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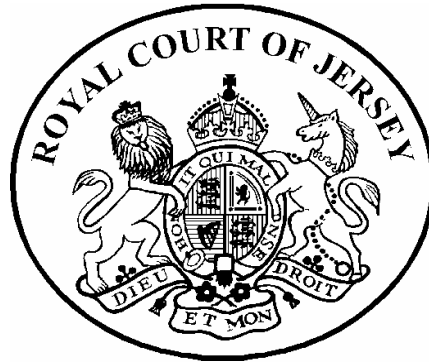_____

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COMMUNITY SENTENCES IN JERSEY:

Risk, Needs and Rehabilitation

Report prepared for the Jersey Probation and After Care Service

Helen Miles
Peter Raynor
February 2004

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Helen Miles is the Research and Information Manager of the Jersey Probation and Aftercare Service and Research Student, University of Wales, Swansea.
e.mail: h.miles@gov.je

Peter Raynor is Professor in the Department of Social Policy and Applied Social Studies at the University of Wales, Swansea.
e.mail: p.raynor@swansea.ac.uk

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PREFACE

The island of Jersey is the largest of the Channel Islands at 45 square miles with a resident 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. 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. Neither the European Union nor the United Kingdom government have the power to legislate for Jersey. The Jersey system of law, based on La Grande Coutume de Normandie , ancient Norman Law, has been retained and together with the development and reinforcement of customary law, the island of Jersey has established itself as an autonomous 'appendage' to the English crown.

The Jersey Probation and Aftercare Service 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. Probation in Jersey was established by law in 1937, with the first full time appointments being made in the early 1960s. Probation Officers or Delegués 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 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.

INTRODUCTION

This report summarizes the main results of an analysis of data collected by the Jersey Probation and After-Care Service since the introduction of the Level of Service Inventory (Revised) (LSI-R, Andrews and Bonta 1995) as a new method of risk and need assessment to support the preparation of social enquiry reports and the evaluation of progress during supervision. The data available for this report concern 1380 offenders assessed in Jersey using LSI-R between Autumn 1996 (when LSI-R was introduced) and the end of June 2001 (the latest qualifying point for inclusion in the reconviction study with adequate follow-up). This study builds on previous data presented in the report *Risk, Needs and Re-offending: Evaluating the Impact of Community Sentences in Jersey,* (Raynor and Miles 2001).

The first part of the report covers some general characteristics of the assessed offender population and a comparative study of the risk of re-offending and the actual reconviction rates of those sentenced to the more commonly-used sentences, including community sentences. Offenders are followed up for twelve months and twenty four months from the date of sentence (if non-custodial) or release (if custodial). Reconviction rates are examined for whole sentenced populations and for samples subdivided by risk group.

The second part of the report concerns changes during supervision in risk levels as measured by LSI-R. Assessments made at the beginning and end of community sentences are compared for a sample of 298 offenders. In addition, assessments of the offenders who had completed the SMART, ACT, ASG, CHANGE and Treatment programmes in time for inclusion in the twelve month and twenty four months reconviction study are examined at the start of supervision and the completion of the programme. An analysis of the change in risk levels at the start of supervision, completion of a programme and completion of the probation order is also considered for 169 offenders. This section also considers risk-related change: that is, the relationship between changes in scores and changes in levels of reconviction.

The third part of the report covers sub-component analysis of LSI-R scores at the start and end of programmes. These are examined for SMART, ACT, ASG and CHANGE. This provides a criminogenic needs profile at the outset of each programme and shows in what proportion of cases each component changed.

The fourth part of the report concerns programme completion and attrition information. This provides information about the reasons given for failure to complete programme intervention and shows the levels of reconviction of programme non-completers.

This report is a product of the partnership set up between the Jersey Probation and After-Care Service, the University of Wales, Swansea and the Cognitive Centre Foundation in 1996 when the Jersey Probation Service became the first in the British Isles to adopt the LSI-R, as part of a conscious strategy for the enhancement of effective probation practice (Heath, Raynor and Miles, 2002). Other pilot areas followed, and several reports have discussed progress in the pilots (see Raynor 1997 and 1998). A Home Office study (Home Office Research Study 211, Raynor et al. 2000) has confirmed the broad reliability of the LSI-R as a reconviction predictor and a risk-related change measure for use in probation services in England and Wales, and its use in other countries continues to grow. This is the second report to apply it on a substantial scale to the evaluation of probation practice in Jersey, and it is hoped that as well as containing some useful information it will provide an example of the kind of evaluative information which can in future be produced on a regular basis and on larger samples of offenders.

Throughout this report the titles of probation programmes used in Jersey are abbreviated as follows:

Aggression Control Training: ACT*

Alcohol Study Group: ASG

Self-Management and Rational Thinking: SMART**

Probation Order – Treatment and Testing Option: POTO

Domestic Violence Programme: CHANGE***[1]

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[1] *ACT (Dealing with Destructive Levels of Male Aggression) and **SMART (Reasoning and Rehabilitation by Robert Ross) are programmes provided by the Cognitive Centre Foundation.

***CHANGE programme (Men who are Violent to Women) by David Moran, University of Stirling and Monica Wilson.

Part One

LSI-R SCORES AND RECONVICTIONS

The main sample of 1380 offenders contained 1170 males and 210 females. The average age was 23, with a range from 13 to 69. Their initial LSI-R scores ranged from 1 to 44 with an average of 16.7, and 333 of them (24.1%) were reconvicted within one year of sentence (if non-custodial) or release (if custodial) and a further 187 were re-convicted within two years of sentence (37.7%) The range of sentences received by these offenders on initial conviction is shown in Table 1.

Table 1. Sentences received on initial conviction

(Where more than one sentence was passed at the same court appearance, Table 1 lists only the most severe.)

Sentence	Frequency	Percent
Deferred sentence	2	.1
Absolute Discharge	7	.5
Bind Over Standard	155	11.2
Bind Over Drug Awareness	15	1.1
Community Service	286	20.7
Fine	226	16.4
Probation	321	23.3
Probation – ASG	20	1.4
Probation – SMART	53	3.8
Probation – Hostel	3	.2
Probation- CHANGE	1	.1
Probation – ACT	3	.2
Probation – Other	60	4.3
Attendance Centre	9	.7
YOI	30	2.2
Prison	153	11.1
Other	8	.6
Not sentenced	14	1.0
Compensation	3	.2
BOTLI	5	.4
Order Discharged	1	.1

Disqualified from Driving	2	.1
Remanded to Royal Court	3	.2
	1380	100.0
All Probation	461	33

DATA COLLECTION

Reconviction information has been gathered from a number of sources. The twelve month reconviction data refers to information provided by the Police National Computer. Data for the twenty four month analysis refers to information from the Police National Computer together with Jersey Court and Probation Service records and analysis of data provided from a States of Jersey Police database (COPS). Incomplete data provided for the initial study have been amended to include a full offending history based upon the more comprehensive resources available at the twenty four month point.   For the purposes of this study, "re-conviction" refers to a sentence passed by a Court. There is however a level of re-offending in Jersey that is dealt with by the Parish Hall Enquiry system that is not included in the official figures (See Appendix B). The existence of this two-tier system in Jersey adds a level of complexity to these findings.   Centeniers are required by Attorney General's Guidelines and States Police Force Orders to present offenders subject to Probation and Community Service Orders before the sentencing court for any detected re-offending. This is not the case for other categories of sentence. Another complication for comparison with Police National Computer data is the 'standard list' of offences. The Jersey study considers re-conviction to include *all* court appearances including 'less serious' offences such as drunk and disorderly. Such offences, if committed in the United Kingdom, would not appear in the 'standard list' and therefore not necessarily show on offenders' official records. Given the multiple sources of information to provide data for this study, it is fair to say that this report is able to reflect a highly accurate picture of re-offending for those offenders who commit offences in Jersey and remain in the Island.

The remainder of the analysis in this section concentrates on the more common sentences, i.e. those received by more than 20 people, since only these provide sufficient numbers for meaningful analysis. Where programmes are listed (ASG, ACT, SMART and CHANGE) this is on the basis of offenders sentenced to undertake the programme. The actual numbers of offenders who undergo the programme is in all cases larger because at least two thirds of offenders who are sentenced to Probation (without a specific condition attached to the order) will undertake some form of programme intervention. Later tables in this report will focus on the offenders completing these programmes.

Table 2 shows, for each commonly used sentence across all age groups, the average LSI-R score (risk level, in bold) of those subject to it, the percentage committing a 'serious' offence on initial conviction, the percentage reconvicted within 12 months and 24 months (in bold), and the percentage for whom that reconviction involved a 'serious' offence. ('Serious' offences in this table are the majority of criminal offences leading to court appearances, and include all violent, sexual and major property offences, while 'less serious' offences include infractions such as shoplifting, bicycle theft and malicious damage.) Table 3 shows similar information, but for the adult age group only.

Table 2. Characteristics and outcomes of commonly used sentences (All ages)

Sentence	N	Mean LSI-R	% serious on initial offence	% recon-viction within 12 months	% serious on recon-viction	% recon-viction within 24 months	% serious on recon-viction
Community Service	286	**13.2**	68	**16**	7	**25**	10
Probation (standard)	321	**19.7**	54	**30**	14	**51**	20
Probation (ASG)	20	**18.9**	60	**15**	5	**40**	10
Probation (SMART)	53	**25.8**	43	**38**	19	**64**	34
Probation (other)	60	**19.8**	63	**30**	12	**48**	20
All Probation	454	**21.0**	55	**28**	13	**51**	21

Key comparators (lower risk):	Mean LSI-R	% serious on initial offence	% recon-viction within 12 months	% serious on recon-viction	% recon-viction within 24 months	% serious on recon-viction
Bind over (standard) 155	**15.1**	53	**16**	6	**24**	11
Fine 226	**11.5**	61	**13**	4	**24**	9
Key Comparators (High Risk)						
YOI 29	**27.1**	86	**59**	45	**76**	52
Prison 153	**19.5**	68	**31***	13	**48****	20

(* this figure includes sanction at Parish Hall Enquiry. Re-conviction in Court is 29%)

(** this figure includes sanction at Parish Hall Enquiry. Re-conviction in Court is 45%)

Table 3. Characteristics and outcomes of commonly used sentences (Adults)

Sentence	N	Mean LSI-R	% serious on initial offence	% recon-viction in 12 months	% serious on recon-viction	% recon-viction in 24 months	% serious on recon-viction
Community Service	265	**13.3**	70	**15**	6	**23**	9
Probation (standard)	293	**19.9**	55	**33**	15	**44**	20
Probation (ASG)	19	**19.0**	63	**16**	5	**42**	11
Probation (SMART)	40	**26.1**	38	**28**	10	**55**	28
Probation (other)	52	**19.6**	65	**29**	19	**43**	22
All Probation	404	**21.2**	56	**27**	12	**46**	20
Key comparator (higher risk):							
Prison	153	**19.5**	68	**31***	13	**48****	20

(* this figure includes sanction at Parish Hall Enquiry. Re-conviction in Court is 29%)

(** this figure includes sanction at Parish Hall Enquiry. Re-conviction in Court is 45%)

The single clearest feature of the figures in Tables 2 and 3 is that reconviction rates increase as LSI-R scores rise, indicating that LSI-R is providing a useful degree of risk prediction for Jersey. Chart 1 provides another illustration of this, dividing the LSI-R scores into quartiles (approximately four equal groups of offenders) and indicating the proportions reconvicted in each group:

Chart 1. Reconviction rates (%) for lsi-r score quartiles
% reconvicted:
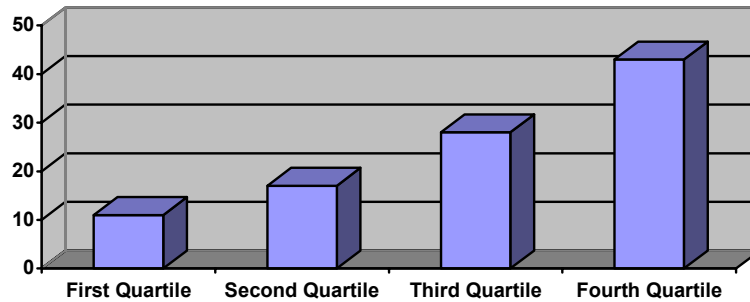
Reconviction rates in Jersey are generally lower than would be expected for comparable LSI-R scores in England and Wales, reflecting the way Jersey has managed to retain many features of a low-crime rural society in spite of rapid economic development. Reconviction rates of women continue to be substantially below those of men: the average LSI-R score for men is 16.9 and the overall male 12-month reconviction rate is 27% while the average LSI-R score for women is not far below at 15.6 but their reconviction rate is only 9%. Risk estimates based on the LSI-R scores of individuals need therefore to take gender into account.

Analysis of the seriousness of reconvictions shows that slightly over half the reconvictions are for the more serious range of offences, which is always a lower proportion than the proportion of initial offences which were serious. Exceptions to this general pattern are Community Service (7%) , Probation 'ASG'(5%) and Bind-Over 'standard' (6%) which have very low proportions of serious reconvictions, and custodial sentences for young offenders (45%), which have a very high proportion of serious reconvictions. The same is true at the 24 month point, where low levels of serious reconviction are maintained for all three groups and a very high level of serious reconviction occurs for offenders who received a sentence of Youth Custody (76%).

Analysis of the reconviction rates themselves indicates that most sentences are followed by a level of reconviction which primarily reflects the levels of risk and criminogenic need shown by offenders receiving that sentence. In other words, the choice of sentence usually has little effect in comparison with the existing

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characteristics of the offender. The clearest exception to this general pattern occurs among the higher risk offenders in this study: probationers required to undergo the SMART programme reconvicted less than offenders sentenced to Youth Custody. The difference in reconviction rates is close to achieving significance (Chi-square = 3.3, p<0.10). Offenders sentenced to Probation with ASG condition also show a lower level of reconviction when compared with offenders receiving a custodial sentence. (Chi-square = 1.8, p<0.25). It should be remembered that these figures under-represent the number of offenders who actually complete an intervention programme. These numbers will be discussed later in this report.

The notes to tables 2 and 3 also illustrate the difference between levels of known re-offending and levels of court re-conviction for offenders sentenced to a custodial sentence. This serves to corroborate anecdotal evidence from research conducted into the Parish Hall Enquiry system which suggests that Centeniers adopt a more sympathetic approach with former prisoners (Miles, forthcoming).

As sentences tend to be used most frequently for different risk groups of offenders, comparisons between sentences can be easier to make if the offender population is divided into risk groups. Tables 4, 5, 6 and 7 compare the most frequently used sentences in each of four risk groups based on the quartile distribution of LSI-R scores - in other words, they divide the sample into four approximately equal groups assessed as low risk, low medium risk, high medium risk and high risk. Sentences are regarded as frequently used if they occur more than 25 times within the risk group.

Table 4. Frequently used sentences: low risk quartile (LSI-R = 1-9)

Sentence	Number	Mean LSI-R	% reconvicted within 12 months	% reconvicted within 24 months
Bind-Over	59	5.9	12	18
Community Service	112	6.0	9	17
Fine	103	5.5	6	10

Table 4 shows that for offenders with a low level of initial risk, reconviction rates are similarly low, with fines and Community Service performing particularly well.

Table 5. Frequently used sentences: low medium risk quartile (LSI-R = 10-15)

Sentence	Number	Mean LSI-R	% reconvicted within 12 months	% reconvicted within 24 months
Bind Over	31	12.4	7	7
Community Service	67	11.8	10	21
Fine	69	12.3	13	20
Probation	92	12.6	24	39
Prison	35	12.4	23*	38 **

(* this figure includes sanction at Parish Hall Enquiry. Re-conviction in Court is 17%)

(** this figure includes sanction at Parish Hall Enquiry. Re-conviction in Court is 23%)

Table 5 shows that for the low-medium risk quartile, Bind-Over performs better at both the 12 and the 24 month point. Probation Orders appear to perform less well than a prison sentence, but if Parish Hall Enquiry sanctions are taken into account, then the result is roughly equal. This table provides important information for Jersey because the LSI-R threshold for recommending a Probation Order is 16. It is clear that offenders assessed as low-medium risk do not perform well, either on Probation or in custody. It would seem that in these lower risk groups, fines and Community Service may have slight risk-reducing effects. Bind Overs perform best at the low-medium level but produce the highest level of reconviction in the low risk quartile.

Table 6. Frequently used sentences: high medium risk quartile (LSI-R = 16-22)

Sentence	Number	Mean LSI-R	% reconvicted within 12 months	%reconvicted within 24 months
Bind Over	27	19	22	37
Community Service	55	18.5	24	33
Fine	34	19	26	47
Probation	111	19.2	29	46
Prison	47	18.9	25*	47

(* this figure includes sanction at Parish Hall Enquiry. Re-conviction in Court is 21%)

Table 6 shows that for high-medium risk offenders, the rates of reconviction are similar across all sentences. The outcomes of both Bind Over and Community Service are again encouraging. The probation outcome is slightly higher than prison at 12 months and slightly lower at the 24 month stage. Once again, the differential use of Parish Hall sanctions needs to be taken into account. The similarity in re-conviction levels notwithstanding, a probation order represents a considerable cost saving on each occasion that a prison sentence is avoided. It should be remembered that this table refers to offenders *sentenced*. Whereas we can be certain that offenders served a period of imprisonment, we cannot be sure that offenders either started or completed a community sentence.

Table 7. Frequently used sentences: high risk group (LSI-R = 23-44)

Sentence	Number	Mean LSI-R	% reconvicted within 12 months	% reconvicted within 24 months
Bind Over	34	30.4	26	41
Community Service	42	27.2	31	45
Probation	100	29.1	43	62
Probation (SMART requirement)	41	30.4	39	71
YOI	20	32.3	70	85
Prison	52	29.3	52	69

Within this high risk group, Bind Over has the lowest reconvictions in the group. (Closer analysis of this group shows that Bind Overs tend to be imposed by the courts for minor offences). Probation and Probation with a requirement to attend the SMART programme again appear encouraging, particularly when compared with offenders receiving a custodial sentence. Youth Custody produces the highest levels of re-conviction in this group.

Overall, the reconviction evidence does not allow us at this stage to single out particular sentences as outstandingly successful once initial risk has been taken into account. However, the results of Binding Over Orders and Community Service appear encouraging at all risk levels; Probation performs well for the higher levels of risk and appears to offer a level of protection from re-conviction for a longer period than a custodial sentence. Probation with a requirement to attend the SMART programme also looks promising for the higher risk offender, particularly when it is used as an alternative to a custodial sentence.

Part Two

CHANGES IN RISK DURING SUPERVISION

Repeat LSI-R assessments have been undertaken at the end of periods of supervision, and at the end point of programmes for those offenders undertaking them. This section reviews the available data concerning changes in risk during supervision. The national Home Office study (Raynor et al. 2000) showed that changes in risk factors measured by repeat assessments using risk/need assessment instruments such as LSI-R were significantly related to subsequent reconviction, so reassessment can be used to evaluate not only how offenders' needs and risk factors change during supervision, but can offer some guidance on whether the period under supervision is having an impact on the risk of reconviction.

Six groups of offenders are considered in this analysis:

- a random sample of 298 offenders subject to community sentences for whom initial and end-of-order assessments are available
- 36 offenders who completed the ACT programme
- 66 offenders who completed the SMART programme
- 115 offenders who completed the ASG programme
- 16 offenders who completed the CHANGE programme
- 19 offenders who completed a POTO (Probation Order- treatment option).

For the groups where programme intervention took place, additional data are available concerning reconvictions at the 12 and 24 month point. For 169 offenders, data are available concerning the change in risk between the end of programme intervention and the end of the Probation Order.

Table 8 summarizes, for these six groups, the relationship between first and second assessments in terms of the amount of change, the proportion of offenders showing improvement (i.e. decreased scores), and the statistical significance of these changes measured by the t-test.

Table 8. Changes in risk assessments during supervision

Group	Number	Mean first LSI-R	Mean second LSI-R	% of group showing decrease	Mean change	Significance of change (p)	% reconvicted within 12 months	% reconvicted within 24 months
Sample	298	21.5	20.1	58%	-1.5	**<.001**	-	-
ACT	36	20.3	18.4	68%	-1.9	**<.05**	22%	40%
SMART	66	29.1	24.5	77%	-4.6	**<.001**	36%	56%
ASG	115	17.7	16.1	61%	-1.6	**<.001**	23%	41%
CHANGE	16	16.9	15.6	56%	-1.3	**.092**	19%	38%
POTO	19	25.5	22.05	63%	-3.4	**.08**	37%	58%

This table shows an encouraging degree of positive change in all six groups, with particularly large changes among the SMART completers. In four groups the changes are statistically significant (at the 5% level for ASG and ACT, and at better than the 0.01% level for SMART and the sample group). However, it should be noted that the SMART and ASG groups shown in this table are made up of people who *completed* the programmes, and are drawn from a longer time-period than those counted as *sentenced to* the programme in Table 2, which includes a number of people who started these programmes but did not complete them. Table 8 therefore concentrates on the successful participants, and this is reflected in their reconviction rate, which is lower than the rate shown in Table 7.

Overall Table 8 provides evidence of the positive impact of programmes, and particularly SMART, on those who undertake the whole programme as intended. It also demonstrates the significant positive impact of Probation Orders.

Table 9 summarizes, for four of the six groups, the relationship between post-programme and end of order assessments in terms of the amount of change, the proportion of offenders showing improvement (i.e. decreased scores), and the statistical significance of the changes as measured by the t-test.

Table 9. Changes in risk assessments between the end of programme and the end of order

Group	N	Mean post prog. LSI-R	Mean end of order LSI-R	% of group showing decrease	Mean change	Significance of change (p)
ACT	26	18.6	17.8	46%	-.81	**.465**
SMART	40	26.03	24.5	55%	-1.55	**.121**
ASG	87	16.5	15.8	51%	-.68	**.125**
CHANGE	16	15.5	15.5	20%	0	**1**
Total:	169	19.01	18.1	48%	-.85	**<.05**

This table shows degree of positive change in all four groups, which show a reduction between the mean post-programme and the end of order assessment. For ACT, ASG and CHANGE there is an average decrease of less than one point which is not statistically significant. For SMART this decrease is slightly larger at one and half points. When combined, the results achieve statistical significance at the <.05 level.

From this, we can conclude that during the supervision provided under the remaining part of the Probation Order the changes already achieved during the programme are either maintained or increased. Importantly there has been no overall deterioration, which has been found during post-programme supervision in other research (Raynor and Vanstone 1996).

RISK RELATED CHANGE MEASURES

A dynamic risk/needs instrument should provide a risk-related measure of change over time. Table 10 shows the reconviction rates for offenders whose re-assessment scores were different from their initial scores. The sample is divided at the median point.

Table 10. Changes in LSI-R scores between first and second assessments and reconviction (excluding no change in total score)

| Risk at first assessment	Direction of change in score	First assessment		% reconvicted	Significance (x2)
		Mean	SD		
"Low" N = 98	Increasing N = 29 Decreasing N = 69	14.8 15.0	4.3 2.9	58.6% 29.0%	0.01
"High" N = 105	Increasing N = 21 Decreasing N = 84	27.4 28.3	4.8 5.2	76.2% 53.6%	0.10
Total N = 203		21.7	7.9	48.3%	

It is clear from Table 10 that increasing scores in the "low" band are significantly associated with higher reconvictions and decreasing scores with lower reconvictions. The high band shows the same pattern as the low risk group but falls slightly short of statistical significance. Significance may well be achieved when the sample size is increased.

Part Three

RISK AND NEEDS PROFILE ANALYSIS OF PROGRAMME COMPLETERS

The LSI-R assessment is used at the beginning and the end of every programme intervention to monitor offender risk during supervision. This section analyses sub-component information taken from ten dynamic factors assessed by the LSI-R: accommodation status, employment status, financial status, family/marital relationships, alcohol and drug use, use of leisure time, attitudes to law-breaking, emotional/personal factors and companions. This information shows to what extent risk areas change following programme intervention. Charts 2, 3 and 4 show the pre and post sub-component analysis for the ASG, ACT and SMART programmes.

Chart 2 – ASG Programme Completers
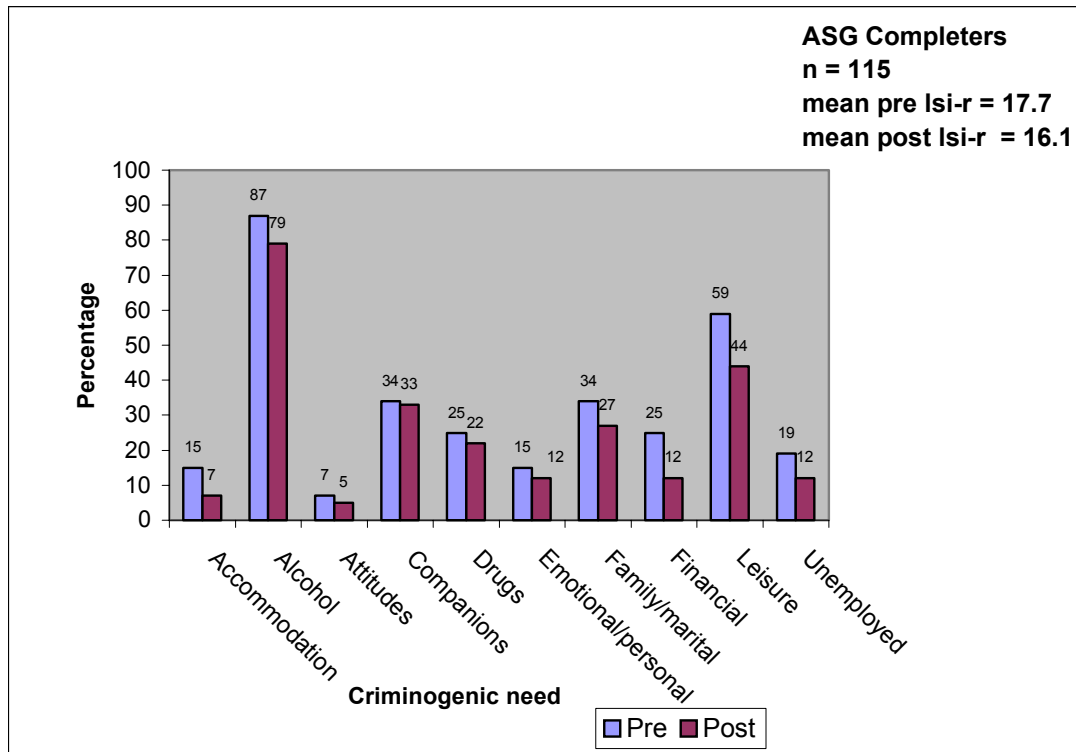
This chart shows reductions across all the dynamic areas and a particularly large positive impact upon financial status and leisure time.

Chart 3 – ACT Programme Completers
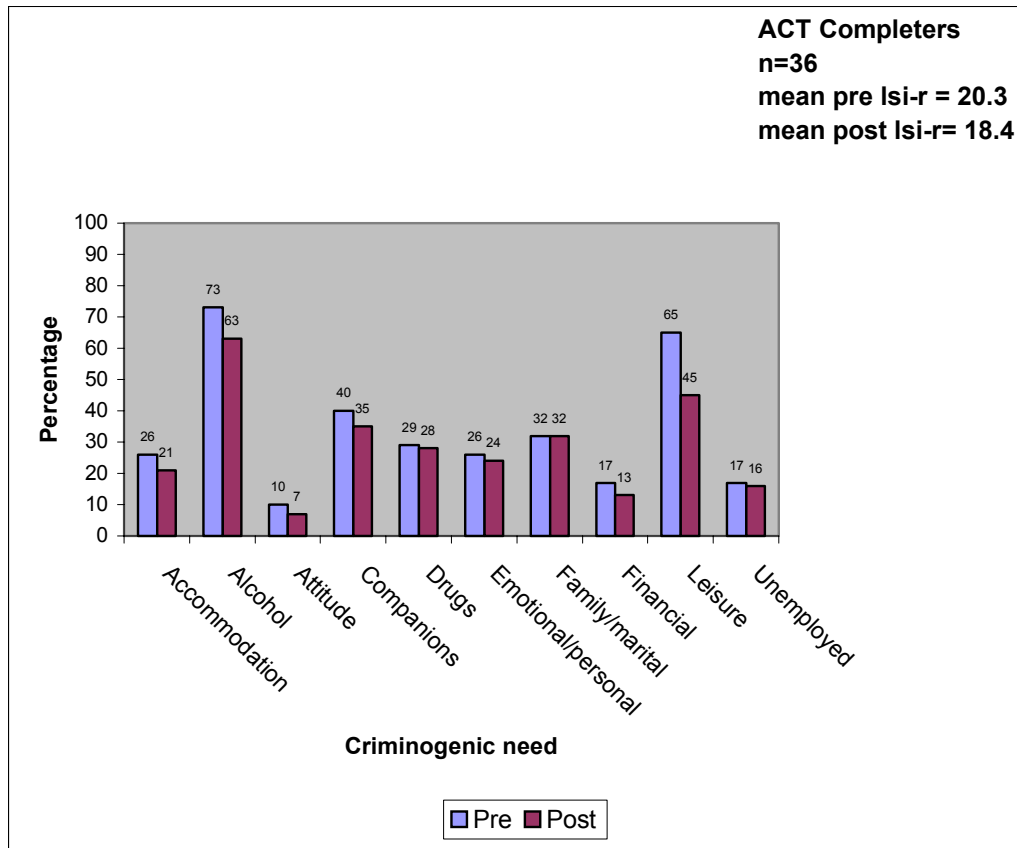
Chart 3 shows positive reductions across all the areas of criminogenic need factors except family/marital relationships. There is a particularly positive impact upon companions and use of leisure time.

Chart 4 - SMART Programme Completers
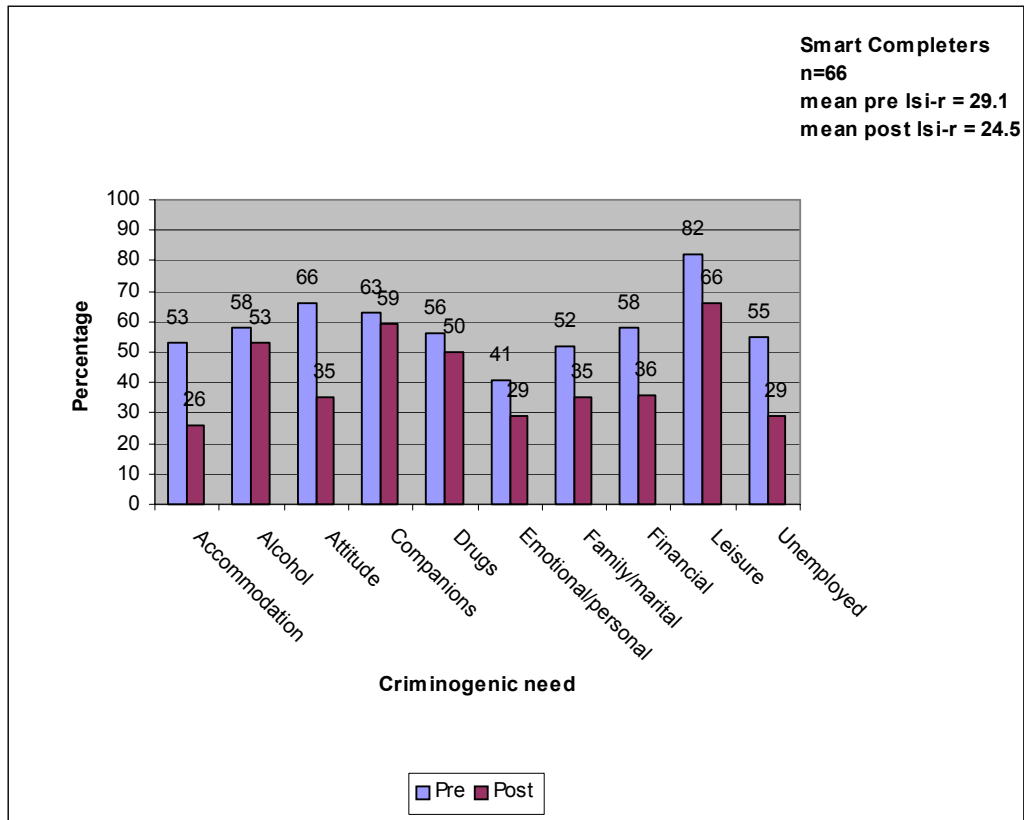
Chart 4 shows reductions in all areas of criminogenic need with positive change in accommodation status, emotional/personal factors, financial status, employment status and leisure time. The reduction in attitudes which support law-breaking is particularly large, with a 31% decrease.

Chart 5 – Initial Criminogenic Needs Profile of Programme Completers

**Initial Criminogenic Needs Profile of Programme Completers (ASG, ACT, SMART)
n=217**
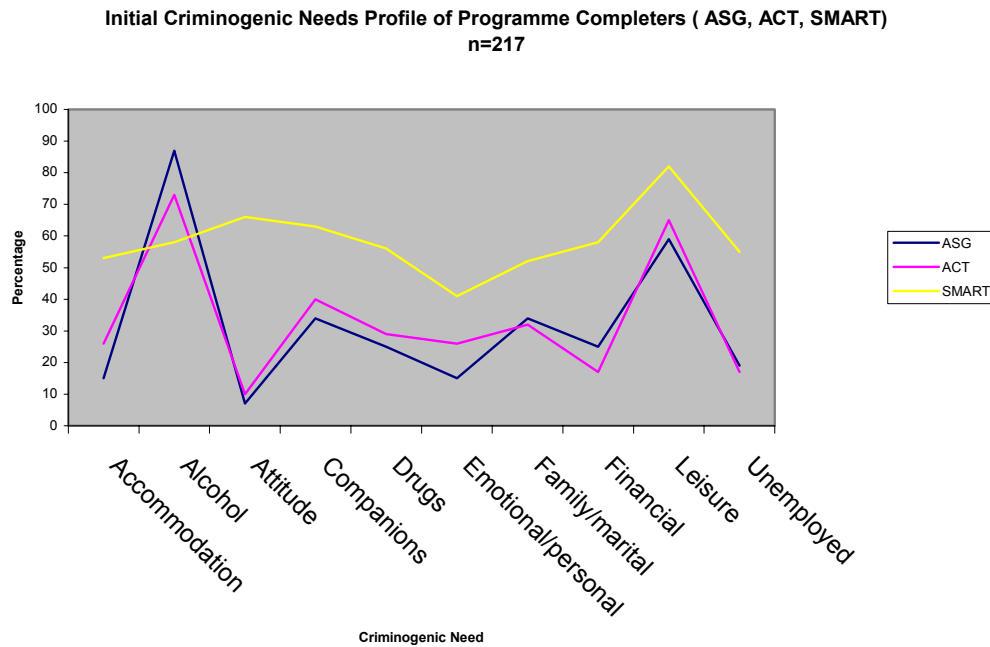
Chart 5 shows that offenders who started and finished the ACT and ASG programmes presented broadly similar profiles with peaks at alcohol, companions, family/marital and leisure time despite the difference in risk levels (ASG mean LSI-R, 17.7; ACT mean LSI-R, 20.3). The SMART offenders experienced higher levels of need in these areas (with the exception of alcohol use) but also presented very high levels of need in the areas of attitudes to offending, reflecting the somewhat higher level of initial risk (Mean pre-programme LSI-R, 29.1).

Chart 6 – Post Programme Criminogenic Needs Profile of Programme Completers

Post-programme criminogenic needs profile of programme completers (ASG, ACT, SMART) n=217
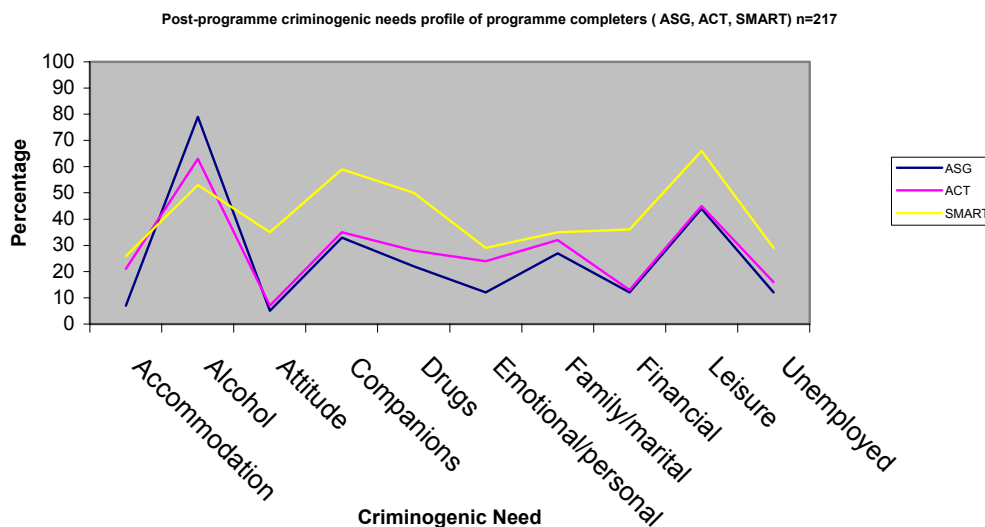
Chart 6 shows the post-programme criminogenic needs profile of programme completers. When compared with Chart 4, the profiles of the ASG and ACT offenders remain similar although the overall level of each need has reduced. The SMART profile however, is different, showing overall levels of decrease in all areas changing the profile to more closely resemble the profiles of ASG and ACT offenders.

Overall, then, repeat LSI-R assessment is able to tell us a number of things about the effectiveness of intervention across the three programmes. With the exception of family/marital relationships area of the ACT programme, all areas of criminogenic need have reduced. The ASG has most impact upon financial status and use of leisure time. The ACT programme comprising mainly offenders with a high medium risk profile impacts mainly upon companions and leisure time. The SMART programme comprising only high risk offenders shows the largest changes to all areas of criminogenic need.

Part Four

RISK AND NEEDS PROFILE ANALYSIS OF PROGRAMME NON-COMPLETERS

This section analyses the profiles of offenders who start, but do not complete an intervention programme. Charts 6, 7 and 8 illustrate the needs profiles of these offenders compared with the profiles of offenders who go on to complete the programmes.

Chart 7 – Initial Criminogenic Needs Profile of ASG Programme Completers and Non Completers

Initial Criminogenic Needs Profile of ASG Completers (n=115, lsi-r=17.7) and Non-Completers (n=19, mean lsi-r = 21.7)
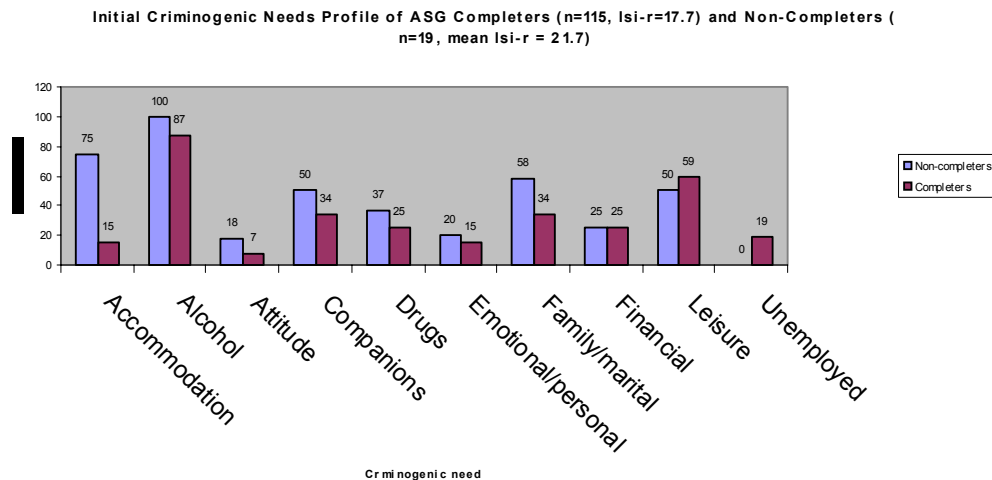
Chart 7 shows that offenders who did not complete the ASG showed higher levels of need in most areas. This is reflected by the higher level of initial risk (mean LSI-R, 21.7). The level of need is particularly high for accommodation status and family/marital compared to offenders who successfully completed the programme. This may also suggest that offenders who complete the ASG have a more supportive social context. The mean number of days waiting to start the ASG programme was 87 days (minimum wait 0 days, maximum 595 days). The mean number of days waiting to start an ASG programme for offenders who did not complete was 137 days (minimum 1 day, maximum 481 days).

Chart 8 – Initial Criminogenic Needs Profile of ACT Programme Completers and Non Completers

Initial Criminogenic Needs Profile of ACT Completers (n=36, lsi-r = 20.3) and Non Completers (n= 18, lsir = 25.1)
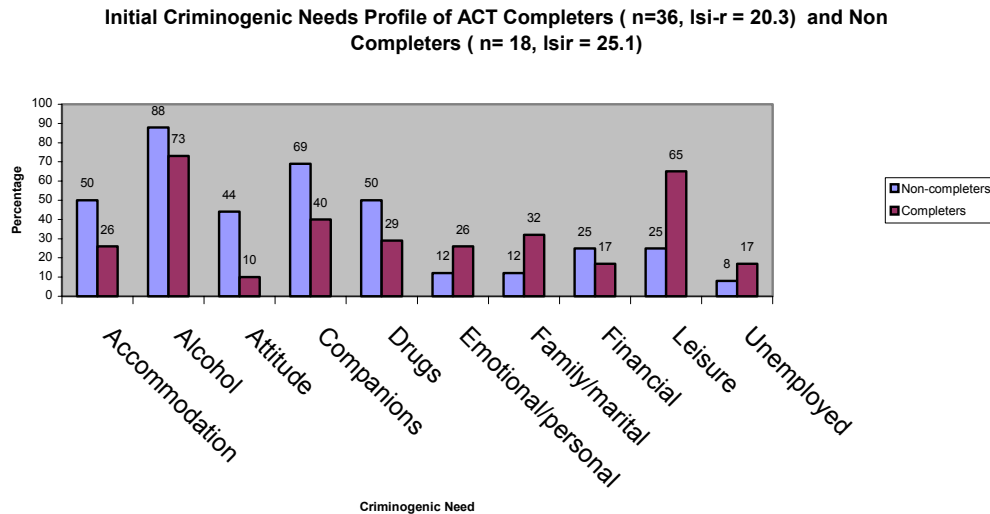
Chart 8 shows that offenders who did not complete the ACT programme show a higher level of initial risk (mean LSI-R = 25.1) and higher levels of need in the areas of accommodation, alcohol, attitude, companions and drugs but a lower level of need in the remaining categories, particularly leisure and employment. Interestingly, the initial level of risk places this group of non-completers into the SMART band which raises questions about staged programme intervention. Perhaps high-risk offenders should be required to undertake the SMART programme as a pre-requisite for ACT, in order to reduce the high level of need in the 'attitudes to law-breaking' sub-component. The mean number of days waiting to start the ACT programme was 108 days (minimum wait 1 day, maximum 564 days). The mean number of days waiting to start an ACT programme for offenders who did not complete was 137 days (minimum 3 days, maximum 387 days).

Chart 9 – Initial Criminogenic Needs Profile of SMART Programme Completers and Non Completers

Initial Criminogenic Needs Profile of SMART programme Completers (n= 66, mean lsi-r = 29.1) and Non Completers (n= 36, mean lsi-r= 28.6)
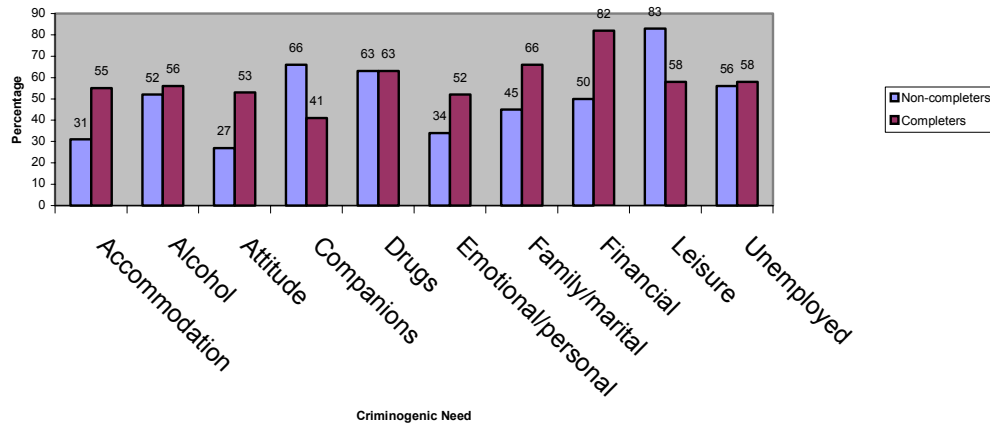
Chart 9 shows that with the exception of companions and leisure need, the non-completers differed significantly from the completers in that the levels of need were actually much lower in certain areas: accommodation, attitude, emotional /personal and financial. Drug need is at the same level as the completers, negating the anecdotal evidence that substance misuse is a significant factor in non-completion of the programme. The mean number of days waiting to start the SMART programme was 84 days (minimum wait 0 day, maximum 679 days). The mean number of days waiting to start the SMART programme for offenders who did not complete was 100 days (minimum 1 day, maximum 503 days).

PROGRAMME INFORMATION

Jersey has a high level of successful completion of programmes. Table 11 shows the programme completion data over the four year period, 1999 to 2002.

Table 11. Programme Completion Information

Programme	Started	Finished	% Completion
ACT			
ACT 1999	16	14	88%
ACT 2000	5	5	100
ACT 2001	19	10	53
ACT 2002	13	7	54%
Total	**53**	**36**	**68%**
ASG			
ASG 1999	29	29	93
ASG 2000	29	25	88
ASG 2001	44	42	95
ASG 2002	30	18	62
Total:	**132**	**115**	**87%**
SMART			
SMART 1999	6	6	100
SMART 2000	18	11	61
SMART 2001	18	9	50
SMART 2002	16	11	69
Total:	**58**	**37**	**64%**
Overall:	**253**	**188**	**74%**

These completion rates exceed the target completion rate of 65% set for England and Wales for 2001/2002 (which few areas actually achieve). The Alcohol Study Group (ASG) shows a particularly high level of completion (87%)

PROGRAMME ATTRITION INFORMATION

Reasons recorded for failing to complete programmes in Jersey can be grouped into nine categories:

- Failure to start the programme
- Failure to attend the programme sessions resulting in breach proceedings
- Back grouping for genuine reasons
- Re-conviction during the programme
- Medical fitness
- Substance abuse detoxification
- Unstable substance abusers
- Death
- Refusal to participate in a programme

Tables twelve, thirteen and fourteen show the reasons for non-completion and the reconviction rates of offenders who failed to complete the ACT, ASG and SMART programmes:

Table 12. Attrition information - ACT programme

Reason for non-completion	%
Failure to attend the programme sessions resulting in breach proceedings	38
Failure to start the programme	19
Back grouping for 'genuine' reasons	19
Re-conviction	14
Medically unfit	5
Detoxification treatment	5
Programme refusers	0
Death of offender	0
Unstable substance abuser	0
Total:	100

Table 13. Attrition information - ASG programme

Reason for non-completion	%
Failure to attend the programme sessions resulting in breach proceedings	47
Back grouping for 'genuine' reasons	26
Re-conviction	21
Medically unfit	5
Failure to start the programme	0
Programme refusers	0
Detoxification treatment	0
Death of offender	0
Unstable substance abuser	0
Total:	100

Table 14. Attrition information - SMART programme

Reason for non-completion	%
Failure to attend the programme sessions resulting in breach proceedings	39
Back grouping for 'genuine' reasons	15
Re-conviction	15
Failure to start the programme	13
Medically unfit	10
Death of offender	3
Programme refusers	2
Detoxification treatment	2
Unstable substance abuser	1
Total:	100

Table 15. Attrition Information- All programmes

Reason for non-completion	%
Failure to attend the programme sessions resulting in breach proceedings	40
Back grouping for 'genuine' reasons	17
Re-conviction	16
Failure to start the programme	12
Medically unfit	9
Detoxification treatment	2
Death of offender	2
Programme refusers	1
Unstable substance abuser	1
Total	100

Table 16. Reconviction of Programme Completers and Non-completers within 12 months

	Smart	ASG	ACT
Reconviction rate of Non-Completers	88%	58%	81%
Reconviction rate of Completers	36%	22%	23%

It is clear from this data that offenders who do not complete the programme convict at a much higher level than those who do. Whilst the initial risk level is higher for offenders on ACT and ASG, the initial level of risk is actually lower for the SMART non-completers.

CONCLUSIONS

This is the second study to be carried out in Jersey and the current data contain interesting findings. The results lend support to the following conclusions:

- LSI-R has shown itself to be a reliable predictor of reconviction risk in Jersey.

- Although the level of re-offending that is dealt with by the Parish Hall Enquiry system is not included in the official statistics, reconviction rates are generally lower than in England and Wales, and considerably lower among women than among men.

- In general, reconviction rates strongly reflect initial risk levels, and different sentences do not make large differences to the risk of reconviction. However, Community Service produced some encouraging results in all risk groups; probation also performed well for high risk offenders, and the SMART programme produced good results among the higher risk offenders who are eligible for the programme.

- Analysis of the seriousness of reconvictions at the 12 month point shows that Community Service, Probation ASG and Bind Overs have very low proportions of serious reconvictions whereas custodial sentences for young offenders tend to produce a high proportion of serious reconvictions. This trend is maintained for the community sentences at the 24 month point but the proportion of offenders sentenced to youth custody who go on to commit serious offences rises considerably.

- The Bind Over seems to perform reasonably well, generating low levels of re-conviction at most levels of risk. Bind Overs tend to be imposed for the less serious range of offences. A similar outcome may well be achieved by the use of a deferred decision at Parish Hall level, obviating the need for an expensive court appearance.

- The provision of programme intervention in Jersey has resulted in statistically significant reductions in LSI-R scores, which are in turn associated with reductions in the risk of re-offending. The SMART programme performs particularly well when offenders undertake and complete the entire intervention.

- The maintenance of positive change between the end of programme and the end of order is also encouraging. This may reflect the investment made by the Jersey Service in training in programme reinforcement and pro-social modelling approaches.

- The provision of post-programme re-testing highlights a number of areas concerning the effectiveness of certain interventions at reducing specific risk areas. The ASG has the greatest impact upon financial status and use of leisure time. The high levels of criminogenic need in all areas are substantially reduced by completion of the SMART programme.

- Levels of programme completion are high when compared with England and Wales. The principal reason given for non-completion of a programme was failing to attend programme sessions resulting in breach proceedings. Currently, Jersey operates a strict non-attendance and breach policy. There may be some scope to review this policy in the light of these findings.

- The evidence is clear that offenders who are targeted appropriately to the correct programme and who go on to complete that programme show a reduced risk of re-conviction. Offenders who do not complete an intervention re-convict at a substantially higher level than offenders who are successful. There may be some scope to reduce the waiting times for offenders to start programmes in order to further raise levels of completion.

- Overall, the results give a positive view of probation service activities in Jersey, and demonstrate the positive impact probation orders have across several areas of criminogenic need. The data confirm the potential of LSI-R not only as an assessment instrument but as a means of monitoring and evaluating the impact of services.

A simple way of assessing the accuracy of a reconviction predictor, used for example by Copas (1992) and Lloyd et al. (1994), is to calculate the 'percentage correctly predicted'. This calculation involves taking the range of predictor values yielded by a sample, dividing them into 'high' and 'low' at a point corresponding to the proportions actually reconvicted or not reconvicted, then treating all 'high' scores as predicting reconviction and all 'low' scores as predicting non-reconviction. Reconvicted high scorers and non-reconvicted low scorers count as 'correct' predictions. (For example, for a group of offenders with known predictor scores and a known reconviction rate of 50%, the top 50% of scores would be counted as 'high' and predicting reconviction, and the bottom 50% would be counted as 'low', predicting non-reconviction. In this example, a perfect predictor would score not 100% correct but 75% correct, since high scores actually indicate a range of probabilities between 50% and 100% and low scores a range between 0% and 50%. Random prediction in this example would be expected to score 50%. Where reconviction rates are much lower, higher 'correct percentages' may be found simply because of the large number of correctly predicted non-reconvictions.)

Table A1 summarizes the Jersey prediction data, which now constitute one of the largest known LSI-R based reconviction studies.

Table A1: LSI-R scores and reconvictions in Jersey

Group	N in group	Mean LSI-R score	% reconvicted in one year	% correctly predicted	Significance of T-test*
Men	**1170**	**16.9**	**26.8%**	**69.4%**	**p<.001**
Women	**210**	**15.7**	**9.0%**	**86.7%**	**p<.001**
All	**1380**	**16.7**	**24.1%**	**71.6%**	**p<.001**

* Significance here refers to the significance of the difference in mean LSI-R scores between those reconvicted and those not reconvicted.

These figures show an encouragingly high 'percentage correctly predicted': for comparison, the figure from Home Office research Study 211 (Raynor et al. 2000) was 65.4% overall for LSI-R. The Jersey figure for women is inflated by the very low reconviction rate for women in the sample (one could achieve 91% correct prediction

simply by predicting that *no* women will reconvict) but overall the figures provide strong confirmation of the utility of LSI-R as a risk assessment for Jersey.

The other very striking feature of these figures is the gap between the reconviction rates of men and women, in spite of reasonably close LSI-R scores. This has been noted in other jurisdictions (e.g. England and Wales) but there the gap is smaller. In Jersey, great care is needed in interpreting LSI-R scores for women in order to avoid over-prediction of offending. Table A2 illustrates this in relation to each quartile of the overall Jersey LSI-R score distribution, and includes in the final column an approximate illustrative risk range for each quartile to guide interpretation of the risk assessment component of LSI-R in Jersey. (This very slightly revises the figures provided in the previous report [Raynor and Miles 2001] but should still be treated as indicative only until higher numbers, particularly for women, become available for analysis.)

Table A2: Average reconviction rates and estimated reconviction risks for quartiles.

MEN:

Quartiles	Number	% reconvicted in 12 months	Illustrative risk range (approx.)
1 (LSI-R = up to 9)	275	13.1%	0%-15%
2 (LSI-R = 10-15)	296	17.9%	16%-24%
3 (LSI-R = 16-22)	292	30.1%	25%-38%
4 (LSI-R = 23 and over)	307	44.6%	39% and upwards

WOMEN:

Quartiles	Number	% reconvicted in 12 months	Illustrative risk range (approx.)
1 (LSI-R = up to 9)	66	1.5%	0%-3%
2 (LSI-R = 10-15)	54	7.4%	4%-7%
3 (LSI-R = 16-22)	45	8.9%	8%-18%
4 (LSI-R = 23 and over)	45	22.2%	19% and upwards

APPENDIX B: THE PARISH HALL ENQUIRY SYSTEM

In all but the most serious offences, offenders will be invited to attend at a Parish Hall Enquiry to have the circumstances of the offences reviewed by the *Centenier*. Parish Hall Enquiry refers to the process of preliminary investigation conducted by a *Centenier* to ascertain whether there is sufficient evidence to suggest that an offence has been committed and whether or not it is in the public interest to prosecute the alleged offender for that offence. The Parish Hall Enquiry has no legal definition and it is not a Court of Law. Enquiries are held in the evening, attendance is voluntary and the attendee can at any time request that the case be heard before the Magistrate. If a person warned to attend at Parish Hall Enquiry does not attend, the *Centenier* may choose to issue a summons to appear before the Magistrate unless the offence is considered to be so trivial as to be a waste of court time.

The purpose of the Enquiry is for the *Centenier* to decide:

- Whether there is sufficient evidence to justify a charge
- If so, whether it is in the public interest to prosecute or whether the matter can be dealt with in some other way at the Enquiry; and
- If the matter is to be dealt with at the Enquiry, the appropriate method of disposal.

The Enquiry is a private hearing and it is a matter for the discretion of the *Centenier* as to whether an attendee may be accompanied by any other person. The results are not published in the widely read local newspaper. The Criminal Justice Unit at States Police Headquarters records the outcome of the Enquiry. This does not constitute a criminal conviction, but is regarded as a "Parish Hall Sanction". This record is produced at subsequent Enquiries and Court appearances within the Island. There is no requirement to declare these sanctions on job applications or visa requests. The Rehabilitation of Offenders (Jersey) Law does not apply to sanctions meted at Parish Hall because they are not recognised as criminal convictions.

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