



# 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
- Delivering and enforcing Court sentences 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
- Domestic Abuse Perpetrator Programme 'Sarnia'
- 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 2019 business plan.

2019 has been another very busy year for the Probation Service. A total of 238 full Social Enquiry Reports were prepared for the Magistrate's and Royal Court, and in addition 41 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 220 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. 40-50 offenders at any one time were undertaking Community Service Orders in 2019, instructed 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 2019 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**  
**March 2020**

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## 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 Unit at the Prison. They have strategic responsibility for the delivery of rehabilitation and resettlement in the prison and are part of both the probation and prison service's senior management teams. There is one probation officer also seconded to the Offender Management 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.

A 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.

A Business and Projects officer (also covering Community Service) 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 the charity In-Dependence and,

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

## Progress against priorities set in 2019

PROJECT	OBJECTIVE	STATUS
Justice review	Take full part in Justice Review providing statistics, expertise and written submissions as the project requests.	<p>The service provided extensive statistics and locally based research to the authors of the justice review.</p> <p>A comprehensive study of offending behaviour characteristics (criminogenic markers) was undertaken for the reviewers on the 2017 cohort of offenders.</p>
Parole legislation (joint with prison and central services)	Implementation of new legislation to move eligibility for early release from Prison from one third of the way through sentence to the halfway point of the sentence and to provide statutory guidance to support the Parole Review Committee in discharging its functions.	<p>The Probation Service has designated senior probation officer time to work with central services (parole secretary) to reviewing the extensive regulations needed to implement the Law.</p> <p>These are now completed and further work is ongoing on the implementation of the Law.</p> <p>This Law has a part to play in the overall management of prison numbers.</p>
Alternative Sentencing	Scoping of alternative sentencing including, but not limited to, tagging.	The Prison ECR (Early Conditional release) project has representation from the Probation Service manager OMU and a Senior Probation Officer from the Community team. Legal drafting is complete. Testing will commence shortly. Probation Service role will be to manage the risk assessments in the prison and ensure full integration with post custodial supervision. Further developments once the technology is sufficiently tested will be to explore the potential to use the system to impose curfews on bail conditions and community sentences, thus reducing the demand for prison remand places, and increasing the use of community sentences.
Sexual Offences Legislation	To prioritise probation service input and relevant expertise into the development of the new sexual offences legislation to modernise existing definitions of sexual offences (including training and updating of policies)	Probation continued to provide operational input to the development of this legislation. Formal consultation on draft legislation occurred and final amendments drafted by relevant Law Officer. In the year the team was actively involved in supporting the preparation of a policy letter on sexual offences to go to the States in early 2020.
Probation Law	Ensure readiness for implementation of the new Probation Law including training, ordinance and regulations (will require some law officer time)	<p>The Probation (Bailiwick of Guernsey) Law commenced on 17.10.19.</p> <p>The Law sets down the principal function of the Probation Service to protect the public and work with offenders to reduce reoffending and aid rehabilitation. All current Probation Officers have made an affirmation to serve the Court as designated in the</p>

		<p>Law. The Law stipulates that a probation officer has an overriding duty to the court to act with independence in the interests of justice.</p> <p>The Law strengthens community sentencing options. Pre-commencement meetings were held with the Judiciary and the Greffe to update processes in line with the new Law.</p>
<b>Target Operating Model for Offender Management</b>	<p>To update and implement the new Rehabilitation and Resettlement document as the operating model for joint Probation/Prison working. (Offender Management Strategy last reviewed 2014)</p>	<p>The Rehabilitation and Resettlement document, the operating model for offender management, rehabilitation and ‘through the gate’ services has been reviewed and updated by the Probation Service in consultation with the Prison.</p> <p>A workshop with all stakeholders (prison healthcare, education, third sector, mental health services, substance misuse service providers, etc) is scheduled for 4 March 2020 to ensure full understanding of the multi-agency input required for successful reintegration of prisoners into the community after release.</p> <p>An overarching Standard Operating Model for the Probation Service was completed in October 2019, covering: governance; vision and culture; partnership and multi-agency working; principles of probation work and supervision and performance framework.</p>
<b>Violence Against Women and Girls</b>	<p>Provide response from Offender management.</p>	<p>Consideration of the situation of women in the Justice system is an integral part of the VAWG remit.</p> <p>A small research project was done comparing the life experiences of female and male offenders. This highlighted the significantly higher incidence of mental wellbeing issues and domestic abuse amongst female offenders, as well as a high proportion having experienced a previous sentence.</p> <p>This research will be included as part of the response to the VAWG paper being prepared by the justice policy team.</p>
<b>Children and Young People’s Plan</b>	<p>To provide commitment to working together (including joined up governance and commissioning) to improve the outcomes for all children and young people across the Bailiwick as set out in the updated CYPP for 2019-2022.</p>	<p>The CYPP update was approved by the States in 2018, for the period 2019-2022. It is a statement of collective ambition for working together for the best interest of the children of the Bailiwick, especially those who face adverse circumstances in life.</p> <p>The commitment to early help and prevention is especially pertinent to our work in the criminal justice field where evidence suggests that adverse childhood experiences disadvantage young people in a wide variety of ways including health, schooling and contact with the justice system.</p> <p>The police and probation services represent CfHA on the CYPP implementation group.</p>

## Statistics

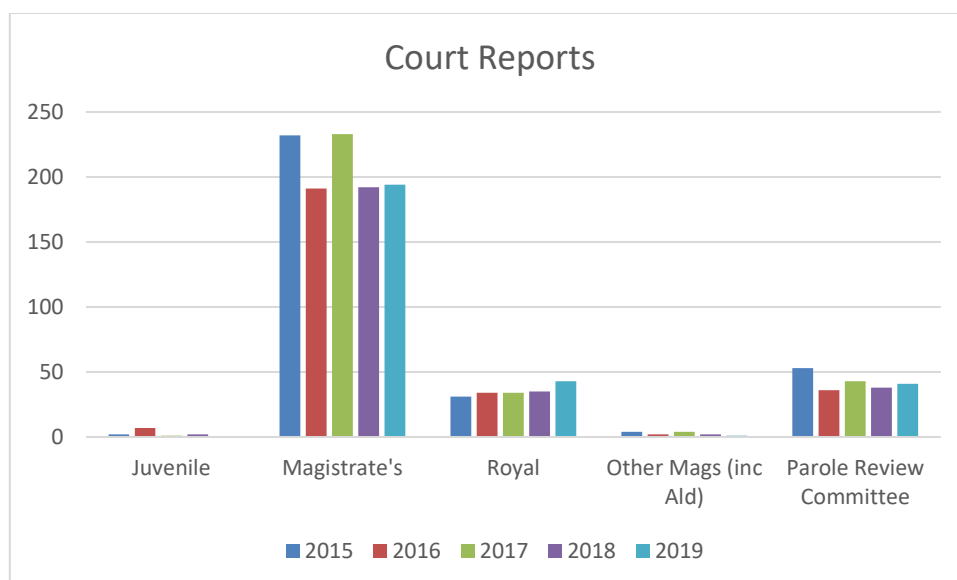
**Reports:** When requested by the criminal courts the Probation Service provides a pre-sentence report on an individual which gives a detailed analysis of the cause of offending, the risk of the offender to the community and a recommendation as to whether a period of probation supervision or community 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.

Reports required by the Magistrate's Court in 2019 amounted to 194, compared with 192 in 2018. In the Royal Court the numbers increased from 35 in 2018 to 43 in 2019.

**Parole reports:** When a prisoner is eligible for discretionary release on parole licence the Probation Service provides a full risk assessment to the Parole Review Committee, including a plan for supervision on release if parole is recommended.

41 reports were prepared for the Parole Review Committee in 2019, compared with 38 reports in 2018.

### All Court Reports, by Court 2015 - 2019



### Sentencing patterns in the Magistrate's Court

**Suspended Sentence (SS).** 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.

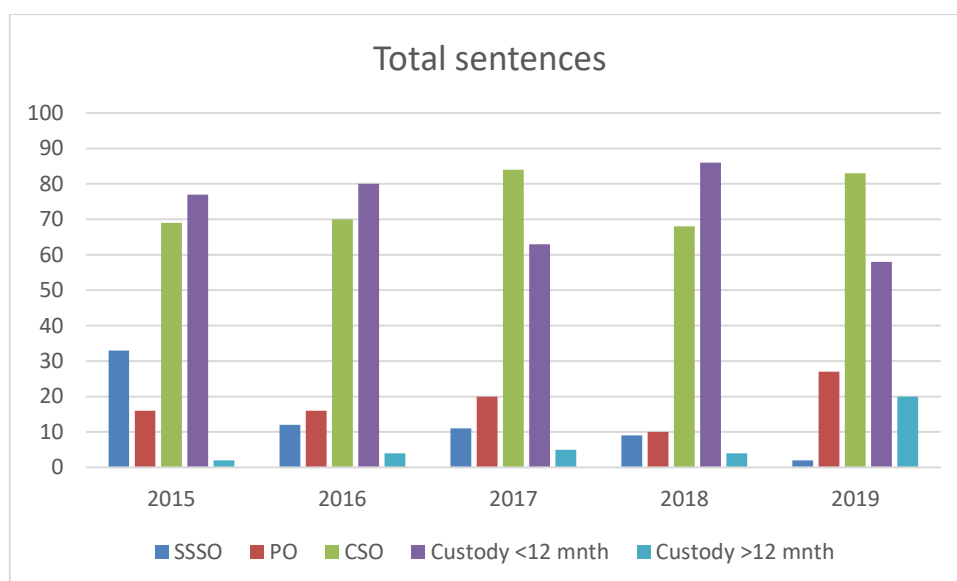
**Probation Order:** This is a period of supervision in the community, which can be up to 3 years.

**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.***

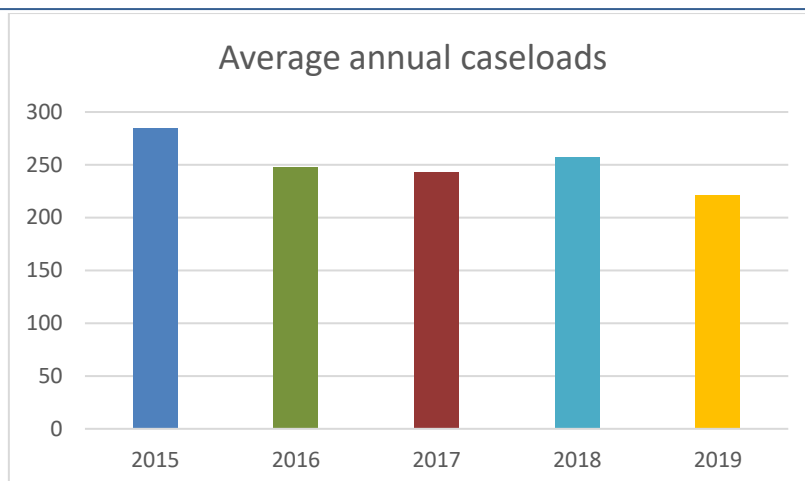
It is to be noted that a large number of offences going through the Magistrates Court will be dealt with by means of fines and periods of disqualification (especially motoring offences). These offences do not generally cross the threshold of requiring a report or intervention from the Probation Service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



### Average caseload per year

The Probation caseload 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 depending on the sentencing patterns in the courts, length of sentences and proportion of high risk offenders in custody and the community.





The average caseload for the Service remained broadly steady for 3 years following an exceptionally busy period in 2015. In 2019 the average caseload over the year was 221, compared with 257 in 2018. This is a reduction of 14%.

### **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.

### **Domestic Abuse Perpetrator Programme 'Sarnia'**

The Sarnia Programme is a partnership between the Probation Service and the Domestic Abuse Strategy. It 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 a Memorandum of Understanding with the domestic abuse strategy and in partnership with the charity 'Safer' who undertake the victim safety work.

The programme began taking referrals in May 2018 and had received 20 referrals by the end of the year. In 2019 the Sarnia Programme received 30 referrals.

### **Criminal Justice Substance Service**

This is a partnership between the charity In-Dependence 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 2019 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.

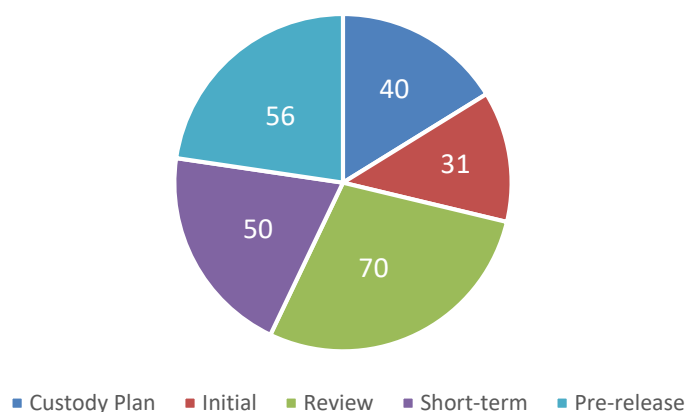
The Criminal Justice Substance misuse worker is based at the Probation office four days a week and works in very close partnership with the Probation Officers holding the cases. The total referrals to the service in 2019 was 64. There were 4 breaches and 19 successful completions during the year.

## **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 Offender Management 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, 247 sentence plan meetings were held by the Pathways Unit in 2019, compared with 254 sentence plan meetings 2018. 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.

2019 Sentence Plan Meetings

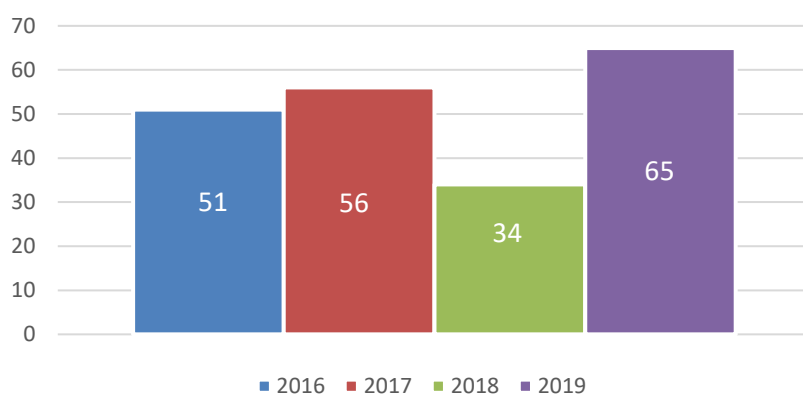


### Release on Temporary Licence reports

There were 65 reports written assessing prisoners for release on temporary licence in 2019, compared with 34 in 2018; an increase of 91%.

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.

ROTL Reports



## 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 01/07/2015) 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.

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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 led 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 2019 there were 95 people residing in Guernsey registered under MAPPA (38 in prison, 57 within the community), compared to 101 people in 2018.

Please refer to the MAPPA Annual Report 2019 which will be published on gov.gg for more information with regards to MAPPA risk management during 2019.

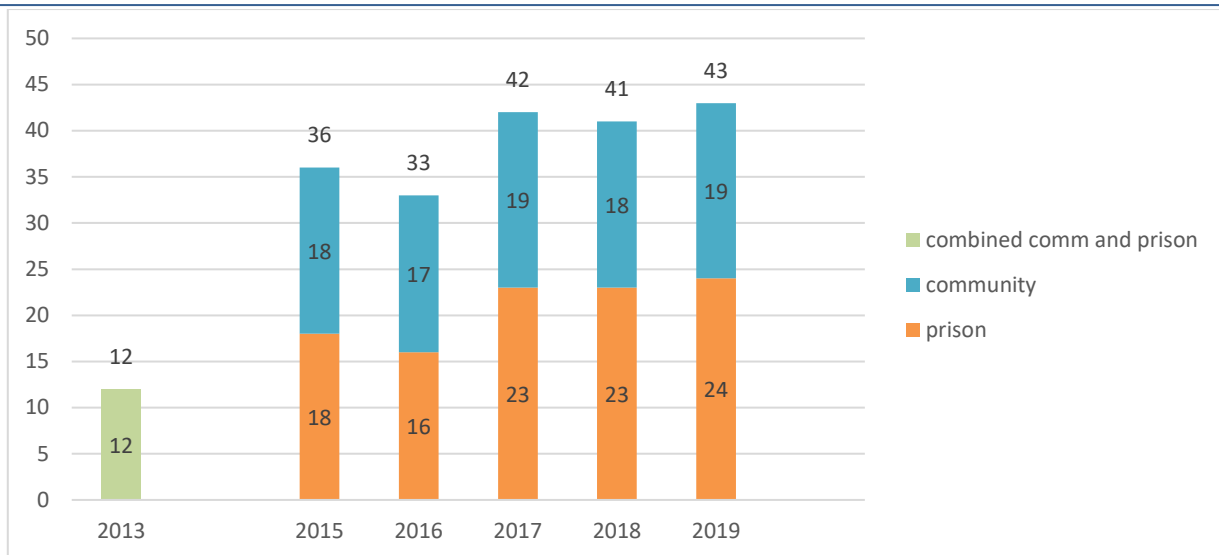
### **Probation caseload of sex offenders in Guernsey**

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.

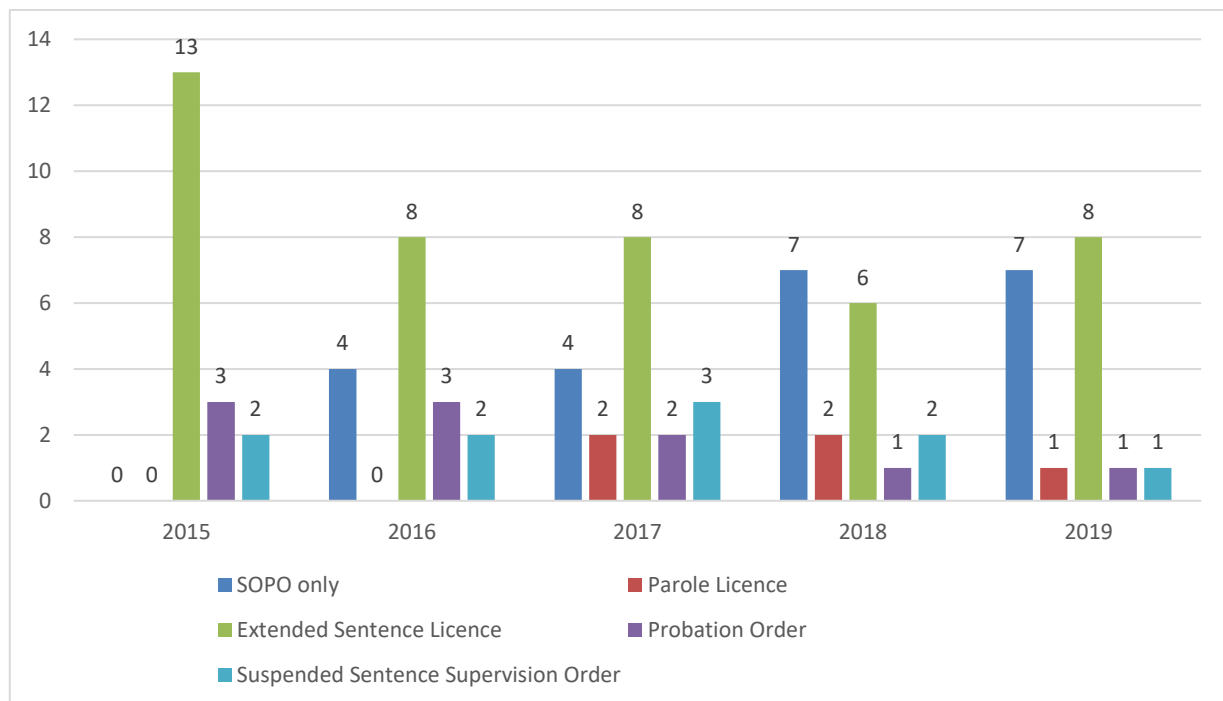
Guernsey Probation Service has developed a structured clinical approach to working with sex offenders. This encompasses the assessment, formulation, intervention, and review of treatment intervention for those who commit sexual offences. Risk management processes run alongside (and indeed subsequent 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 Probation caseload of sex offenders	Total involved in treatment at some point during the year	Closed to treatment during year	No. remaining in treatment at year end
2018	41	33	7	26
2019	43	37	4	33

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 43 sex offenders remained subject to some form of sentence (prison or community) at the end of 2019. All will have been subject to assessment and treatment intervention as appropriate during their sentence, just not necessarily during 2019.

For a more detailed summary of sex offender treatment work conducted by the Probation Service during 2019 please refer to the specific annual report, which will be published on gov.gg.

## Victim Liaison Scheme

Guernsey Probation Service has a statutory responsibility for a Victim Liaison Scheme where information is offered to victims of violent or sexual offences, dependant on sentencing. This information includes details for victims about release dates, licence conditions, and information about release from prison on temporary licence in regard to the perpetrators of the offence against them. Ongoing contact with the scheme following the initial contact is voluntary on the part of the victim. Below are the details for the 2019 caseload (as of 26.02.2020):

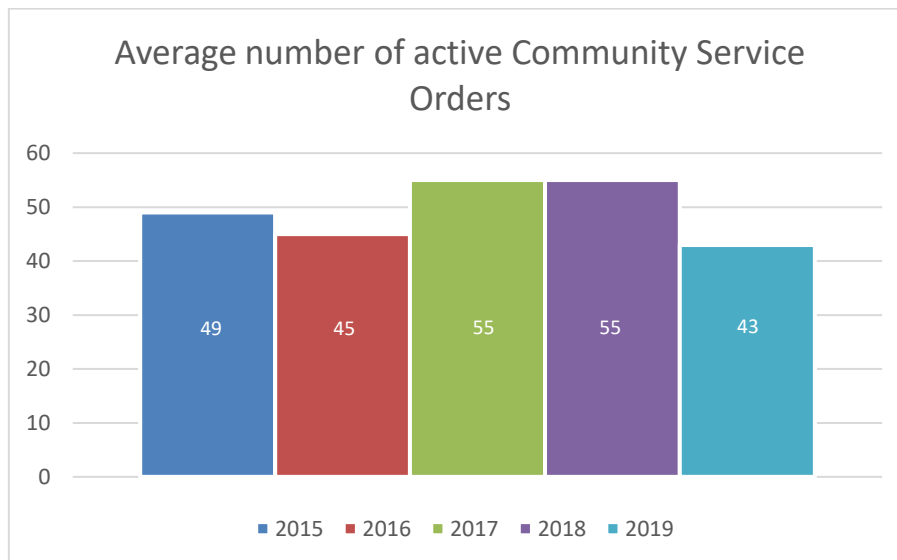
Number of victims eligible for contact with the victim liaison scheme	67
Number of victims currently engaging with victim liaison scheme	44

## Community Service

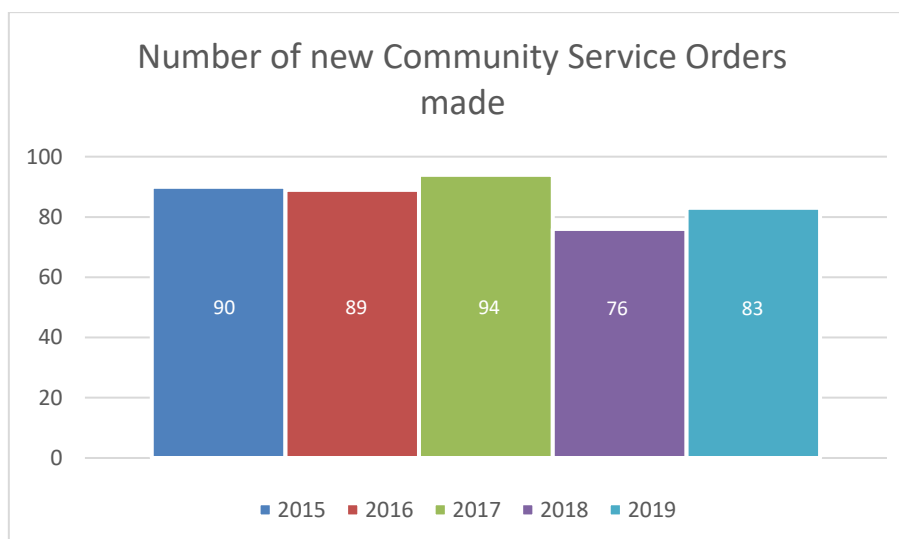
Community Service is a sentence that enables offenders to make restitution to the community by carrying out unpaid work instead of a custodial sentence. Although some offenders sentenced to Community Service have committed serious offences, they are generally assessed as at lower risk of

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 Community Service Orders being completed satisfactorily.

The average number of active Orders throughout 2019 was 43, which reduced from an average of 55 in 2018. This is a 22% decrease.



In 2019, 83 new Community Service Orders were made. This is a 9% increase from 2018. The youngest person sentenced to Community Service was 14 years old, and the oldest was 69 years old.



The number of hours ordered is commensurate with the seriousness of the offences committed, and ranges in hours from 40 to 180 in the Magistrate's 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
2019	9,430	7,292	275	19

### Orders returned to Court

	Breach for non-compliance with Order	Review of Order
2018	14	3
2019	17	1

### Breach for non-compliance with Order – outcomes

In 2019, 17 Community Service Orders (CSO) were returned to Court due to non-compliance with the Orders. The percentage of Orders breached in 2019 was 19.5% (some orders which were breached in 2019 were made by the court in 2018)

As a result of the breaches:

- 5 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 revoked
- 1 client did not receive another penalty and their CSO was allowed to continue
- 3 clients absconded from the island. These were breached in their absence and warrants issued.
- 1 breach was withdrawn in Court

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

Hours worked for the main Beneficiaries during 2019:

- Les Cotils Christian Centre – 565 hours



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- Floral Guernsey (St Peter Port) – 771 hours
  - La Houquette School – 345 hours
  - Edible Guernsey – 1531 hours
  - North Football Club – 263 hours

### **Feedback from beneficiaries**

#### *Work parties*

“I am very grateful for all the help that Community Services have given me. As 1 person working at La Vallette I make very little difference - with a group of young men and women a lot of work gets done”

“Fantastic, very professional and completed without fuss. I think it’s a great community initiative and the children have greatly benefitted. Many thanks.”

“An excellent scheme which has made a hugely positive contribution to the conservation of coastal grasslands. Would like to work with them more often.”

#### *Individual placements*

“We value the support of having Community Service personnel and generally the help given is received well. Thank you”

This concludes the report on the work of the Probation Service in 2019.



**Anna Guilbert**  
**Chief Probation Officer.**  
**March 2020.**