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Community Sentences and their Outcomes in Jersey: the third report

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INTRODUCTION

This report is the third in a continuing series which aims to provide a regularly updated evaluation of the outcomes of the Jersey Probation and After-Care Service's work, and its contribution to community safety, crime reduction and the rehabilitation of offenders. To put this work into context, readers should be aware that the work of probation services is notoriously difficult to measure and evaluate. There are hundreds of probation services in the world: the latest survey of probation work in Europe alone covers 32 countries (Van Kalmthout and Durnescu 2008) but very few of them are able to document the outcomes of their work or to specify what difference they make to offenders. The Jersey service is one of very few that can, largely thanks to the conscientiousness of its staff and managers and the quality of data that they provide. As a result, Jersey's probation work has attracted international attention (see, for example, Raynor and Miles 2007; Raynor 2008) and has contributed to the establishment of an international research network studying probation practice (*CREDOS*, the Collaboration of Researchers for the Development of Effective Offender Supervision). Research related to Jersey's probation work has been discussed in at least eight international criminological conferences, and the research collaboration between Swansea University and the Jersey Probation and After-Care Service has also provided the basis for the Jersey Crime and Society Project, a series of linked research projects which now also include a study of the Parish Hall Enquiry system (Miles 2004; Miles and Raynor 2005) and ongoing studies of community safety.

The fact that this is the third report containing data on risk levels and outcomes means that these can now be compared over time, and we have the beginnings of a time series approach to the evaluation

of services. The previous reports are available on the Probation Service website (Raynor and Miles 2001; Miles and Raynor 2004). Comparison with the last report in 2004 shows some differences, and we comment on these when they occur. However, numbers of some categories of offender (for example, female offenders) remain small, and caution is needed in interpreting trends which may not be statistically significant. The value of these findings increases as the time series lengthens, and it is intended that this series of reports will continue.

The data available for this report concern 1251 clients of the Jersey Probation and After-Care Service assessed using an internationally recognised assessment tool for offenders (Level of Service Inventory- Revised) (LSI-R) between 01 July 2002 and 31 December 2005 (the latest qualifying point for inclusion in the reconviction study with adequate two year follow up.

The first part of the report covers some general characteristics of the assessed adult offender population and a comparative study of the risks 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 measured by LSI-R. Assessments made at the beginning and end of community sentences are compared for a sample of

offenders. Assessments of the offenders who had completed an offending behaviour programme during the course of their order are included. Assessments of the offenders who completed the ASG, OINTOC or SMART programmes are examined at the start of supervision and the completion of the programme.

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, a substantial 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 (Raynor 2007; Raynor and Miles 2007). This is the third report to apply it on a substantial scale to the evaluation of probation practice in Jersey, and almost doubles the number of offenders whose progress has been monitored as part of this ongoing evaluation of the effectiveness of the Probation Service's work.

Part One

LSI-R SCORES AND RECONVICTIONS

The sample contained 1251 offenders of which 1021 were male and 230 female. The average age was 30, with a range from 11 to 71. The most frequently occurring age of assessment was 18. Initial LSI-R scores ranged from 1 to 50 with an average of 16.9. 184 of the sample (15%) were reconvicted within one year of sentence (if non-custodial) and a further 102 were re-convicted within two years of sentence (23 %). 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.)

	Total	Youths	Adults
Absolute Discharge	1	0	1
Bind Over – Standard	110	36	74
Bound over to leave the island (BOTLI)	4	0	4

Community Service	273	26	247
Compensation	1	0	1
Failed to Appear-Arrest Ordered	13	1	12
Fine	156	16	140
Not Sentenced	6	0	6
Order to stand	1	1	0
Other	8	0	8
Prison	257	0	257
Probation	367	65	302
Remanded to Royal Court	4	0	4
Suspended Sentence	19	0	19
YOI	31	12	19
Total:	1251	157	1094

DATA COLLECTION

Reconviction information about offenders sentenced to community penalties has been gathered from information from Jersey Court records and Probation records. For the purposes of this study, “re-conviction” refers to a sentence passed by a Court in Jersey. 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 the 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 data used for custodial sentences comprises a subset of the initial sample. This dataset has been weeded to exclude prisoners who were deported at the end of sentence as accurate conviction information from foreign jurisdictions is not available. Prisoners transferred to the United Kingdom are included in the sample and re conviction information has been gathered from Police National Computer records.

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.

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

Alcohol Study Group: ASG

Self-Management and Rational Thinking: SMART**

Offending is not the Only Choice: OINTOC***

SMART (Reasoning and Rehabilitation by Robert Ross) and OINTOC* (Offending is not the Only Choice) are programmes provided by the Cognitive Centre Foundation.

COMMONLY USED SENTENCES

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 more serious offence than the first instance offending. ('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.) Tables 3 and 4 shows similar information, separated by age group. Table 5 shows the same analysis according to gender.

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

Sentence		Mean LSI-R	% serious on initial offence	% reconviction within 12 months	% serious on reconviction	% reconviction within 24 months	% serious on reconviction
Community Service	273	12.0	84	12	11	21	43
Probation	367	21.1	71	22	34	34	18

Key comparators (lower risk):

Sentence		Mean LSI-R	% serious on initial offence	% reconviction within 12 months	% serious on reconviction	% reconviction within 24 months	% serious on reconviction
Bind Over	110	15.9	51	17	14	27	33
Fine	177	14.0	62	14	9	19	24

Key Comparators (High Risk)

Sentence		Mean LSI-R	% serious on initial offence	% reconviction within 12 months	% serious on reconviction	% reconviction within 24 months	% serious on reconviction
YOI	31	24.0	97	55	55	71	62
Prison	127	23.0	77	50	21	70	53

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

Sentence		Mean LSI-R	% serious on initial offence	% reconviction within 12 months	% serious on reconviction	% reconviction within 24 months	% serious on reconviction
Community Service	247	11.9	85	12	14	19	47
Probation	302	25.4	71	19	17	28	42
Bind Over	74	17.4	47	9	5	18	15

Key comparator (higher risk):

Sentence							
Prison	149	23.3	78	53	24	67	46

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.

Table 4 – Characteristics of commonly used sentences – Youths Only

Sentence		Mean LSI-R	% serious on initial offence	% reconviction within 12 months	% serious on reconviction	% reconviction in 24 months	% serious on reconviction
Community Service	26	13.5	81	19	15	35	22
Probation	65	19.0	60	38	28	62	22
Bind Over	36	12.5	58	33	33	47	47
YOI	11	34.0	100	25	88	73	67

It is interesting that for adults, the bind-over seems to be working quite well, whereas for youths it has a high reconviction rate. Youth custody has the highest reconviction rate at the 24 month point but at all stages, the level of initial risk is very high and the offending is considered to be of a serious nature.

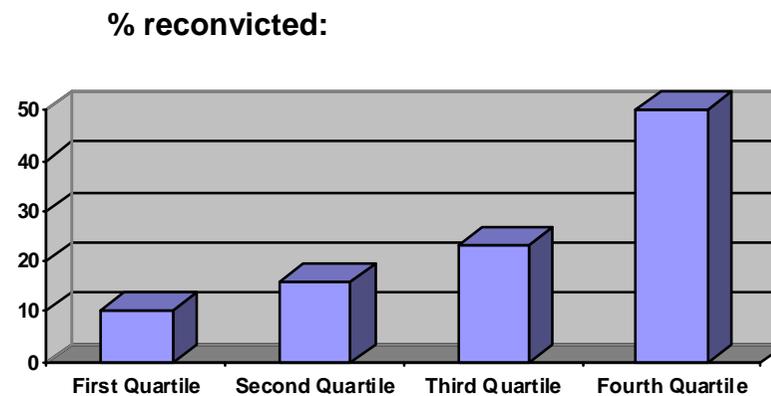
Table 5- Characteristics of commonly used sentences – Women Only (All Ages).

Sentence		Mean LSI-R	% serious on initial offence	% reconviction within 12 months	% serious on reconviction	% reconviction in 24 months	% serious on reconviction
Community Service	40	11.0	95	10	5	17	28
Probation	80	21.2	68	24	18	29	35
Bind Over	43	15.1	54	19	14	28	50

Women generally reconvict at a lower rate for Community Service but they have higher conviction rates at both the 12 month and 24 month point for both Probation and Bind Overs than the Adults Only group presented in Table 3.

Figure 1 provides another illustration of the relationship between LSI-R scores and reconviction, dividing the LSI-R scores into quartiles (approximately four equal groups of offenders) and indicating the proportions reconvicted in each group:

Figure 1. Reconviction rates (%) for LSI-R score quartiles



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. Earlier findings that women's reconviction rates were substantially lower than those of men with similar initial risk scores are not supported by the new data. It is important not to over generalise from one study, but it appears there is now less risk that LSI-R scores will over predict women's offending, and there is therefore less need to make substantial adjustments for gender in the interpretation of scores. What was striking in

the first study was the substantially lower rates: of reconviction for women; only 9% in the 2004 report. The average LSI-R score for men in this study is 17.4 and the overall male 12-month reconviction rate is 15% while the average LSI-R score for women in this study is not far below at 16.4 with the same reconviction rate of 15%. Future monitoring will show if this is a continuing trend.

Analysis of the seriousness of reconvictions shows that slightly fewer than 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 (11%) and Fines (9%) which have very low proportions of serious reconvictions, and custodial sentences for young offenders which have a very high proportion of serious reconvictions (55%). At the 24 month point, where levels of serious reconviction rise slightly for all groups and a very high level of serious reconviction occurs for offenders who received a sentence of Youth Custody (62%).

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 a small effect in comparison with the existing characteristics of the offender. However, this does not mean that the choice of sentence makes *no* difference. Even when percentage differences are small, the use of the most effective sentences can make a substantial cumulative difference to public safety over time, if large numbers of offenders receive the sentences most likely to have a positive effect on future

behaviour. The next section of this report considers the differing outcomes of sentences for groups of offenders presenting comparable initial risks.

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 6,7,8 and 9 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 6. Frequently used sentences: low risk quartile (LSI-R = 1-10)

Sentence	Number	Mean LSI-R	% reconvicted within 12 months	% reconvicted within 24 months
Bind-Over (standard)	37	7.24	5.4	16.2
Community Service	123	7.0	6.5	16.3
Fine	86	5.9	10.5	14.0

Table 6 illustrates that for offenders with a low level of initial risk, reconviction rates are similarly low with Binding Over Orders and Community Service performing particularly well at the 12 month point .

Table 7. Frequently used sentences: low medium risk quartile (LSI-R = 11-16)

Sentence	Number	Mean LSI-R	% reconvicted within 12 months	% reconvicted within 24 months
Bind Over	28	13.3	10.7	17.9
Community Service	98	13.2	14.3	23.5
Fine	51	13.4	15.7	21.6
Probation	75	14.6	18.7	28.0
Prison	18	14.1	22.2	33.3

Table 7 shows that for the low-medium risk quartile, Bind-Over performs better at both the 12 and the 24 month point. The highest level of reconviction at both the 12 month and 24 month point is produced by the prison group. The probation group has a slightly higher initial risk level than the prison group but has a lower reconviction rate at both 12 and 24 months.

Table 8 . Frequently used sentences: high medium risk quartile (LSI-R = 17-23)

Sentence	Number	Mean LSI-R	% reconvicted within 12 months	% reconvicted within 24 months
Community Service	32	19.3	15.6	21.9
Probation	150	20.1	22.0	34.0
Prison	35	20.5	31.4	42.9

Table 8 shows that for high-medium risk offenders, the rates of reconviction differ across all sentences. The outcomes of Probation and Community Service are again encouraging with lower rates of reconviction compared with a custodial sentences.

Table 9 . Frequently used sentences: high risk group (LSI-R = 23-50)

Sentence	Number	Mean LSI-R	% reconvicted within 12 months	% reconvicted within 24 months
Bind Over (Standard)	27	30.7	29.6	44.4
Community Service	20	27.8	35.0	40.0
Probation	119	28.4	26.1	37.0
YOI	27	29.8	59.3	85.2
Prison	56	32.5	53.6	75.0

Table 9 shows that within this high risk group, Probation Orders have the lowest level of reconviction. Binding Over Orders and Community Service appear encouraging, particularly when compared with offenders receiving 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; Raynor 2007) 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.

Four groups of offenders are considered in this analysis: first, a random sample of 512 offenders subject to community sentences for whom initial and end-of-order assessments are available; second, a group of 164 offenders who completed the ASG programme; third, a group of 144 offenders who completed the OINTOC programme; fourth, a group of 92 offenders who completed the SMART programme.

Table 10 summarizes, for these four 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 10. 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)
Sample	512	21.9	19.5	62	2.4	<.001
ASG	164	19.2	17.3	61	1.8	<.001
OINTOC	144	21.0	17.2	77	3.8	<.001
SMART	92	28.7	25.7	75	3.0	<.001

This table shows an encouraging degree of positive change in all four groups, with particularly large changes among the OINTOC completers. Across all groups the changes are statistically significant at better than the 0.01% level.

Overall Table 10 provides evidence of the positive impact of programmes on reducing the risk of reconviction and particularly on those who undertake the whole programme as intended. It also demonstrates evidence of the positive impact of Probation Orders in reducing the overall risk of reconviction.

CONCLUSIONS

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

- LSI-R continues to show itself to be a reliable predictor of reconviction risk in Jersey;
- The provision of programme intervention in Jersey has resulted in statistically significant reductions in LSI-R scores.
- Reconviction rates are generally lower than in England and Wales for community penalties;
- Reconviction rates of custodial penalties are generally higher than in England and Wales.

Overall, the results continue to provide a positive view of probation service activities in Jersey and demonstrate the positive impact of community penalties upon levels of risk and actual reconviction.

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