

Inspection into the supervision of Probation Orders November 2011

1. Background

This inspection was carried out between 7th and 8th November 2011. It was undertaken by Mr. Brian Heath and Mr. Mike Cutland of the Jersey Probation Service and, two experienced practitioners from the Guernsey Service, Ms. Issy Richmond and Mr. Stuart Crisp. We were delighted that Jurat Le Cornu also assisted the inspection team.

The objectives of the Inspection were as follows:-

- To identify the extent to which the supervision of clients subject to Probation Orders met standards agreed by the Royal Court;
- To identify areas of good practice and highlight development areas for the service;
- To provide a report to Probation Board and feedback to Probation staff at both team and individual level.

2. Methodology

It was decided to examine 50 files of Probation clients currently under supervision. All the clients who were randomly selected had been subject to supervision for a minimum of six months. Due to time constraints and one file being unsuitable for inspection, due to the client being remanded in custody almost immediately after the imposition of the order, it was possible to read 46 files. In terms of demographics the proportion of young offenders' files was slightly over represented when compared to the general caseload.

Each of the Probation Inspectors read between 10 and 13 files each. A structured assessment form was completed by each Inspector. These forms had been made available in advance to Probation staff who were invited to provide a written analysis to the inspectors. The file survey reviewed four key areas of practice:-

- assessment;
- managing attendance and enforcement;
- interventions;
- outcomes.

In addition, 16 of the clients whose files were read were invited to meet an Inspector and take part in a semi structured interview. Ultimately, interviews were conducted with 13 clients. Jurat Le Cornu was present at some of these meetings and took the opportunity to ask supplementary questions where appropriate.

The results of the file survey together with comments from the inspectors can be found at Appendix A. Appendix B contains the findings from the interviews with clients.

For the purposes of providing an analysis to the Board, the percentages presented have omitted the answers where “no return” or “not applicable” were marked.

Results

3. Section B. Assessment/Risk of Harm

This section required inspectors to examine the quality of assessments throughout the Probation Order. It is important that Probation Officers prepare comprehensive and timely assessments or work plans that provide a guide for the supervision process. Good quality and timely assessments can be crucial in deciding which relevant services need to be delivered to clients to assist them in reducing their risk of reoffending and, in some cases, their risk of harm to the public. Wherever possible it is preferable that the client should be aware of the plan and agree to it.

Throughout the inspection there is reference to “red flag cases”. These are clients who have been assessed by Probation Officers as posing an enhanced risk to the public or themselves. Typically such clients will have a record of sexualised offending, domestic violence or a pattern of other serious violence. Clients who have a history of serious self harm will also be “red flagged”. It is expected that clients classified as “red flagged” will be managed using a multi agency approach.

Key points

- An initial risk of harm assessment was prepared at the Social Enquiry Report stage in 36 or 84% of cases. Inspectors disagreed with the assessment in only 2 cases.
- In the case of “red flagged” clients, 70% of initial assessments were completed within 20 working days of the Order being made. This occurred with non red flagged clients in 68% of the cases.

- In only 1 out of 23 red flagged cases was the initial assessment considered insufficient to protect the public. In 14 cases the plan was deemed to be sufficient and in 8 cases it was excellent. This is a considerably higher proportion than in the inspection undertaken by her Majesty's Inspectorate of Probation (HMIP) in 2005 where only 59% of assessments were regarded as satisfactory.
- Non red flagged cases revealed a similarly high percentage (86%) of assessments that were either sufficient or excellent in terms of planning to meet client need. In 56% of cases the assessment had been reviewed within three months although sometimes the three month standard had been missed by a few days only. The corresponding figure in 2005 was a completion rate of 40% so practice has improved.
- Inspectors found evidence of the plan being communicated to clients in 70% of cases. This finding is largely mirrored in the questionnaire when clients were asked whether they were aware a supervision plan had been drawn up.

Analysis

Overall this section was seen to contain some positive results. One area where improvement can be made is in the preparation of initial risk assessments at the Social Enquiry Report writing stage. All court reports are peer reviewed or "gatekept" by a colleague to ensure quality control. More attention can be paid to the risk of harm issue although it should not be overlooked that this was done in 84% of cases and that the quality of these assessments were overwhelmingly endorsed by the inspectors,

Although approximately 30% of assessments were completed outside of the 20 working day standard, feedback from inspectors revealed that in some cases the deadline was only missed by a couple of days. Of more significance was the quality of the assessments with the vast majority being either sufficient or excellent in terms of reflecting plans to protect the public and meeting client need.

One aspect of practice that can be improved is communicating the plan with the client in a greater proportion of cases.

4. Section C. Managing Attendance and Enforcement

This section required inspectors to review the level of reporting and the appropriateness of any absences. The rationale for including this section was to consider the extent to which clients were encouraged to report regularly. Without a systematic and regular pattern of reporting which reinforces learning points and monitors progress it is less likely that clients can be assisted to achieve positive results.

Key points

- 80% of clients were seen within 7 working days of the Order being made.
- There was evidence that the terms of the Order had been explained to the client in 90% of cases by the supervising officer. This will have been in addition to the explanation provided by the Probation Officer on court duty at the time the Order is made.
- Of the 10 clients who were seen less than 10 times in the first three months, three had been breached and one remanded in custody.
- Reporting by clients after the first three months was satisfactory with only 3 clients falling outside of the reporting standards expected by the service.
- Home visits had taken place in less than half the cases and the reasons for not doing so were not being routinely recorded.
- The level of reporting was found to be either sufficient or excellent in terms of addressing risk and need in 41 (89%) of the cases.
- In only 1 out of 38 case returns was the judgement about the acceptability of a client's absence regarded as poor. This was an improvement on the 2005 inspection.

Analysis

This section also revealed a majority of positive features. The Service needs to undertake some extra work on understanding and responding to the reasons why a higher proportion of clients do not report within seven working days which is the expected standard. It may be that the question was a little ambiguous and that clients might have been offered but failed an appointment. Nevertheless, it is important that active supervision begins quickly after the making of the Order and this issue deserves some attention.

The overall picture in this section reveals the vast majority of clients being seen in excess of service standards (28% above standards compared to 9% below standards) in the 3-6 month period. Judgements about the acceptability of missed appointments were seen as sound and the reporting pattern imposed by Probation Officers was reflected in a positive statistic about the extent to which client need and risk was being met (89%).

Some attention needs to be paid to the subject of home visits. These are happening in less than half the cases although the file inspectors were not always clear of the reason for this. Home visits can be a useful part of the supervision process as it can provide an accurate picture of the client's situation. There will also be occasions where a home visit is impracticable because of safety concerns for the officer or where it is felt a visit would achieve little. In such cases the reason for not conducting a home visit should be recorded.

5. Section D. Interventions

In this section inspectors examined some of the methods and strategies adopted by Probation Officers throughout the supervisory process. It involved looking at the progress of interventions in areas of clients' lives that had been causing difficulty and linked to the risk of reoffending. It also looked at whether programmes were being utilised and how learning from programmes was being reinforced by the Probation Officer.

Key points

- Question 16 indicates that the four most significant problem areas identified in this cohort by the inspectors were alcohol, relationship difficulties, thinking skills and unemployment. The majority of the problem areas identified in question 16 reveal improvements despite many orders still being some months before completion.
- Liaison with Community Service colleagues in relation to clients subject to both Probation and Community Service Orders was either regarded as satisfactory or excellent.
- Over two thirds of clients were referred to a programme. The most heavily utilised programmes were Offending Is Not The Only Choice (OINTOC) and the Self Management and Rational Thinking (SMART) courses.
- Clients were seen regularly by their Probation Officers during the course of programmes but in 9 out of 26 cases these sessions were regarded as either poor or insufficient at reinforcing the learning points from the programme.

- Work to raise awareness of the impact of offending on victims was evidenced in just over half of the cases examined. The HMIP Report in 2005 found evidence in only 40% of files examined.
- In only two cases were interventions in “red flagged” cases deemed to be insufficient.
- In cases where clients under the age of 18 were being supervised, a parent or guardian was interviewed in person on at least once and in one case on seven occasions. In 7 out of 9 cases it was felt that parents/guardians were being encouraged to co-operate with the Probation Officer in order to reinforce the aims of the work plan.

Analysis

There is encouraging evidence that the interventions used by Probation Officers are showing some positive results in the risk areas associated with offending such as alcohol misuse and use of aggression. Progress is more noteworthy given that most of the orders were still active and still had the opportunity for further efforts to come to fruition. Areas that showed particular improvement were accommodation and relationship problems. Less successful domains included financial and health difficulties.

There is room for improvement in ensuring that learning on programmes is reinforced in individual sessions. The disappointing result in this area might be partially attributable to poor recording although it is likely that the Service could benefit from some refresher training in the OINTOC and SMART programmes which are delivered by Highlands College. This had been recognised prior to the inspection and is part of the 2012 Training Plan.

The finding about raising victim awareness was initially disappointing particularly given the work undertaken by the Service in recent year to develop and implement a Core Programme that contains a victim module. On a more encouraging note the interviews with the 13 clients revealed that all reported that their supervision included work about the impact on victims. It can therefore be hypothesised that the disappointing result reported by inspectors was a result of poor recording rather than poor probation work.

It is satisfying to have confirmation that, in the overwhelming majority of cases, interventions in relation to red flagged clients are appropriate to the needs of the case and that multi agency liaison is seen to be working well. It was also pleasing to record the contact and cooperation with parents of young clients which is essential if work is to be effectively reinforced.

6. Section E. Outcomes

The Level of Service Inventory-Revised (LSI-R) is an accredited risk of reoffending assessment tool that has been proven to be an accurate predictor of reconviction in Jersey. It measures problem areas in a client's life linked to offending including issues such as substance misuse, peer group, criminal history, family and attitudes. Reductions in the LSI-R score are related to reduced rates of reconviction.

Key points

- Of those clients who were subject to a further LSI-R assessment, 52% had a reduced score since the beginning of the Order. 15% had remained the same and 33% had increased.
- Where the LSI-R had not been re-assessed the inspectors revealed that they felt significant progress had been made in 6 of the 19 cases (32%) with some progress being evident in 8 cases (42%).
- It was felt that in 68% of cases there was either significant progress or progress in reducing the risk of harm of red flagged clients and in 80% of cases the risk of harm was considered to have been successfully contained.

Analysis

Although the number of LSI-R's showing a reduction was disappointing (the Service would aim for a minimum of 60%) it has to be borne in mind that the majority of orders were still in existence at the time of the inspection and that it would be anticipated that further improvements would be likely in the future. It was reassuring to read the positive findings of the inspectors in relation to the cases that had not been reassessed using the LSI-R as 14 out of 19 (74%) were thought to be making progress in areas linked to reoffending. It is hoped that this will be reflected in formally recorded LSI-R reductions at the end of the Probation Order.

An important outcome in terms of public safety was the amount of positive progress made in successfully containing the risk of harm to the public. This finding resonates with other data in the inspection about the quality and relevance of the work undertaken in the overwhelming majority of work with clients.

7. Interviews with clients

Although the file reading was generally positive, it was decided to conduct semi structured interviews with clients in order to ascertain whether they felt their supervision was beneficial in helping them to stay out of trouble. Areas that were discussed included whether clients were treated with respect, how they were helped with their difficulties, whether the contact they had with the department was sufficient, the adequacy of programme provision and perceptions about the likelihood of reoffending.

Key points

- 12 of the 13 clients stated that they were generally seen within 5 minutes of their appointment.
- 12 clients reported that they were always treated with respect with the other client reporting that this had happened on most occasions.
- Areas where clients felt they received the most help were emotional issues, ways of staying out of trouble, family issues and employment.
- 4 clients were either unaware or could not remember that a supervision plan had been made although 10 clients felt that the aims of the plan had been adhered to in supervision.
- All clients reported that they were given a sufficient number of appointments to help them and only 1 client reported that there was no-one able to see them urgently if they had a problem.
- All clients reported that they received praise when they did something well and all recalled work taking place about the impact on victims with 11 telling the inspectors that this has had an effect on their subsequent behaviour.
- 12 of the clients had attended a programme. 8 described the programme as very relevant and 3 as fairly relevant. One described it as very irrelevant. 11 found the programme very useful but 2 described it as not very useful.
- All 13 clients described a very satisfactory relationship with their Probation Officer and all were either very satisfied or fairly satisfied with the Probation Service generally. 11 out of 13 thought that it had helped to reduce their risk if reoffending.

Analysis

This is generally an extremely positive result from a random selection of clients. The Service has invested heavily in recent years in Pro- social Modelling and Problem solving techniques which are internationally recognised as key components in effective probation practice. It would seem as though the quality of relationships, the level of appointments provided and the relevance of the work undertaken is recognised by clients as helpful and an important factor in motivating them to stay out of trouble. Ultimately of course the decision about whether to reoffend remains with the client but the feedback received indicates that the Service is pro-active in encouraging desistance from offending.

8. Jurat Le Cornu's comments

I attended the Probation Officer on 7 and 8 November 2011. The purpose of my attendance was, as a member of the Probation Board, to observe at random a number of interviews.

It was possible during the two days to accompany all the interviewers. I am pleased to say that the objectives of the Inspection were all achieved. It was a very positive experience for me to see just how close the officers get to their clients. A number said that their whole attitude to life has changed as a result of the care and advice of their officer.

I am pleased to see that from my observations, the Probation Service are well fulfilling the Court's expectations.

9. Overall Inspection Summary and Recommendations

This inspection has several positive elements including feedback from clients. Assessments are generally seen to be of good quality and plan appropriately in order to meet the risks and needs posed by service users. There is also commendable work to plan and implement public safety measures, often involving good liaison with other agencies. The pattern of reporting was seen as mostly appropriate to the needs of the case and there were more examples of levels being above rather than below minimum service standards.

The files recorded that interventions by Probation Officers usually led to improvements in areas of clients' lives that were linked to offending and there was good liaison between officers and the parents of younger clients. There were some positive outcomes in terms of helping clients with problems and

managing issues of public safety although it was hoped that this would ultimately be reflected in reduced LSI-R scores.

Inspections will invariably highlight areas of work that require further consideration and development. It is intended to review and take appropriate action in relation to the following:

- Increasing the proportion of clients who report within 7 working days of the making of the Probation Order.
- Improving the timeliness of assessments to at least 80%.
- Every Social Enquiry Report to have evidence of an initial risk of harm assessment.
- Every assessment and work plan to be shared with a client unless it is agreed by a line manager that this would be inappropriate in relation to the safety of that client or others.
- Ensure that all victim work is fully recorded on the case file.
- Refresher training to take place in relation to OINTOC and SMART in particular in order to allow a greater degree of reinforcement by the supervising officer.
- Improve the proportion of home visits undertaken or ensure that the reasons for not conducting a home visit are agreed by the line manager and recorded in all cases.

This inspection would not have been possible without the generous time given by Mr Crisp and Ms Richmond. We are also grateful for the commitment of Jurat Le Cornu who made an important contribution to the process. The overall positive results reflect well on a dedicated skilled team and their line manager, David Trott. I am grateful to the hard work of Barbara Machon, Assistant Probation Officer, for her excellent collation of the inspection findings.

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Assistant Chief Probation Officer

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