,409

Expenditure by Type 2012



Service Analysis	Expenditure 2012 by Service Area £
Information & Supervision Services	1,696,727.00
Community Service by Offenders	181,093.00
Court and Case Costs	166,409.26



Jersey Probation and After Care Service

Statement on Internal Control

1. Scope of Responsibility

As the Chief Probation Officer I have been appointed as the Accounting Officer for the Probation and After Care Service (JPACS) under the provisions of the Public Finances (Jersey) Law 2005 (the 'Law'), any sub-ordinate legislation and Financial Directions.

The Law sets out my function as Accounting Officer as ensuring that:

- The expenditure of the Department does not exceed the amount appropriated to it by a head of expenditure and is used for the purpose for which it was appropriated;
- In so far as practical, all money owed to the Department is promptly collected and paid into an appropriate bank account, and that all money owed by the body is duly paid;
- The Department keeps proper accounts of all its financial transactions and proper records of those accounts;
- The records of the Department are promptly provided when required by the Treasurer for the production of the annual financial statement;
- The Department is administered in a prudent and economical manner;
- The resources of the Department are used efficiently and effectively;
- The provisions of the Law in their application to the Department are otherwise complied with.

2. Purpose of Internal Control

The system of internal control operating within the Probation and After Care Service Department is designed to manage the risk of failure to appropriately manage and control the resources for which I am responsible. The system is intended to support the achievement of departmental and strategic objectives; it cannot eliminate all risk of failure and therefore only provides a reasonable and not absolute assurance of effectiveness.

3. Capacity to handle risk

Risk management is a key feature of Probation work. In a financial setting the Chief Probation Officer is actively involved in all significant financial transactions and uses the support and professional expertise available in the Treasury to assist his decision making.

Regular meetings are held with Treasury support staff to keep up to date with best practice in this area.

4. The Risk and control framework

I rely upon the Statement of Responsibility from the Director of Accounting Services (within the Treasury and Resources Department), Director of Human Resources and Director of Information Services (within the Chief Minister's Department) to confirm that internal controls are operating effectively within their areas of responsibility.

An Annual Report and Business Plan is produced which provides the formal vehicle for the Chief Probation Officer and the Probation Board to report to the Jersey Royal Court, the States of Jersey and other stakeholders. The report contains Departmental objectives, progress on which are monitored via monthly staff supervision, weekly management meetings, quarterly statistical reports and management review. This provides for the active management of risks associated with the Plan. Six members of staff are authorised to agree expenditure within their areas of responsibility. In all cases payment of this expenditure is authorised in writing by the Chief Probation Officer or in his absence the Assistant Chief Probation Officer, neither of whom may authorise their own spending. All staff who are authorised expenditure have been made aware of the relevant financial directions and practices.

Policies are in place regarding travel expenditure (within and outside of Jersey); the control of overtime; the use of suppliers with whom the States of Jersey has negotiated discounted prices.

Departmental expenditure is reviewed monthly by the Manager Support Services and the Chief Probation Officer with a Treasury accountant, and progress against the budget monitored. Monthly budget reports are produced and provided by the Treasury. An asset register is maintained which lists all States of Jersey owned furniture and other items of equipment. This is reviewed annually.

A risk register has been produced in line with Treasury's Financial Direction and is reviewed quarterly by the management team. Written Health and Safety policies are in place to cover all relevant parts of professional practice and administration.

Court and Case Costs Reserve

In 2011 the Council of Ministers reviewed and agreed a proposal to deal with the volatility of court and case costs on a more permanent basis. To that end a Smoothing Reserve was proposed which will provide a mechanism for the States of Jersey to fund the peaks and troughs in the court and case costs.

The Reserve will be accessible to all the Court Departments for large unforeseen Court and Case costs. In the first instance the Reserve will be made up of any underspends in Court and Case costs from previous years. In addition the balance of funds in the Criminal Offences Confiscation Fund (COCF) will be utilised, with the aim of achieving an overall position of about £7m. This will be sufficient to fund the forecast requirement for 2013 (£4 million) and provide funding for pressures in Court and Case costs in future years. In the long term, funds utilised from the Reserve and the COCF would then be replenished from further confiscations received in the COCF, further underspends carried forward, and if required, transfers from Central Contingency. The level of funding will be reviewed annually and adjusted as appropriate.

5. Review of Effectiveness

As Accounting Officer, I have responsibility for reviewing the effectiveness of the system of internal control. In addition to the assurance sources that are specific to my Department, I gain comfort that the system is operating effectively from a number of corporate sources, such as Audit Committee, Internal Audit, Scrutiny, the Comptroller and Auditor General, the Public Accounts Committee, and External Audit.

- **Audit Committee:**
The Audit Committee provides a process of constructive challenge to help Accounting Officers be fully assured that the most efficient, effective and economic risk, control and governance processes are in place.

- **Internal Audit:**
The role of Internal Audit is to provide an independent and objective opinion on financial management, probity and regularity, risk management internal control and governance.

No reviews were undertaken in 2012.

- **Scrutiny**
The role of the Scrutiny Panels is to exam government policy decisions. The Panels work in the interest of the public by acknowledging good practice and by recommending change or improvement to policy or public services where necessary.

No reviews were undertaken in 2012.

- **The Comptroller and Auditor General**
The Comptroller and Auditor General (C&AG) examines how public money is spent, and looks at how best value for money can be achieved by managing finances to the highest standards. Specifically, the C&AG considers and reports to the States on the effectiveness of internal financial controls; economical, effective and efficient use of resources; and corporate governance arrangements. In each case, the Comptroller makes recommendations to bring about any necessary improvement.

No reviews were undertaken in 2012.

- **Public Accounts Committee**
The role of the Public Accounts Committee (PAC) is to consider reports it receives from the CA&G in order to ascertain whether public money has been spent wisely, achieving value for money and with regard to regularity and good governance. The PAC will produce its own reports and has direct access to the States Assembly.

No reviews were undertaken in 2012.

- **External Audit:**
The External Auditors, PricewaterhouseCoopers LLP, make recommendations for improvement based on their review of controls, policies and procedures in place as part of the annual audit of the States of Jersey Financial Report and Accounts.

No issues arose from the Audit of the 2011 Financial Report and Accounts.

The significant workload increase seen in Community Service between 2009 and 2011 levelled off in 2012; the Service has adjusted to this new level of work within the new reduced staff structure established during 2009. There was an overall JPACS underspend against budget of some £160,000 achieved as a result of close attention to costs between 2009 and 2012 and planned CSR savings being achieved ahead of the target date. The Jersey Family Court Advisory Service (JFACS) also experienced difficulty in recruiting to an experienced Social Worker position which remained unfilled until November, placing considerable strain at times on the remainder of that team and contributing to the underspend.

JFCAS took over the management of external Social Work Guardians funded through the Court and Case Costs budget resulting in significant savings due to the Service's understanding of the duties required in that complex area of work. It is anticipated that with the JFCAS team at full strength the need for external Guardians will be further reduced in years to come.

Academic papers and presentations on Probation Service practice in Jersey resulting from our partnership with Swansea University continued to demonstrate that the Jersey Service is at the forefront of effective Probation practice and delivers good value for money. The Chief Probation Officer continues to receive invitations to present at international conferences on Jersey's success in this area.

6. Significant control issues

Issue	Risk	Action(s)	Priority	Management comment
The JPACS cannot regulate its workload which is dependant on levels of crime and disorder, trends in separation, divorce and parenting and the use of its services by the Courts	Budget mainly devoted to staffing and other fixed costs, there is always the possibility of an unforeseen surge in demand resulting in a call on contingency. If crime rates suddenly surge, there may not be sufficient trained resource available.	Monitoring of crime and sentencing trends. Maintaining contact with former employees who may be willing to work on a zero hours contract basis and monitoring of budgets.	High	This will always be an ongoing situation
The Service is dependent on recharged income for services provided to other States Departments, for example, posts funded under the Building a Safer Society Strategy are funded by the Home Affairs Department	JPACS would be unable to provide the key services supported by the Strategy from within its existing cash limit	Urgent discussions with other departments and Treasurer required.	High	This situation was highlighted by KPMG in their audit during 2008 and further evidenced by a negotiated reduction of 0.5 of the seconded Prison Probation Officer post during 2012, but at the time of writing, despite requests to the Treasurer of the States in previous years the situation remains unresolved. This results in an obvious financial vulnerability for the JPACS.

The States of Jersey processes for capital bids disadvantages small departments and has resulted in Revenue to Capital transfers. This is only possible when savings can be found in the Revenue Budget which given the financial situation is less likely in future years than was previously the case.

Closing statement

To the best of my knowledge, the internal control system has operated effectively within the Jersey Probation and After Care Service Department during 2012.

Brian Heath
Chief Probation Officer
Jersey Probation and After Care Service
4th January 2013