

**WHAT WORKS IN JERSEY: THE FIRST TEN YEARS (Vista Vol 7 issue 3  
2002)**

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*Summary:* The Jersey probation service has been implementing its own version of ‘what works’ for the last ten years. This paper outlines the approach used, and describes particular aspects of the development process that are believed to have contributed to relatively successful implementation. These include comprehensive risk/need assessment; good use of information; good communication; support from sentencers and staff; and partnership with outside bodies able to provide training, development and research support.

**Setting the scene: Probation in Jersey**

Jersey, the largest of the Channel Islands at 45 square miles has a population of over 85,000 people. Self-governing since 1204, it has never been part of, or colonised by, the United Kingdom, but is a remnant of the Duchy of Normandy. As a result its Government and Judiciary bear little resemblance to comparable institutions elsewhere in the British Isles. The Bailiwick of Guernsey, which incorporates Alderney, Sark and the other Channel Islands, has institutions which are basically

similar but with many differences of detail, and is completely independent of Jersey. Until 1957 the official language was French, and much of the population spoke Jersey Norman French. However, the use of English is now almost universal with Portuguese the most common second language. Despite this, many laws and some parts of court procedure remain in the French language. Legislation is proposed and debated by the States, the Island's government.

Until the last half of the 20<sup>th</sup> century, Jersey was essentially a rural society. Tourism became an increasingly important industry between the two world wars and grew considerably in the post war years. However, during the last 25 years it is the financial services industry that has overtaken both agriculture and tourism to become the principal force in the Jersey economy. The Island is now reliant on the income produced from this industry to fund its infrastructure. Perhaps because of the speed of these changes, Jersey has retained many of the characteristics of its rural past: for example, the twelve Parishes are still the centres of much of the Island's administration. Each has its own elected Police, decides upon and administers benefits claims, maintains its roads and so on. The tradition of honorary service is strong with many administrative and judicial functions relying upon unpaid elected volunteers at both Parish and Island levels.

This is the context within which the Jersey Probation and After Care Service (JPACS) operates. Probation was established by law in 1937, with the first full time appointments being made in the early 1960s. Probation Officers or Deleagués are appointed by a gathering of all the Judges known as the Full Court with the Attorney General and Magistrate also in attendance, and subsequently take an oath of office

before the Samedi Court (the equivalent of a Crown Court which curiously sits not on a Saturday, but a Friday).

The JPACS is governed by the Probation Board consisting of five Jurats (lay elected Judges). A member of government is also invited to attend to encourage liaison with the political body responsible for Home Affairs. The Service employs 40 staff, many of whom work part time or job share (28.03 full time equivalent). 13 of these including the two senior managers are Delegués. The Diploma in Social Work remains the standard qualification for Probation Officers, and trainee Probation Officers complete a three to four year programme incorporating the Diploma in Social Work taken at a University in Scotland or Northern Ireland.

The JPACS works with young offenders aged 13 and over as well as with adult offenders. During 2001, 685 written and 132 verbal reports were prepared for the criminal courts, and 237 Probation Orders and 226 Community Service Orders were made during the year. The Probation Order operates across the sentencing tariff and is a form of provisional release, being made instead of a punishment, as Probation Orders used to be in England and Wales. Community Service Orders are made as a direct alternative to a custodial sanction, with the offender being told in Court the length of sentence that would otherwise have been imposed.

### **The first steps**

During 1991 and 1992, the Chief Probation Officer (CPO) and Assistant Chief Probation Officer (ACPO) became aware of the emerging evidence about 'what works'. The findings were presented to a Probation Officer awayday in 1992 by the

then CPO Dr Debbie King, and were seized on enthusiastically by the team. A working party was formed to investigate further, and to consider how best to incorporate the research into practice. It quickly became apparent that if this was to happen then the Service would have to redesign itself as limited resources meant that trying to 'bolt on' effective practice would not be viable. The working party reported back every three months or so on progress, attempting to establish consensus on the best way to proceed. This proved comparatively easy at this stage, when no changes had yet been put in place. Each member of the working party was asked to imagine that Jersey had no Probation Service and to invent one using the evidence about effective practice. This and other exercises led to the following decisions:

- All those offenders remanded for Social Enquiry Reports (SERs) should be assessed for their risk of re-offending and any criminogenic needs.
- This would allow Probation to concentrate on medium and high risk offenders and avoid making low risk offenders worse.
- Low risk offenders with social work needs would be put in touch with the appropriate agencies outside the criminal justice process, Community Service being recommended for those low risk offenders at serious risk of custody.
- A range of one-to-one and group work Cognitive Behavioural programmes would be in place for medium and high risk probationers.
- These programmes would complement and not replace traditional probation supervision, as it was recognised that otherwise the problems and issues faced by probationers would remain 'live' and potentially reduce the impact of or prevent the completion of programme work.

- The results of these initiatives would need to be measured to establish whether they were effective and to prevent 'drift'.

In 2002 these decisions appear to be logical and not particularly ambitious, but in 1992 they appeared exciting and radical. There were also a number of immediate difficulties. The first was that there was no assessment tool available. Only the Mid Glamorgan Probation Service was running a programme which had been rigorously evaluated, the Reasoning and Rehabilitation programme developed by Robert Ross (Ross et al. 1986) and it was not yet known if it worked in a European setting (Raynor and Vanstone 1996). The Courts were completely unaware of the research evidence, which did not always fit a justice based sentencing model. The JPACS had a rudimentary information system and no research capacity. Workload continued to rise significantly year on year, and this long term work had to fitted in alongside the normal daily and weekly deadlines.

However, by April 1996 significant progress had been made towards implementation. Some of the pioneers of 'What Works', including David Sutton, then CPO of Mid Glamorgan, and Colin Roberts of the Probation Studies Unit in Oxford, were generous with advice and assistance. A longstanding relationship with Seymour-Davies Ltd. (now the Cognitive Centre Foundation) developed further as they worked on disseminating validated assessment tools and programmes in various locations throughout the British Isles. Considerable time was taken to brief the Jersey Courts and other stakeholders on the changes the Service wanted to make, and the Courts agreed to significant changes in practice. Two examples were the replacement in Probation Orders of explicit conditions to attend programmes with an understanding

that attendance on programmes could be a matter for the Service, and an explicit discretion given to probation officers not to pass on to the police information concerning probationers' personal drug use. This latter ruling allowed the JPACS to work for the first time in a constructive way with non-abstinent drug users.

### **The emerging system**

By the summer of 1996 the following measures were in place:

- **Assessment** - All subjects of Social Enquiry Reports (SERs) were being assessed using the LSI – R (Level of Service Inventory – Revised, Andrews and Bonta 1995). This was also being used to measure changes at the end of each programme and the end of every order. A score of 12 was normally required before Probation supervision would be considered, although this could be overridden either way by the report writer. As no British data was then available linking LSI – R scores to re-offending rates, the Canadian values were used initially.
- **Case Management** - It was recognised that the positive aspects of the traditional probation officer/probationer relationship should be retained, and that social work training and values were just as important as they had always been. Most probationers would start supervision on a standard six week induction group, with groups starting every two weeks. The probation officer leading each group would become the case manager for those probationers after the group, allocating them to programmes according to risk and need, whilst providing reinforcement of learning from programmes and social work

assistance with 'welfare' needs. Those offenders unsuitable for a groupwork induction would receive a similar programme individually. The induction programme itself was a locally devised package providing standard information about expectations of probationers whilst also continuing the assessment process begun during the SER phase.

- **Programmes** - The Reasoning and Rehabilitation Programme, known as SMART in Jersey, was chosen for probationers at the highest risk of re-offending, defined as an LSI-R score of 24 or more. All probationers reaching this threshold would be referred unless an override was agreed by the ACPO. This programme was chosen because of its track record in Canada and in Mid Glamorgan. It consists of 35 two hour sessions delivered twice weekly. Local research had predicted 35 – 50 referrals per year. This posed serious difficulties for a Service with six probation officers and three assistants. Probation officers wanted to deliver this programme themselves but after lengthy discussions were finally persuaded that it would be impractical for them to do so. Although all probation officers were trained in SMART, delivery of the programme was contracted out to the Further Education College, Highlands, which welcomed the idea of attracting this client group into an education setting. Sessions were recorded on video and reviewed by the Cognitive Centre with feedback to the ACPO and the Programme leader at Highlands for supervision purposes. In addition the Alcohol Study Group (ASG), a locally devised eight-session programme in use since 1986 would continue for probationers who needed alcohol education, and two Cognitive Centre programmes 'Dealing with Destructive Levels of Male Aggression'

(known as ACT in Jersey) and ‘Offending is not the only choice’ (OINTOC) were selected for street violence offenders and medium risk (LSI-R 12-23) ‘general’ offenders respectively. A TACADE/Home Office modular programme was available for those using illegal drugs. ACT, OINTOC and TACADE were all available as group work programmes or for one-to-one delivery. The services of a native Portuguese-speaking probation assistant were obtained to allow Probation Orders to be made in respect of the Island’s largest non-English-speaking resident minority, and the post holder received extensive in-service training including programme work, to ensure that the quality of supervision on offer would equal that available to English-speaking probationers.

- **Information** - The selection of an effective computerised case management system, the Integrated Case Management System (ICMS) developed by a consortium of Probation Services in Eastern England, provided probation staff at all levels with the information they needed: for example, about the progress of a particular probationer, or how many probationers had completed which programmes, or how many had complied with particular standards of contact. By 1996 all staff had ICMS installed on a networked PC on their desks. Having gone to all this effort the JPACS was determined to establish whether the changes were worthwhile, and an evaluation study was set up drawing on the Cognitive Centre’s connections with the University of Wales in Swansea. In addition the staff group continued to meet several times each year, to review progress assisted by statistics generated from ICMS.

Whilst all this represented considerable progress, managers and staff were aware of gaps in provision. There was no validated risk of harm predictor in use, nor were there structured assessments for domestic violence or sex offenders. No suitable programme for female offenders had been found. Other than the TACADE programme none of the programmes were designed for offenders aged under 18 years. All of these gaps in provision have since been filled with the exception of the need for a structured programme for female probationers.

Further problems emerged as implementation progressed. The induction programme proved to be unsuccessful and was discontinued after some six months of operation. Scheduling of group leaders became a very difficult task for the ACPO with such a small team, and workload had again increased. After the efforts made to sell probation's effectiveness this should not have been a surprise, but it had not been taken into account and planned for. After attempting a number of different approaches a dedicated programme worker was appointed from within the team and proved to be a successful way of delivering the programmes. Managers were involved in a time-consuming Service Review conducted by Deloitte and Touche; this eventually resulted in a positive report and considerable extra resources, but took place at a time when leadership was also required to embed the changes in practice. Probation officers were overworked and the one-to-one programme work suffered until the programme worker was appointed.

However, the developments which had been put in place were supported by staff who shared the vision of their managers that change was desirable and achievable. The small size of the JPACS and the knowledge that it could not rely on any one else to

work out the solutions helped to build a sense of common purpose. Both senior managers come across Service users rather more often than their counterparts elsewhere, and this coupled with practitioner involvement in the project helped to ensure that probationers continued to be recognised as real people rather than abstract units to be processed. The JPACS has a strong relationship with the Courts, partly arising from its status as a Court body rather than a part of government. The fact that the Courts could veto any development, but chose not to do so, ensured that progress was by consensus. Whilst programmes were seen as an important component of supervision the importance of the case managers' role was also recognised and to emphasise this as well as being trained in all the programmes used by the JPACS, Probation Officers were trained in Pro-social modelling by Dr C Trotter, (Focus on People – Effect Change 2001).

### **Some early results**

The first detailed results from the evaluation study were produced in 2001 (Raynor and Miles 2001) and further reports are planned at roughly two-year intervals as the number of cases available for analysis grows. Over a thousand offenders assessed using LSI-R were covered by the initial report, which confirmed that LSI-R is highly predictive of reconviction in Jersey (though for a given LSI-R score the risk of reconviction for a woman is considerably lower than for a man). Dividing the 1,073 initial LSI-R scores into quartiles (low, low-medium, high-medium and high risk of reconviction) yielded average one-year reconviction rates for each risk band of 11 per cent, 17 per cent, 29 per cent and 43 per cent respectively. Within each risk band the outcomes of different sentences were compared and, not surprisingly, reconviction

rates following all sentences were strongly influenced by initial risk levels. However, there were some interesting differences between sentences.

Among the lower risk offenders, fines and Community Service tended to be followed by lower reconvictions than either prison or probation, with probation appearing to be the least effective of the sentences available for low risk offenders. Among higher-risk offenders probation appeared rather more effective. The highest-risk group in the study consisted of offenders sentenced to probation with the expectation that they attend the SMART programme, and they had a reconviction rate of 48 per cent, significantly better than the 67 per cent achieved by comparable offenders released from the Young Offender institution (who actually had a slightly lower assessed risk at the point of sentence). Other encouraging findings concerned the impact of programmes: for example, the first 43 offenders to complete the SMART programme showed a significant average reduction in LSI-R scores (from 29.1 to 24.8,  $p < .001$ ), as did the first 23 to complete ACT (20.2 to 18.7,  $p < .05$ ). Encouraging results were also achieved in a random sample of other community sentences for which initial and end-of-order assessments were available.

Further research on larger numbers should add considerably to these initial results, but already some practical consequences have followed: for example, probation orders are now seldom proposed for low-risk offenders, and sentencers have been encouraged not to make them. The discovery that very few women receiving community sentences had a high risk of reconviction led to a decision not to commit resources to a women's programme, but to supervise them one-to-one instead. The main finding, perhaps, is that with a sound approach to assessment and a good information system it

is not difficult to gather useful information about the impact of services and to make informed decisions as a result. This seems elementary, but we suspect that few British probation areas are yet able routinely to monitor and evaluate their work in this way.

### **Lessons for other places**

Paul Gendreau has pointed to the neglect, in early ‘what works’ research, of effective implementation as a central element in effective practice (Gendreau et al.1999); this is also the subject of a recent international edited collection (Bernfeld et al. 2001) and is an emerging theme of much of the recent Home Office research on the National Probation Service Pathfinder programmes (for example Hollin et al. 2002). Jersey shares many of the characteristics of other jurisdictions, such as tight controls on public spending and difficulty containing growth in prison numbers. What can we learn from Jersey’s experiences about the process of starting to implement ‘what works’ in Probation?

The first obvious lesson from the story outlined in this short paper is that implementation must be led by managers who are convinced and knowledgeable about the direction they intend to take, and are prepared to spend time discussing it with staff and with other criminal justice agencies. This involves listening and learning as well as persuading and convincing; the point is to achieve active engagement. A similar process was documented in the Mid Glamorgan STOP experiment, where there was an emphasis on creating a ‘culture of curiosity’ about effectiveness and results (Raynor and Vanstone 2001). Communication may be easier in principle in a small service which can be easily assembled in one room, but it is not automatic and needs to be carry the right messages. For example, research and

monitoring results are disseminated to staff as soon as they become available, and discussed frequently in full staff meetings where they can be thoroughly questioned. All probation staff and relevant members of partner organisations have been trained, but perhaps more importantly they have been involved.

A second clear feature has been the recognition that 'what works' is a comprehensive approach involving several elements which must be in place early in the process.

There has been a pragmatic readiness to adopt 'good enough' solutions and make them work in a timely manner. For example, it was recognised from the beginning that effective case management and monitoring required information systems which could deliver useful and timely results locally, and the Integrated Case Management System was chosen, with the result that Jersey has benefited from good information management and self-monitoring for several years while the mainland struggled to resolve a raft of problems generated by the more ambitious and vastly more expensive CRAMS system.

Similarly, it was recognised from the start that the effective use and monitoring of programmes would depend on the introduction of systematic assessment of risks and needs. The LSI-R came with a track record in other countries and was available as part of a package including training, consultancy and research support which could be integrated with other 'what works' developments. There are no perfect assessment instruments (see Raynor et al. 2000) but the timely adoption of one with evidence-based claims to be 'good enough' has allowed Jersey to benefit from the use of risk/needs information in its policy and practice since 1996. On the mainland the much more ambitious home-grown Offender Assessment System (OASys) is still not

in general use, and several years of major ‘what works’ initiatives have had to go ahead in the absence of a comprehensive and appropriate approach to assessment.

A final point is about collaboration and partnership in development. The developments outlined in this paper have involved close collaboration between the Jersey Probation Service, the Cognitive Centre Foundation providing training and consultancy, and the University of Wales, Swansea providing research support and research training. This paper itself, written by a Chief Officer, a part-time research and information officer and a University-based researcher, is an example of collaboration, which has now also extended to research on the island’s unique Parish Hall Enquiry system. There are changes ahead for Jersey, where the island’s policing and its constitution have both been the subject of recent suggestions for reform (Clothier 1996, 2000) and a current review is looking at the whole criminal justice system. However, continued attention to building the evidence base and continued integration of policy, practice and research still look like a promising strategy for the future.

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