

Probation and After-Care Service

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FAO – Katherine De Carteret,
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16 November 2022

Dear Deputy Curtis

Government Plan Review 2023-2026

Thank you for your letter of the 9th November in relation to the two proposed Probation Service projects within the government plan. I am very pleased to be able to offer some additional comments although please do contact me if anything needs further explanation.

Probation/Prison Case Management System – Information Technology

Context

The Probation Service currently uses a case management system (DAISY) to record its work with clients and to manage its data. This includes the recording of risk assessments, all contacts and any safeguarding or public protection warnings. Court appearances, next of kin and diversity records are also recorded. The Prison Service uses a PIMS system to record similar details on prisoners although the PIMS system also has capability for managing security data as well as the day-to-day management of prisoners including records of visitors and prisoner finances. Unfortunately, the systems are incompatible so are unable to transfer data between them.

The same separate case management systems exist in Guernsey with similar frustrations about the need to double enter data between DAISY and PIMS which leads to duplication, inefficiency and a heightened risk of some information being missed.

The DAISY contract with the current supplier, Unilink, is due to expire in December 2022 and the intention is to renew this for two years, subject to gaining any relevant exemptions, which will allow a new system to be procured. Following work with the government's Commercial team, a Request for Information (RFI) has been published in the last month and expressions of interest are being received. It is estimated that a new system will take a minimum of 18 months to implement which explains the necessity of a contract extension. Guernsey also contributes to the costs to the current contract and will continue this commitment towards any contract extension. Their services are also intending to continue the partnership with Jersey for a longer-term joint Probation/Prison case management system.

Current issues

- DAISY is a legacy system, over 20 years old, and there is a need therefore to invest in a system that will see us through the next 25 years.
- Original DAISY was modernised to DAISY2 in 2017 to make it a web-based application, but no structural changes (bar a few tweaks) took place and so it inherited all the issues of the original Daisy, which had been added to over the years in a piecemeal fashion.
- DAISY2 is cumbersome to use, causing inefficiencies and potential risk issues, and is not integrated with the prison system.
- It has become expensive and time consuming to ask for minor works by the developers, e.g. adding/amending templates.
- DAISY2 is vulnerable in terms of ongoing support by the developer who could decide to discontinue supporting an outdated, small, labour-intensive system at any point should they wish. The Prison report similar issues with their current system, PIMS
- If the Service does not migrate to a new system, there are several requirements now urgently needed, which would require significant investment in DAISY2, a priority being compliance with the DP Jersey (2018) Law and integration with the prison system with the advent of post-custodial supervision.
- Without investment there would be a possibility of more expensive "fixes" in the future or a risk of a failing case management system which would compromise accurate data about offenders. This could pose a risk to islanders' safety as well as the impact on the reputation of the island.

Summary of project

The integrated case management data system project is a joint development between the Probation and Prison Services of Jersey. The intention is to invest in a shared electronic data system that can record and manage the details of offenders supervised by both services. This will be the first time that a joint case management system will have been shared between two key criminal justice partners. Although this is likely to pose challenges it is felt that a shared system has many benefits. If it is not possible to commission a shared system, some investment would still be necessary to replace DAISY2.

It is important to note that the Guernsey Probation and Prison Services have joined with their Jersey counterparts in an IT consortium and are also wishing to invest in this pan island system.

The funding will cover the following areas:

1. Preparation. This phase contains the preparatory data cleansing and data migration work
2. Implementation. This phase includes project management, data transformation, testing, training and the production of new documentation
3. Software as a Service (SaaS) fees and individual licences per user.

The benefits of a shared case management data system include:

- Investment in a modern package that is less likely to become problematic (and expensive) to support than the current systems used by services.
- Easier sharing of data between services which will be cheaper, more accurate and provide more efficient access to key information. This will be particularly important if statutory post custodial supervision is introduced to the island which will result in the compulsory supervision of prisoners by the Probation Service upon release.
- A reduction in duplication of “double keying”
- Enhanced record management about the assessment, risk, needs and progress of offenders. This is important to promote rehabilitation, public protection and safeguarding.
- An opportunity to share costs with Guernsey whose services also recognise the benefits of a shared system.

Probation Officer

Context

Jersey is unusual in having no statutory arrangements for the supervision of adult offenders after their release from prison. A group of stakeholders representing the courts, Police, Probation, Prison, SPPP and the Law Officers Department have been in consultation to start drawing up law drafting instructions. As this has been a priority for Home Affairs.

All other jurisdictions in the British Isles operate statutory post-custodial schemes with the powers to impose conditions on release and powers of enforcement and recall to custody in the event of reoffending or non-compliance. These arrangements typically involve early release on licence or the statutory addition of extended supervision periods post release.

In Jersey, some form of statutory post-release supervision has been under consideration for many years, and commitments to consider and progress a scheme of supervision have featured intermittently in government policy statements over the last three decades.

Most recently, following an announced inspection of HMP La Moye in September 2017, Her Majesty's Inspectorate of Prisons (HMIP 2017) recommended:

5.58 "Post-release supervision arrangements with the probation service should be strengthened to provide support and a range of enforceable measures to ensure public protection and reduce the risks of further offending".

Summary of project

The Probation Service requires one additional Probation Officer in 2023 and a further officer in 2024 to undertake new work that will be created by the proposed introduction of statutory post custodial supervision in Jersey. The Justice and Home Affairs department is likely to sponsor the proposed law as a priority to enhance rehabilitation and public protection in respect of released prisoners who are currently released at the two thirds point of sentence without any statutory supervision. The proposed new law will result in all prisoners sentenced to six months (or more) imprisonment having to report to the Probation Service upon release until the end of their sentence. The intention will be to assist ex-prisoners to reintegrate more successfully into the community as effective rehabilitation is more likely to prevent reoffending. Supervision and monitoring will also be aimed at enhancing public protection and the safeguarding of vulnerable people including previous and future victims.

There will be a presumption that prisoners are released at the two thirds point of their sentence and then supervised in the community by the Probation Service for the remaining third of their sentence. As an example, an offender sentenced to three years' imprisonment would serve two years in custody and a final year on supervision in the community. Until the legislation comes into force, the prisoner is automatically released at the two thirds point of sentence without supervision.

It is intended that the Probation Service will contribute assessments to, and be represented on, a Post Custodial Panel that will make decisions about release and any conditions that need to be attached. Upon a prisoner's release, the Probation Service will supervise the prisoner regularly according to service standards with a minimum of weekly appointments for the first three months at least. Any breach of conditions or offending will result in the Probation Service alerting the Post Custodial Panel and providing relevant assessments to inform decisions about potential recall.

Aside from the extra responsibilities that will be generated by the proposed post custodial legislation, the Probation Service is aware that the forthcoming Domestic Abuse Law will result in new work for the department. The Law introduces notification requirements and protection orders in respect of domestic abuse perpetrators who can be referred to the Service, other than through the means of a probation order, for advice and intervention. Probation officers will play an important role in advising the court about any public protection/safeguarding criteria that need to be considered when the offender makes an application to the court to vary or revoke orders.

Rationale for the project

As presented to the Council of Ministers in January 2020, under the current system, the Government of Jersey is open to criticism in respect of offences committed by prisoners post release, particularly for offences committed within the final third remission period of the sentence. A statutory scheme would bring Jersey into alignment with comparable jurisdictions. In view of the Independent Care Inquiry there is likely to be scrutiny about the support, rehabilitation and monitoring opportunities in relation to sex offenders.

Other drivers for change include

Strengthened Public Protection

Potentially dangerous offenders are released from custody unconditionally. On average, every two weeks one prisoner is released from HMP La Moye having served a custodial sentence of 12 months or longer for a violent or sexual offence.

Improved Rehabilitation

Most prisoners are not eligible for Conditional Early Release and are released unconditionally at the two-thirds point. They therefore move abruptly from custody to community with no 'step-down' transition or statutory support structure.

Authenticity

Prisoners never serve out their full sentence when they move from prison and into the community. This is confusing for victims of crime and the public, the majority of whom are not likely to be aware of the two-thirds release on remission system and that the final third of the sentence is not served on licence.

A scoping exercise forecasting likely work demands revealed at the time of writing (25th July 2022) that, if post custodial supervision was introduced in January 2023, 30 prisoners would be released on licence. Thirteen of these prisoners are subject to the Jersey Multi Agency Public Protection Arrangements (JMAPP) signifying that this cohort is managed under the Sex Offenders Law for either sexual or violent offences. The number of prisoners eligible for supervision will invariably rise throughout 2023 and is estimated to be in the region of 40-50 prisoners. The average length of prison sentences is 5.7 years which indicates that, on average, each released prisoner would be supervised for about 22 months. This extra layer of work is not something that the Probation Service is currently resourced to undertake.

In similar vein, the island's legislative response to domestic abuse perpetrators has not been as comprehensive as other jurisdictions. However, legislation is only likely to be effective if services are resourced appropriately to make an impact. The introduction of notification and protection orders have the potential to protect victims and offer rehabilitative opportunities to perpetrators, but the Probation Service will require some extra resource to undertake the necessary additional work together with any introduction of post custodial supervision.

Key objectives of the project

- To provide supervision, based on rehabilitation principles, to every eligible released prisoner in accordance with the Service's supervision standards
- To maintain for every prisoner to be allocated a probation officer prior to release
- a victim, public protection and safeguarding focus that allows the effective management of dangerous prisoners through the JMAPP process
- To provide opportunities for domestic abuse perpetrators to attend a domestic abuse programme
- To provide risk assessments to the courts in relation to domestic abuse perpetrators who are applying for revocation of their notification and protection orders.

Please let me know if I can provide any further information.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Mike Cutland', written in a cursive style.

Mike Cutland
Chief Probation Officer.