



Probation Service Annual Report

Vision

We will contribute to making the Bailiwick of Guernsey a safe and secure place to live by the effective rehabilitation of those who offend, by tackling the causes of offending and enabling those who offend to turn their lives around.

Mission

We work with those who offend to help them take responsibility to lead law abiding lives and to recognise the harm they have caused the victims of their offending behaviour. Our over-riding aim is to protect the public, and reduce reoffending.

We achieve this by:

- providing the Courts with dynamic risk assessments and proposals on how to manage those risks accordingly
- enforcing Court Orders which encompass the sentencing principles of deterrence, public protection, reparation, and rehabilitation
- influencing positive changes, through challenge and support, in the behaviour and attitudes of those who offend
- providing those who offend with the opportunity to be purposeful in their endeavour by making reparation to the community
- collaborative working with other agencies to protect the public.
- providing a Victim Liaison Service as expected within legislative guidelines

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Chief Probation Officer's Foreword

The Probation Service comprises:

- The Probation Community Team
- The Prison Offender Management Unit
- The Community Service Scheme
- The Multi Agency Public Protection Unit

This annual report gives updates on each of these parts of the Service, as well as some statistics on the volume of work undertaken, and progress on the operational objectives set out in the 2018 business plan.

2018 has been another very busy year for the Probation Service. A total of 269 full Social Enquiry Reports were prepared for the Magistrates and Royal Court, and in addition 38 Parole Assessment Reports were completed for the Parole Review Committee giving an assessment of the level of risk associated with early discretionary release.

During the year the Probation Service was managing around 250 offenders at any one time. Each of these individuals will have a sentence plan if in prison or supervision plan if in the community detailing the offending behaviour work to be undertaken with their Probation Officer. Approximately 55 offenders at any one time are undertaking Community Service Orders and will have instructions to work for a minimum of five hours a week in reparation to the community for their offences.

The revenue budget for the Probation Service (including Community Service) in 2018 was £1,116,203.

Most of our revenue funding is spent on staff and I would like to thank all those working for the Probation Service from administration, to managers and partner agencies for their ongoing commitment and willingness to work to such a high standard. As with all offender management services the results achieved are directly related to the quality and professionalism of staff and I would especially like to commend the work of the Probation Officers who do the majority of the day to day, face to face work with offenders to make our community a safer place to live.



Anna Guilbert
Chief Probation Officer

Structure of the Probation Service

The Probation Service has the following staff:

Chief Probation Officer responsible for the Strategic leadership of the Probation Service and the Family Proceedings Advisory Service.

A Senior Probation Officer with responsibility for the processes of managing sexual and serious violent offenders (Multi Agency Public Protection co-ordinator). There is a police officer and an administrator who are also part of the multi-agency public protection team.

A Senior Probation Officer with responsibility for the Offender Management section of the Pathways Unit at the Prison. She has one Probation officer working with her in the Offender Management Unit and also provides management and guidance to the Offender Supervisors (prison staff) working in the unit.

Two Senior Probation Officers manage the 7.5 Probation Officers based in the Community team. This team of officers are responsible for all the community based supervision and management of offenders on court orders or post custodial supervision, plus through-care for longer term offenders in the prison. We currently have one Trainee Probation Officer who is part of this team.

Community Service team comprising a Community Service officer and Community Service support officer, plus 8 sessional supervisors who work at weekends to supervise the community service work parties.

Business manager and one administrative officer.

Also members of the team are:

A criminal justice substance misuse worker funded by the Drug and Alcohol strategy and seconded from Drug Concern and,

A domestic abuse programme co-ordinator funded by the Domestic Abuse Strategy.

Progress against priorities set in 2018

1. Supervision of offenders: This section covers provision of reports to the courts and Parole Review Committee, as well as the specialised supervision of offenders in the community and in the prison.

2018 Objectives

New Probation Law:

Significant progress has been made. The new probation law replaces the *Loi relative à la Probation de Délinquants, 1929*. It provides an updated legal framework for the Probation Service and the making of probation orders and also introduces conditional and absolute discharges. The States approved the new law in November 2018, and we await an implementation date once it is received back from the Privy Council.

Parole Law:

The 1992 Parole Law has been updated but significant work needs to be undertaken on subsidiary regulations before the new law can be commenced. The probation and prison service are invested in the implementation of the new law, and will provide the relevant expertise to central services. This work was not prioritised in 2018 and is brought forward to 2019.

Alternative sentences:

There is substantial evidence that robust community sentences are more effective in terms of reoffending rates than short term sentences of imprisonment. The new probation law which we have been working on for some time will enable the courts to sentence to Community service and supervision at the same time which will provide more scope for community sentencing.

The Probation Service has also been working closely with the prison investigating the introduction of an electronic monitoring system for offenders. This is initially being planned for monitored early release from custody but longer term we are also aware that this may be a valuable tool for imposing curfew conditions on community sentences.

The first phase of a Justice review was completed by the Committee in 2018. Alternative sentencing is likely to be an ongoing part of the review.

Offender Management Strategy:

A full review of the Offender Management Strategy has commenced in 2018. This is the resettlement and rehabilitation framework and details the operating model for an integrated approach to offender management between the Probation and Prison services. The strategy was last updated in 2014.

2. Management of high risk offenders: The Probation Service's role in managing high risk offenders is to make an accurate assessment of the risk posed to the community and then to put in place a robust, defensible risk management plan for each offender in conjunction where necessary with partner agencies. This section contains objectives relating to the management of sex offenders and multi-agency public protection arrangements.

Sexual offences legislation:

This objective was to work in partnership with the Law Officers to deliver new sexual offences legislation to modernise existing definitions of sexual offences.

Significant work was achieved by a multi-agency group in 2018, including the senior probation officer who specialises in the management of sex offenders. This work is nearing completion although there has been some delay caused by diversion of Law Officers' time to Brexit issues.

Multi Agency Public Protection Arrangements (Mappa) guidance and Notification Requirements:

This objective was to review practices and ensure compliance with GDPR, including review of Mappa information sharing guidelines.

The introduction of GDPR in 2018 necessitated a full review of practice to ensure compliance with the new legislation. This is well on track for full compliance, a Fair Processing Notice for Mappa has been completed and there is an action plan in place for ongoing review of management of data to ensure all aspects of the new law and regulations are adhered to.

3. Community Service: Community service offers a sentencing option to the courts which allows offenders to remain in the community whilst undertaking unpaid work for the benefit of local charities and agencies. We undertake to be able to find appropriate work for any offender the court wishes to sentence. Whilst most work is undertaken on supervised work parties where heavy manual work is done, we are finding a significant number of offenders have health or disability issues which require a more specialist provision. The objectives in 2018 were specifically focussed on these 'hard to place' offenders.

Sickness management policy:

A significant number of offenders on Community Service are on medical certificates for mental or physical ill-health for all or some part of their order. This does not preclude them from completing orders but we have significantly clarified the sickness management policy this year in liaison with GP's and Social Security, so that any offender submitting medical certificates is clear about the obligations and expectations of the order.

Premises for use as workshop for those with specialist needs and in inclement weather:

In 2018 we negotiated with the Committee for Education, Sport and Culture and now have use of a larger proportion of the shared Belgrave storage facility. Work will be undertaken to convert the space into a workshop for use in weather when external work parties are not possible. The workshop will also be available for supervised work for those unable to undertake heavy manual work.

Placements for those with childcare or significant health issues:

Most offenders sentenced to community service who have care of children are able to work the 5 hours a week minimum required on a community service order. However we have a significant few, generally mothers, who have no-one to relieve them of child-care responsibilities in order for them

to do their community service. We also have offenders with such significant social issues that placements need to be specifically tailored to their needs. This is an ongoing issue and one that is addressed on an individual basis. If all options have been tried and placement is not possible we return the offender to court for review of the order. A review has to be established as a change in circumstances since the order was made.

4. Business monitoring and information:

Ensure full integration and compliance with GDPR:

A significant amount of work has been required to fulfil this objective. The probation service has ensured that all practices comply with the new law. Fair processing notices have been published and a full action plan is in place to ensure compliance.

Audit:

This objective was concerned with completing an internal audit against inspection guidelines to ensure compliance. Significant and useful work has been completed although the external inspection planned for April 2019 has been postponed due to budget restrictions.

Statistics and data:

This objective was to continue to develop meaningful ways to report comparative data including re-conviction information and evaluation of offending behaviour interventions:

A detailed report on re-conviction data was presented to the Committee in 2018 and subsequently the headline figures published in the States statistical digest.

Customer Charter:

Many aspects of the Customer Charter were already embedded in probation practice. The Charter is now displayed in waiting areas so that all visitors to the Service know the standards to expect from all states employees.

Modern ways of working:

A new case management computer database was installed in May 2018 after significant planning and preparation. This system is shared with Jersey Probation Service and represents good interisland co-operation between the respective Probation and Information services. There was significant ongoing work on developing adequate business reporting using the new system which should come to fruition in 2019 and enable instant production of necessary management information.

Mobile working was not achieved in 2018, this requires a move to an alternative domain and is now scheduled for 2019.

5. Team development and individual performance management:

This objective area addresses the Service Guernsey vision of empowered and accountable staff working effectively, as one team, delivering customer focussed services.

The objectives covered implementation of the staff survey findings, introducing personal development plans and a review of the organisational structure to ensure maximum efficiency and effectiveness of service delivery.

The Probation Service has a continuous improvement plan in place for staff development and succession planning. Significant progress this year has included the introduction of a new appraisal framework based on personal development plans. The vision and principles underlying the provision of Probation Services have been reviewed and updated in line with current developments in probation practice. Management roles and responsibilities have been reviewed to ensure optimal delivery of front line services.

Statistics

Reports: When requested by the criminal courts the Probation Service provides a pre-sentence report on an individual which gives a detailed analysis of the cause of offending, the risk of the offender to the community and a recommendation as to whether a period of probation supervision or community service could address the causes of the offending behaviour. Where a custodial sentence is given the probation report forms the beginning of the sentence planning process in the prison.

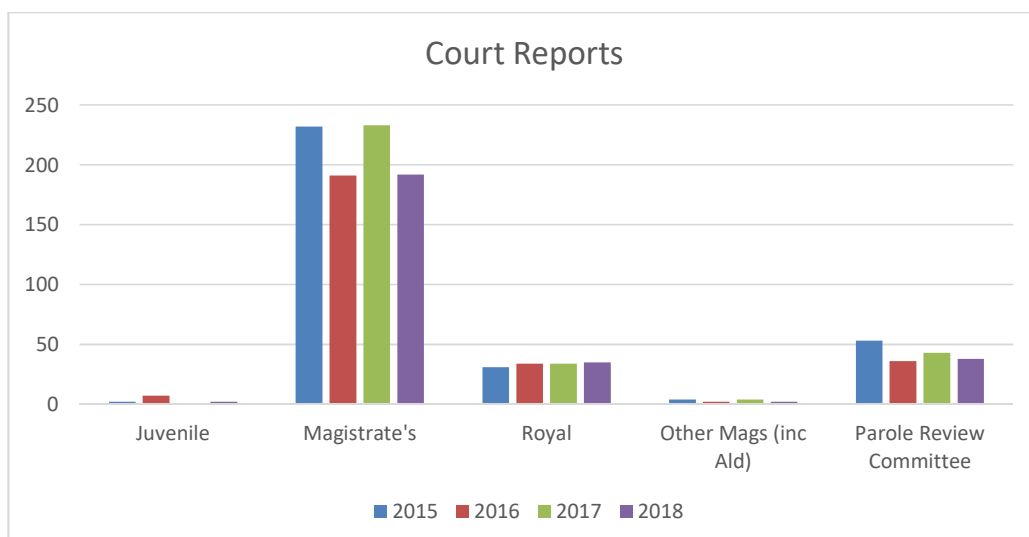
The Probation Service completed 269 reports for the Guernsey Courts in 2018. This is a 14% decrease from 2017, when the total was 315.

In comparison with 2017, reports required by the Magistrates Court fell by 18% from 233 in 2017 to 192 in 2018. In the Royal Court the numbers remained comparable (34 in 2017, and 35 in 2018)

Parole reports: When a prisoner is eligible for discretionary release on parole licence the probation service provide a full risk assessment to the Parole Review Committee including a plan for supervision on release if parole is recommended.

38 reports were prepared for the Parole Review Committee in 2018, compared to 43 in 2017 (12% decrease).

All Court Reports, by Court 2015 - 2018



Sentencing patterns in the Magistrate's Court from 2015-2018

During 2018 an exercise was undertaken to look at sentencing patterns in the Magistrates Court over the four year period 2015-2018.

The following sentences were looked at:

Suspended Sentence (SSO). This sentence is used when the custodial threshold has been crossed but a period of imprisonment is suspended for a period of time.

Suspended Sentence Supervision Order (SSSO). This sentence is a suspended sentence with a period of Probation Supervision attached to the order.

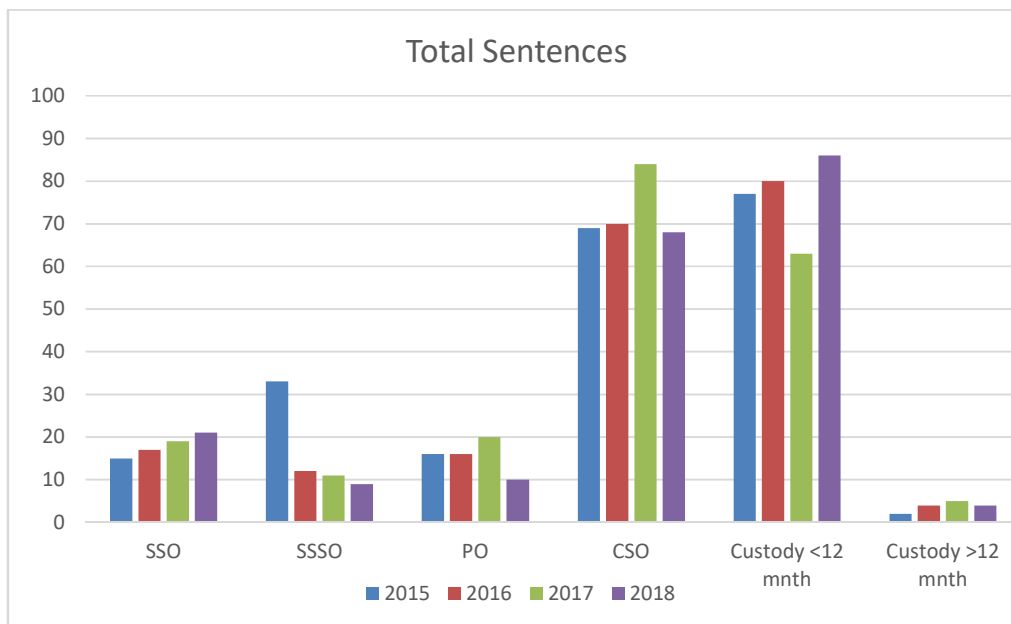
Probation Order: This is a period of supervision in the community, which can be up to 3 years.

Community Service Order: Unpaid work in the community.

Custody under 12 months: The Magistrates court can sentence to up to 12 months for a single offence and up to 2 years for multiple offences.

Custody over 12 months: we have recorded the number of sentences over 12 months imposed by the Magistrates court. *The majority of longer sentences are imposed by the Royal Court so this is not a representation of all those being given sentences over 12 months.*

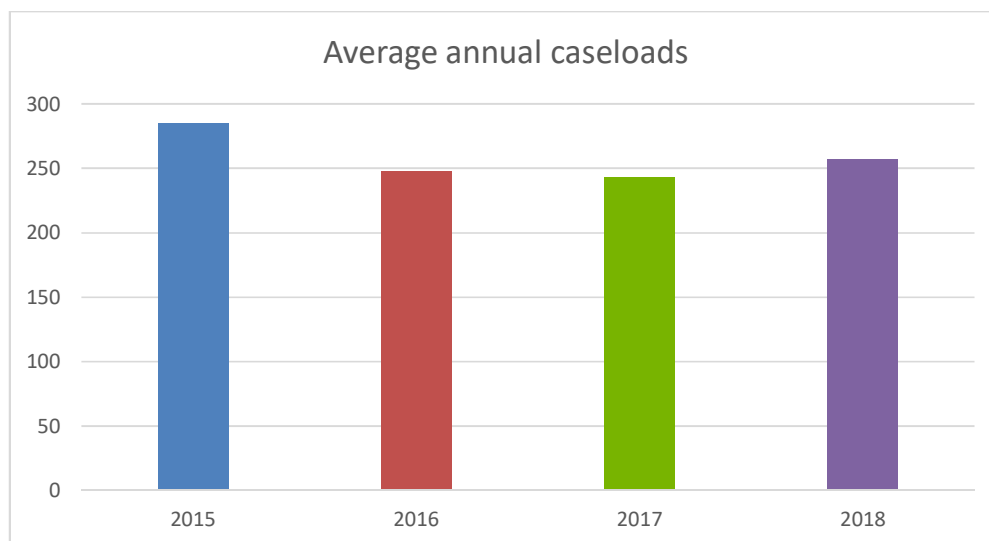
It is to be noted that a large number of offences going through the Magistrates Court will be dealt with by means of fines and periods of disqualification (especially motoring offences). These offences do not generally cross the threshold of requiring a report or intervention from the Probation Service and are not included in the current analysis, although this would be useful in the future.



Average caseload per year

The Probation case load is made up at any one time of offenders on community sentences, including community service; offenders in custody; and those on various categories of post custodial supervision. The balance between the different categories varies depends on the sentencing patterns in the courts, length of sentences and proportion of high risk offenders in custody and the community. The proportion of the caseload in custody has shifted over the past few years from a quarter to a third of the overall cases being managed at any one time. This has necessitated probation officers spending a greater proportion of their time in the prison undertaking work with prisoners serving their sentences and those preparing for release into the community.

We have previously provided a monthly breakdown of caseload by category and will do so again in future reports. This year has seen a change in caseload management system and detailed reporting ability is being developed.



The average caseload for the Service has remained broadly steady in the last 3 years following an exceptionally busy period in 2015. In 2018 the average caseload over the year was 257, compared with 243 in 2017 and 248 in 2016.

Nature of the cases being managed by the Probation Service

The criminal justice system has over the past few years experienced an increase in high risk sexual and serious violence offenders, some resulting from prosecutions of historic cases but still needing appropriate management by the Probation Service in prison and in the community.

These cases pose a risk to the community in terms of protection of children and vulnerable adults and the quality and intensity of assessment and intervention by probation officers has increased with the rebalancing of the caseloads toward these higher risk individuals.

Probation Work in the Community

Probation Supervision in the community is targeted at those offenders needing the most intensive supervision to reduce offending indicators. Index sentencing can be either by means of a Probation Order or a Suspended Sentence Supervision Order, both involve undertaking a planned programme of work with a Probation Officer designed to reduce the risk of reoffending. Additional conditions can be added to supervision such as drug and alcohol testing and requirements to attend group work programmes to address domestic abuse and sexual offending.

Other supervision in the community is of those offenders who have served a custodial sentence and are released on post custodial licence or supervision order. These include all young offenders and all adults serving longer sentences. The only group which currently comes out of prison with no supervisory period is those adults serving short prison sentences under 12 months. This is an area the Committee are addressing.

Domestic Abuse Perpetrator Programme 'Sarnia'

This new perpetrator programme began taking referrals in May 2018 and had received 20 referrals by the end of the year. The programme is a partnership between the Probation Service and the Domestic Abuse Strategy. The Sarnia programme is designed to work with those who have behaved abusively toward a current or previous partner. The programme has been created following the latest research which indicates that individually formulated intervention with domestic abuse perpetrators is most successful. The programme supports individuals to address and change their behaviour by focussing on their strengths and building on appropriate skills. As well as working with convicted offenders, the trained Probation Officers also offer assessments and treatment programmes for perpetrators referred by the Family Proceedings Advisory Service and Children's Services. This programme is provided by means of an MoU with the domestic abuse strategy and in partnership with the charity 'Safer' who undertake the victim safety work.

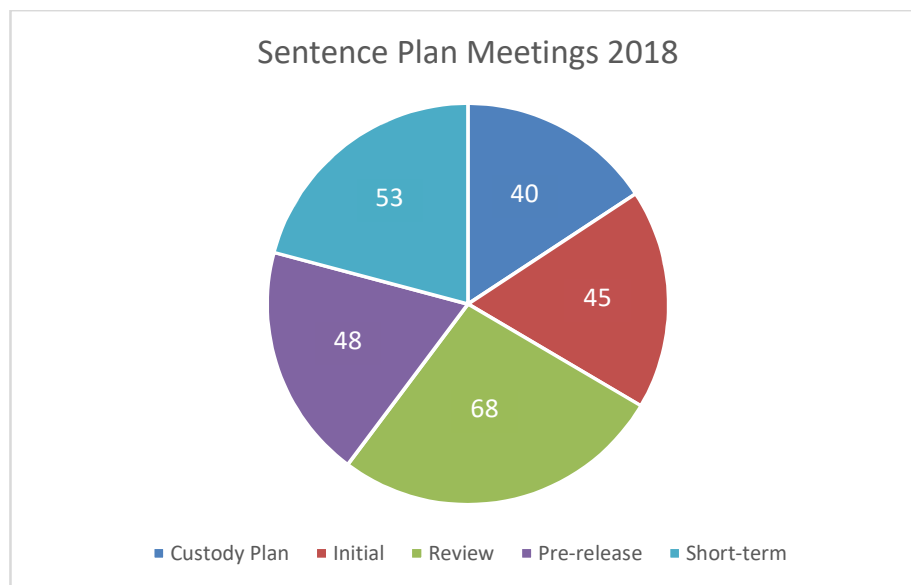
Criminal Justice Substance Service

This is a partnership between the charity Drug Concern and the Probation Service. The purpose is to provide treatment for offenders with a history of problematic substance misuse (drugs or alcohol) who come to the attention of the criminal justice system, with a view to reducing their criminal activity and their problematic substance use. The service can only be accessed by those who are referred by a Probation Officer and for whom drug or alcohol use is considered as a contributing factor in offending behaviour. This has been an invaluable partnership for several years, with regular drug and alcohol testing being a part of the service for those on community sentences and post custodial supervision. Testing is generally described by participants as a helpful preventative measure against relapsing as well as proof of maintaining a lifestyle without resorting to risky use of drugs or alcohol. A senior probation manager conducted an evaluation of the service in 2018 by a series of interviews with service users. This highlighted that the support of the Criminal Justice Substance Service had contributed to enabling offenders to make significant changes to their use of substances. The Criminal justice Substance misuse worker is based at the probation office four days a week and works in very close partnership with the probation officers holding the cases. Total referrals to the service in 2018 was 37. There were 10 breaches and 18 successful completions during the year.

Probation Work in the Prison

The assessment of risk posed by an offender and the identification of the factors which have contributed to the offending, are the starting points for all work with offenders. A Senior Probation Officer and main grade probation officer work within the Pathways Unit in the Prison alongside uniformed prison staff. All prisoners are assigned an Offender Manager (Probation Officer) to work with whilst in custody and, where they are subject to post custodial supervision, the same Probation Officer will continue to supervise them on licence after release.

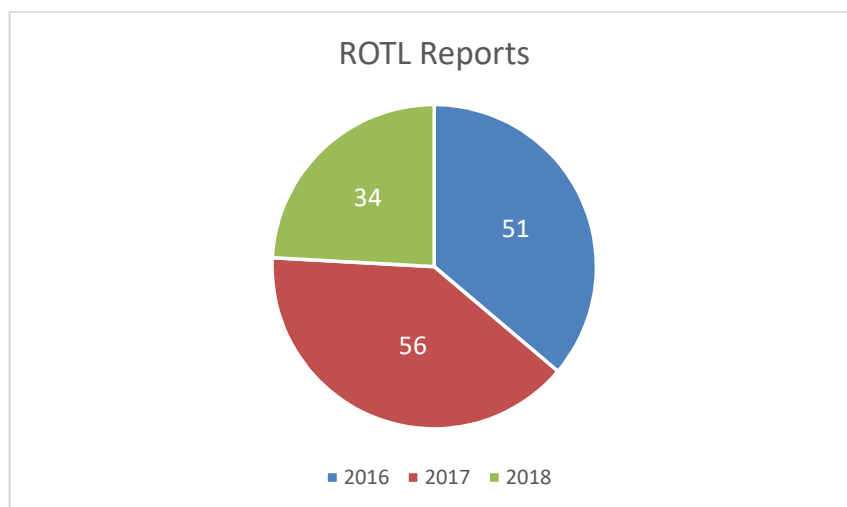
In regard to workload, 254 sentence plan meetings were held by the Pathways Unit in 2018, compared with 286 sentence plan meetings 2017. These meetings are chaired by the offender manager for the prisoner and they ensure that effective plans for the custodial period are put in place. Review and pre-release meetings ensure that plans are in place for the transition back into the community.



Release on Temporary Licence reports

There were 34 reports written assessing prisoners for release on temporary licence in 2018, compared with 56 in 2017.

ROTL is a key tool in reintegrating prisoners back into society, but every stage has to be carefully risk assessed by a Probation Officer and Prison staff.



Work with high risk offenders

Multi-Agency Public Protection Arrangements (MAPPA)

Part VII of The Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013 (implementation date 1/7/15) provides the legal framework for 'arrangements for monitoring and managing risks posed by certain offenders'. These arrangements are known locally as MAPPA. They are designed to protect the public, including victims of crime, from serious harm by sexual and violent offenders. The Law provides a legal framework for MAPPA, and puts a duty on the Probation Service, Police Service and Prison (the 'Responsible Authority') to make the arrangements. It placed a legal obligation on States Departments to work together, as well as allow for the sharing of information with States and non-States bodies for the purpose of risk management.

The MAPP (Multi-Agency Public Protection) Unit is a partnership between the Guernsey Probation Service and Guernsey Police Service, with responsibility for the co-ordination of MAPPA and is headed up by a Senior Probation Officer. In addition to MAPPA, this unit has responsibility for the management of Notification Requirements (colloquially known as the 'sex offender register'), the day to day running of which falls to the Police Officer within the Unit.

As of the end of 2018 there were 101 people residing in Guernsey registered under MAPPA (40 in prison, 61 within the community), compared to 99 in 2017. Whilst all cases involve the exchange of information between various professionals for risk management purposes, there is a lead agency in all cases in order to streamline risk management. In 76 cases the Probation Service was the lead agency with the police taking lead agency role in 22 cases. The complexity of MAPPA involvement varies depending on the assessed level of risk and the intensity of intervention required to manage that risk as effectively as possible.

Please refer to the MAPPA Annual Report 2018 published on gov.gg for more information with regards to MAPPA risk management during 2018.

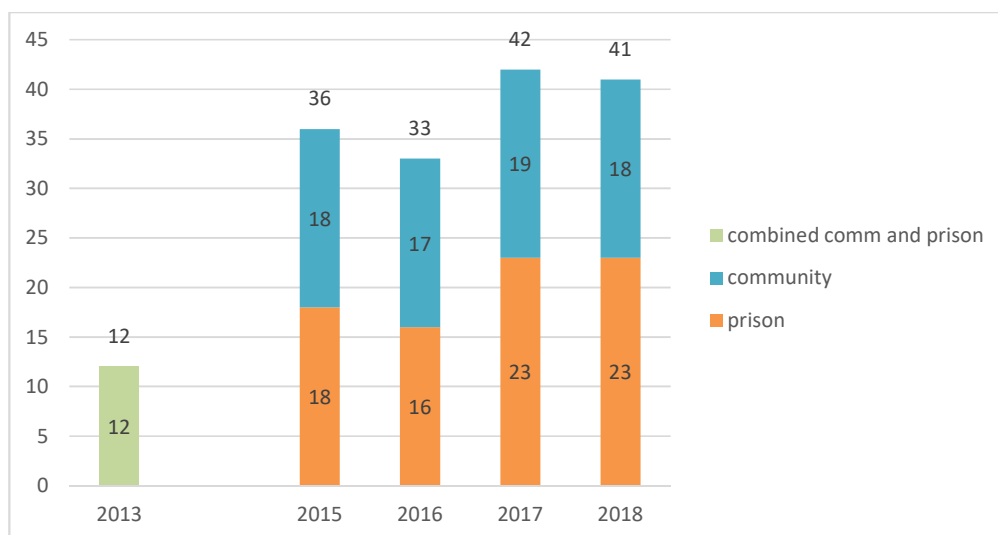
Probation caseload of sex offenders in Guernsey

All sentenced sex offenders in Guernsey are managed by the Probation Service throughout the sentence imposed by the Court - in prison and in the community (on post custodial supervision; civil orders and under community disposals such as Probation and Suspended Sentence Supervision Orders). Training, consultancy, and supervision of the treatment intervention undertaken by Probation Officers is provided by a forensic clinical psychologist, alongside routine line management by Senior Probation Officers. The work is intense and a framework for maintaining knowledge and skill to deliver this important work is key to its success.

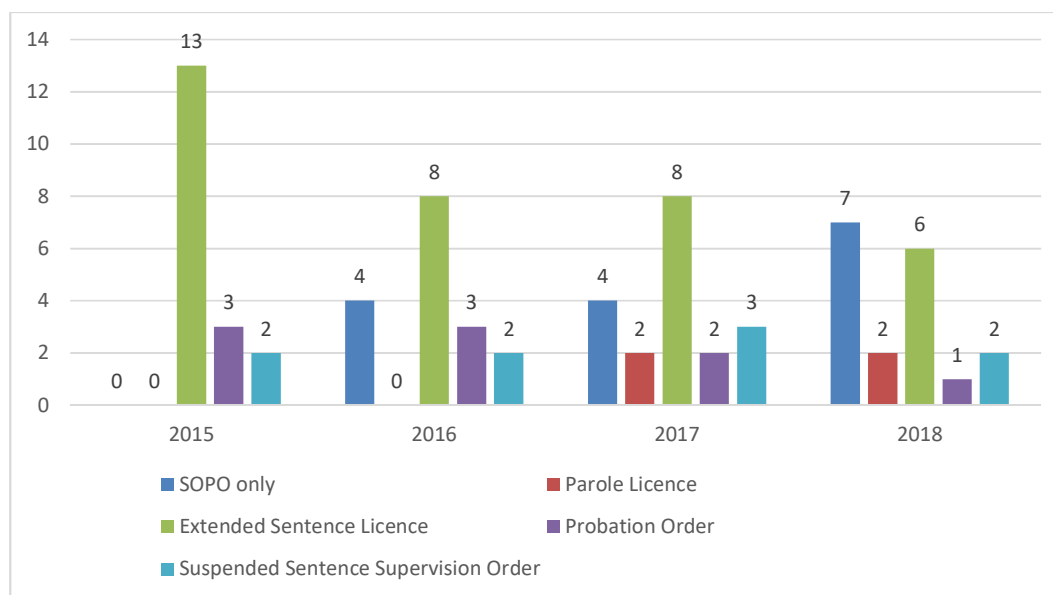
Guernsey Probation Service has developed a structured clinical approach to working with sex offenders. This encompasses the assessment, formulation, intervention, and review of treatment intervention for those who commit sexual offences. Risk management processes run alongside (and indeed subsequent to) this treatment intervention (see MAPPA section above), with close links between the two work streams. A significant amount of liaison with the Police Officer responsible for the monitoring of Notification Requirements occurs.

Client statistics – sex offender total caseload

This table depicts Guernsey Probation Service's caseload of adult sex offenders remaining subject to a sentence of the Court by location at year end. (Please note, no data is available for 2014, and data for 2013 is only available as a total rather than broken down by location).



The community caseload is broken down as follows:



Please note that when an individual is subject to a Sexual Offences Prevention Order (SOPO) as well as a prison or community sentence, they are only counted under the prison or community sentence to ensure accurate reflection of numbers of individual sex offenders rather than number of Orders/Licences in place.

All offender management and sex offender treatment responsibilities for these cases falls to the Guernsey Probation Service.

Client statistics – sex offender involvement in offending behaviour treatment intervention

‘Active treatment’ summary

	Total involved in treatment at some point during the year	Closed to treatment during year	No. remaining in treatment at year end
2018	33	7	26

This is the first year that data has been collated in this manner and therefore comparison data is not available.

33 convicted sex offenders were involved in sex offender assessment and treatment intervention at some point during 2018. 26 were subject to formal treatment intervention at year end, with 7 having been closed to treatment during 2018, and thus were engaged in treatment at some point

during 2018. Closure to treatment occurs for example when treatment intervention is completed, or when efforts to engage individuals in treatment has not been effective (significant attempts will be made, but there will be occasions when individuals are not responsive to treatment attempts). In all cases, when treatment intervention ends, ongoing management of the case occurs through progress review, ensuring compliance with Order/Licence conditions, and multi-agency risk management (under MAPPA) to ensure that any risk concerns can be picked up on and addressed as necessary. This can include re-opening the case to further treatment intervention.

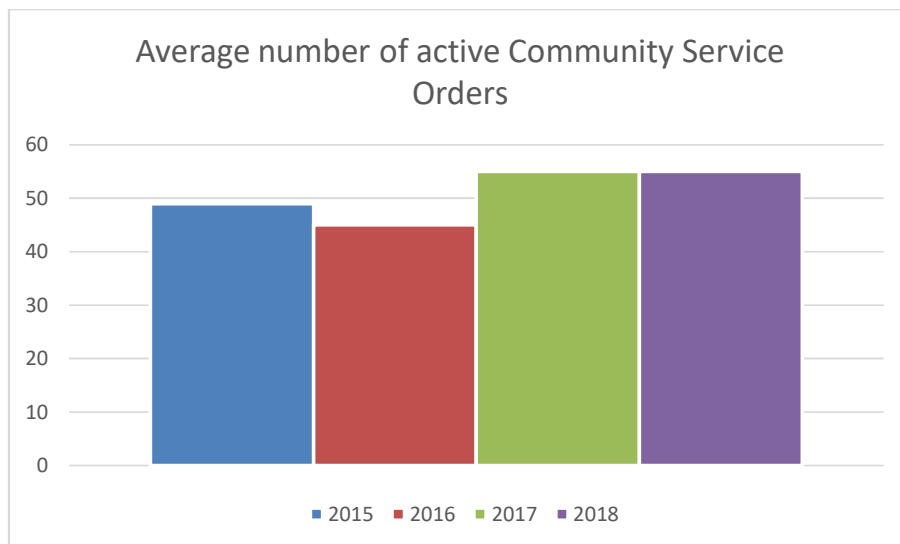
All convicted sex offenders are expected to engage with assessment and subsequent treatment under the sex offender treatment consultancy framework. The reader will note that a total of 41 sex offenders remained subject to some form of sentence (prison or community) at the end of 2018. All will have been subject to assessment and treatment intervention as appropriate during their sentence, just not necessarily during 2018.

For a more detailed summary of sex offender treatment work conducted by the Probation Service during 2018 please refer to the specific annual report published on gov.gg.

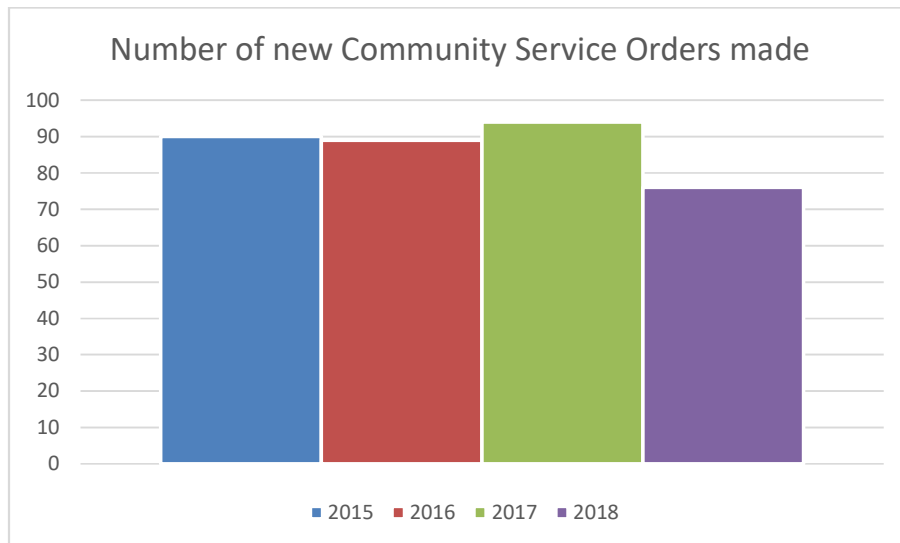
Community Service

Community Service is a sentence that enables offenders to make restitution to the community by carrying out unpaid work instead of a custodial sentence. Although some offenders sentenced to Community Service have committed serious offences they are in general assessed as at lower risk of re-offending. Many of them are in paid employment and would have a lot to lose if they had to serve the alternative custodial sentence. This leads to nearly 90% of orders being completed satisfactorily.

The average number of active Orders throughout 2018 was 55; the figure was the same for 2017.



In 2018 76 new Community Service Orders were made. This is a 19% decrease from 2017. The youngest person sentenced to CS was 16. The oldest was 58.



The number of hours ordered is commensurate with the seriousness of the offences committed and range in hours from 40 to 180 in the Magistrates Court and up to 240 hours in the Royal Court.

	Total number of Hours ordered by the Courts	Approximate number of hours worked for the community	Approximate total number of months allocated as alternative custodial sentence	No. of orders made without a direct alternative to custody
2017	9,930	9,400	268	20
2018	7,840	7,229	201	17

Orders returned to Court

	Breach for non-compliance with Order	Review of Order
2018	14	3

Breach for non-compliance with Order – outcomes

In 2018, 14 Community Service Orders were returned to Court due to non-compliance with the Orders. As a result of the breaches, 6 Community Service Orders were revoked and the client was then sent to prison or youth detention. 5 clients had hours added onto their Community Services Orders. 1 client had their CSO revoked and a suspended sentence put in place. 1 client received a Fine and their CSO was to continue. 1 client did not receive another penalty and their CSO was allowed to continue.

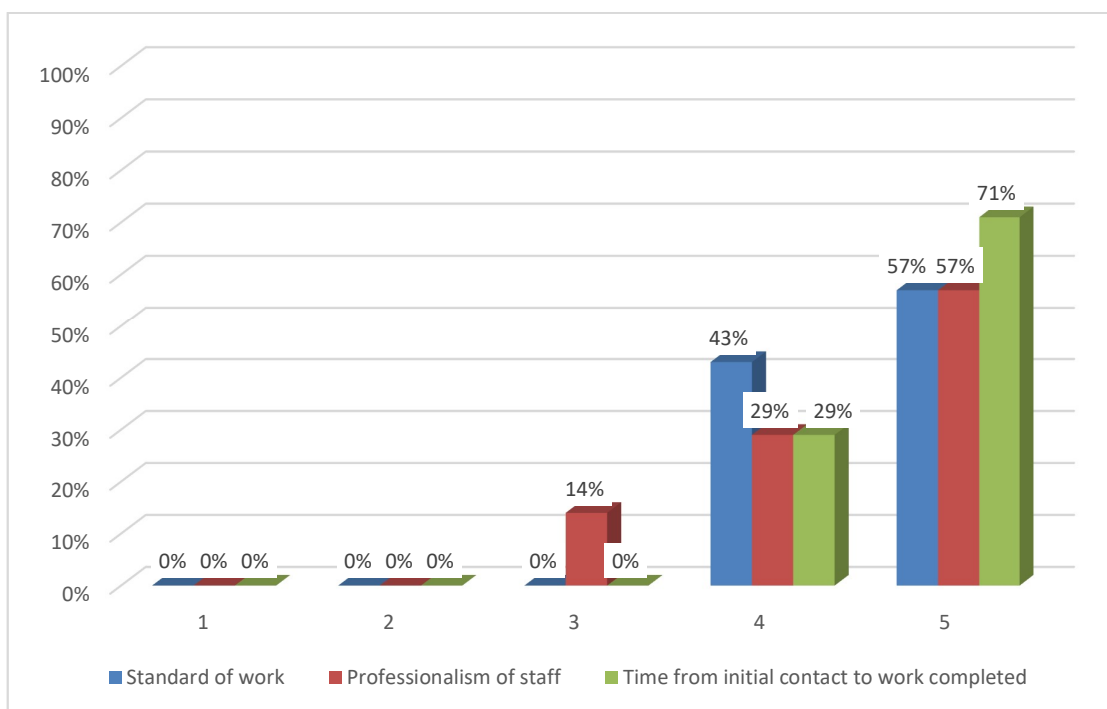
Most hours are completed on supervised work parties which operate on Thursday, Saturday and Sundays each week.

Hours worked for the main Beneficiaries during 2018:

- Floral Guernsey – 1319
- Les Cotils – 682
- Edible Guernsey – 484
- Guernsey Photography Festival – 413
- Guernsey Botanical Trust – 375
- GSPCA – 229

Beneficiary feedback

During 2018 a feedback questionnaire was sent to the beneficiaries asking for their feedback on various aspects of the Community Service Scheme. The respondents who used the work parties rated the service received against a scale of 1 – 5, where 5 was excellent and 1 was poor.



Quotes from beneficiaries

"Thank you so much for all your work and help. We would have not be able to deliver our festival without your investment. This is much appreciated" Guernsey Photography Festival

"I went to have a look this afternoon and I must commend your Community Service on a brilliant job that they have done. Please thank them very much for making the path and placing the bark chippings at the Wild Spot." Forest Floral Group

"We cannot thank your team enough for helping the National Trust of Guernsey make our annual Viae Marchi event such a great success. Their assistance with the set up on the Sunday was invaluable and we could not have managed to do it without all their help." National Trust Guernsey

Work party photo evidence

Guernsey Rowing Club, before



Guernsey Rowing Club, after



This concludes the report on the work of the Probation Service in 2018.

Anna Guilbert
Chief Probation Officer