

PROBATION WORKS

SENTENCER NEWSLETTER

Issue 05 / April 2018



Welcome from the Chief Executive Cheryl Lamont

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elcome to Issue
5 of *Probation
Works*, our
Sentencers Newsletter.

In this edition of Probation Works you will read about how we are continuing to work closely with Sentencers to deliver quality services in an effective way.

This includes the introduction of the Magistrates Court Report (MCR) which has been developed in collaboration with Judges to shorten the length of time for a pre-sentence report without compromising the quality of its contents. It was initially piloted from November 2016 in five magistrate court areas and has now been rolled out across Northern Ireland. You can read more about this work on page four.

We recently carried out a Sentencer Satisfaction Survey, and the results showed there was a band of 80% to 94% satisfaction rate across specific services we provide to the courts and 88% of respondents were satisfied with the overall service. Whilst this is encouraging we will never be complacent and so we will be using the feedback in the survey to continue to improve our services to the courts.

You will be able to read in this edition about the official launch of two multi-agency Problem Solving Justice pilots intended to assist sentencers. The Domestic Violence Perpetrators' Programme (DVPP) in Londonderry Magistrates Court will provide the judiciary with the option to refer convicted perpetrators to participate in a therapeutic behaviour change programme. The Substance Misuse Court in Belfast Magistrates Court will allow Judges to refer people, who have been convicted of an offence related to their alcohol or drugs misuse, to an intensive treatment-focused behavioural change programme before sentencing. You can read more about these pilots on page five.

In this edition you will also read about the practical outcomes of Probation's work through Community Service and how it helps to give people an opportunity to change their behaviour. You will read about our work at St Columb's Park House, Glenbank Community Centre and a real life story on a service users personal experience of probation and how it helped her to change her life. The Community Service Order is a very practical way for someone who has offended to give restitution to the local community impacted by crime. It benefits the individual and the local community. It is also integral to the Enhanced Combination Order, currently

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being piloted in a number of court areas and which is being used increasingly as an alternative to short custodial sentences.

Probation is introducing new practices with regards to sex offender programmes, engaging with solicitors in raising their understanding of what Probation is doing on substance misuse, and how Probation partners with other organisations to deliver domestic violence programmes.

Probation's 'Changing Lives' App for mobile devices has now won two App of the Year awards and continues to be developed to be relevant to users. It has been recently updated with useful information on drug misuse.

Finally, I would extend to you and your staff an invitation to visit your local Probation office and meet with the staff. You will be able to hear more about our work and see the implementation of community sentences first hand. Full contact details are included on the back pages of this edition.



Introduction from Board Chairman Vilma Patterson

The Board hosted the third annual Probation Seminar in March. The theme for this year was ‘Justice in Transition’ and we had an excellent line up of speakers. We were pleased that Paul Frew MLA and Raymond McCartney MLA, former Chair and Deputy Chair of the Justice Committee, jointly sponsored the event held in the Long Gallery, Parliament Buildings. It was my pleasure to open the Seminar and set the context for how Probation is a key contributor to delivering on the Outcomes for the draft Programme for Government, and how justice will transition and change to meet these aims and objectives.

Our speakers were Dr Mary Rogan, Associate Professor in Law, Trinity College Dublin, who spoke of the Implementation and Oversight Group on reforms to penal policy in the Republic. Professor Rogan Chairs this group which reports to the Minister for Justice and Equality. Nick Perry CB, Permanent Secretary for the Department of Justice, spoke about the draft Programme for Government and the Outcomes that are particularly relevant to Criminal Justice in Northern Ireland. Cheryl Lamont talked about how innovative schemes such as the Enhanced Combination Order are producing effective results for reducing reoffending. The keynote speaker was the Honorable Gregory Jackson, Associate Judge of the Superior Court of the District of Columbia, and his presentation was on his practical experience of running a substance misuse court in Washington.

As an associate judge, Judge Jackson has presided over misdemeanour and felony cases in the Criminal Division, civil and criminal cases in the Domestic Violence Unit and civil matters in the Civil Division. He is the longest serving judicial officer to date in the Superior Court Drug Intervention Program. Throughout his tenure on the Court he has served as a member of the Court Security Committee and currently is a Court representative on the D.C. Sentencing Commission.

It was an honour and a privilege to hear Judge Jackson's experience of problem solving Courts, just as we in Northern Ireland launch the domestic violence and substance misuse courts. As you will read in this edition of Probation Works, problem solving, which reflects the Board's third

strategic priority of ‘Promoting an innovative and problem solving approach to encourage rehabilitation, reduce re-offending and address the issues commonly associated with re-offending behaviour’, is at the heart of the key contribution that Probation staff, ably led by Dr Geraldine O’Hare, are making to the development of these Courts. We recognise the significant stakeholders in achieving this strategic priority are the Northern Ireland Courts and Tribunals Service and the Judiciary.

One of the Board's key aims for the annual Seminar is to create the space for Probation's contribution to Criminal Justice and its work to be recognised. It is also to facilitate wider debate on the rehabilitation of people and reducing reoffending towards future justice policy development. I am delighted that the seminars are now firmly part of the justice calendar, evidenced by the attendance this year from nearly all political parties, and senior staff from a range of justice organisations, the community and voluntary sector and the Judiciary.

Innovation and problem solving is important to the strategic and operational success of Probation. There have been a number of plaudits for the work carried out by the Probation Board to change people's lives and build safer communities. The Probation Board recognises that one of the linchpins of our continued success is the relationship at all levels with the Courts and with the Judiciary towards our shared aims within the justice system overall and I firmly believe that will continue. I hope you find this edition of Probation Works interesting and informative.

Justice in Transition event

In March, Probation was delighted to hold its annual Probation Seminar in Parliament Buildings. This year the focus was on 'Justice in Transition' with attendees from across the political, public, private, voluntary and community sectors of the community both in Northern Ireland and further afield.

The aim of the seminar was to reflect and discuss how the justice system can move towards better outcomes, more collaboration and more effective citizen engagement in the coming years. The seminar was kindly co-sponsored by the former Chair and Deputy Chair of the Justice Committee Paul Frew MLA and Raymond McCartney MLA.

Vilma Patterson, Probation Board Chair, officially welcomed all the attendees to the seminar and provided a strategic context for what was to come. Nick Perry, Department of Justice Permanent Secretary, gave an overview of the Department of Justice's strategic priorities as set out in the draft Programme for Government. Cheryl Lamont, Probation Chief Executive, described how probation contributes to the problem solving approach. Professor Mary Rogan, Trinity



L-R: Vilma Patterson, Probation Chairman; Nick Perry, DoJ Permanent Secretary; The Honorable Gregory Jackson, Associate Judge Superior Court of the District of Columbia; Cheryl Lamont, Probation Chief Executive; and Professor Mary Rogan, Trinity College Dublin.

College Dublin, examined how those involved in Justice can improve policy making and the connections between research, policy and practice. The Keynote speaker, Judge Gregory Jackson provided an overview of learning from drug courts in the United States.

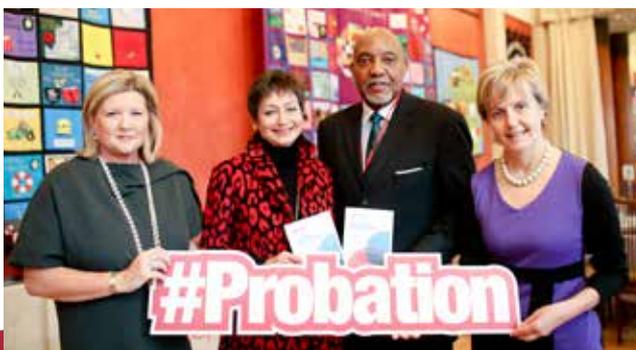
Whilst the seminar is organised by Probation, it recognises that to successfully deliver an effective and efficient justice system in Northern Ireland will take all those involved working together collaboratively and innovatively. The seminar was a packed event with almost 90 representatives from the Department of Justice, Northern Ireland Courts and Tribunals, British Irish Secretariat, Northern Ireland Assembly, Department of Health, Start360, NIACRO, NICVA, Ulster University, Queen's University, Parole Commissioners, Police Service of

Northern Ireland, Northern Ireland Prison Service, Criminal Justice Inspection, Public Prosecution Service, Quakers and many others.

The seminar discussion highlighted a number of themes that focussed on problem solving as a contributor to the core aim of rehabilitation and resettlement. It also gave an opportunity to network, share ideas and identify future areas for collaboration. Justice cannot be delivered by justice organisations alone.

Whilst the focus was on discussing problem solving justice initiatives, the seminar also examined how the justice system can evolve and change to provide better outcomes resulting in safer communities for everyone in NI.

It was recognised that Northern Ireland has a justice system that is in transition towards a system with rehabilitation and the reduction in reoffending at its core. It is a justice system that is getting better at putting victims' voices at the centre of decision making as well as becoming more transparent with the public of its decision making.



Geraldine O'Hare, Head of Psychology, Judge Bagnall, Judge Jackson, and Cheryl Lamont, Probation CEO, at the third Annual Probation seminar. 'Justice in Transition' focussed on the changes in delivering justice, innovation and problem solving.

Updates

MAGISTRATE COURT REPORTS

Since Probation piloted the Magistrate Court Reports (MCR) template in November 2016 in Belfast, Enniskillen, Armagh, Dungannon and Magherafelt Courts, a lot has progressed.

The MCR is a new report template that will be used for all reports requested in the Magistrates' Courts. It therefore will be the format that all Pre-Sentence reports are written on, as well as replacing the Short Pre-Sentence Report (SPSR) template. It can be completed by hand for on-the-day/1-2 week requests, and submitted to Court, or completed electronically and forwarded as per current arrangements for more serious/complex matters within the normal four-week adjournment.

From November 2016 to the end of February 2018, 1,270 MCRs have been written

The aim of the introduction of the MCR template is to promote consistency in the Magistrates Courts, to provide a flexible template that allows more complex cases to be appropriately expanded upon, and to allow Sentencers to easily access a summary of the report quickly if they wish to do so (as a response to previous feedback). Going forward, we welcome all feedback, both positive and negative, as we wish to constantly improve and develop our service to one of our key stakeholders. Probation Area Managers will be in contact with Sentencers on a regular basis.

Following the pilot PBNI evaluated the MCR template, made some changes, and developed training for all report authors. This is now complete, and Probation has now rolled out the MCR to all Court areas, for reports requested from 1 April 2018.

ENHANCED COMBINATION ORDER

The Enhanced Combination Order (ECO) is an initiative providing Sentencers with an alternative to short custodial sentences of twelve months or less. The scheme has been available in the Ards and Armagh & South Down Court areas since October 2015.

From October 2015 to the end of February 2018, there were 229 individuals who have been made subject to an ECO.

That is 229 people who would otherwise have gone to prison for short periods of time, during which the scope for undertaking any meaningful rehabilitative work with them would have been limited.

The independent NISRA evaluation of the ECO project was recently published and demonstrated the effectiveness of the Order. The evaluation can be accessed online at www.pbni.org.uk.

At the publication launch in December 2017, the Lord Chief Justice Sir Declan Morgan said: "I am also very pleased that my judicial colleagues in the pilot areas have been quick to embrace ECOs as a disposal and to appreciate the benefits they can bring, not just to the offender but potentially also to those who were the victims in these cases. The judges who have been directly involved now see ECOs as providing a constructive alternative to short spells of imprisonment. I am confident that judges sitting in other parts of this jurisdiction would take a similar view if ECOs were available to them as a disposal."

By way of update, at this stage there is funding available for the current areas for the first 6 months of the current financial year. Probation will be making bids to extend this to other Court areas throughout the year.

SENTENCER SATISFACTION SURVEY RESULTS

Probation carried out a Sentencer Satisfaction Survey in January-February 2018 to establish Sentencers' views on Probation and the service it delivers.

The survey showed that

- There was general satisfaction with the quality of the reports and contact with Probation staff.
- Sentencers valued:
 - Depth of detail, Clarity and Objectivity in the court reports,

- Local knowledge and social work element of reports,
- Understanding of offender's background and lifestyle.
- Whilst respondents acknowledged resource pressures within PBNI, examples of improvements some Sentencers would like were:
 - Increased presence of Probation staff at court.
 - Faster provision of reports.
 - Improved detail on underlying issues relevant to the assessment of risk

Satisfaction rates with Magistrate Court Reports, Pre-Sentence Reports, Addendum Reports, Breach Reports and feedback by Probation Officers in court ranged from 80% to 94% satisfaction approval rates. 88% of respondents were satisfied with the overall service provided by Probation.

The full Sentencer Survey will soon be available from the PBNI website.

Problem Solving

PILOT PROGRAMME AIMS TO TACKLE ROOT CAUSE OF DOMESTIC VIOLENCE

A new pilot was launched in March at Londonderry Magistrates' Court and will allow Judges to refer offenders, convicted of a domestic violence or abuse offence, to the intensive new Domestic Violence Perpetrators' Programme (DVPP) before sentencing.

The aim of DVPP is to modify perpetrators' behaviours and reduce reoffending. It is also hoped that more victims will be encouraged to report these crimes in the knowledge that their partners may be given an opportunity to get help through the availability of the programme. It will require offenders, who have been assessed as suitable, to complete an intensive therapeutic behaviour change programme delivered by Probation.

The Judge will monitor the offender at monthly hearings, where their compliance will be reviewed. Progress on the programme will

be taken into account when determining an offender's sentence. To avail of the programme, offenders must accept that their behaviour is harmful, unacceptable and needs to change.

Department of Justice Permanent Secretary, Nick Perry said: "This innovative pilot is designed to challenge individuals to truly confront their offending behaviour. It will allow the judge to hold offenders directly accountable for their actions, to challenge them, and to support them to change."

Speaking about the programme Dr Geraldine O'Hare, Head of Psychology Services and Interventions PBNi, said: "We must work with perpetrators of domestic violence if we are to challenge their behaviour and the choices they make, in order to reduce the number of victims in our society and make Northern Ireland a safe place to live.

"This innovative problem solving programme, allows us to work intensively with offenders, to address the root causes of their behaviour and the crimes committed, and to rehabilitate them in the community."

Addressing the needs of victims is also vital to the process. A specialist link worker from Women's Aid will provide victims with practical support whilst their partner is engaged with the programme.

Marie Brown Director of Foyle Woman's Aid commented: "A key aspect of the programme is to ensure that the victims of abuse within the family are supported. The protection of victims is paramount within this programme and the role of the link worker is specifically designed to carry out this task."

SUBSTANCE MISUSE COURT PILOT CHALLENGES OFFENDERS WITH DRUG AND ALCOHOL ISSUES

The 'Substance Misuse Court' pilot, based in Belfast Magistrates' Court, was launched in April. It will allow the Judge to refer offenders, convicted of an alcohol or drugs misuse related offence, to an intensive treatment-focused behavioural change programme, delivered by Probation in partnership with Addiction NI.

Participants will take random drug and/or alcohol testing in addition to regular sampling and treatment sessions. They must also attend monthly review hearings to allow the Judge to directly supervise the defendant's progress, whilst maintaining a personal involvement with the case and holding the offender directly to account for their offence.

International evidence suggests that this type of intensive treatment is a more effective intervention to rehabilitate offenders in cases where substance misuse is the underlying problem.

Peter Luney, Acting Chief Executive Northern Ireland Courts and Tribunals Service, said:

"This is an innovative pilot which will allow the court to actively support individuals in a new way. Aimed at people whose offending is underpinned by misusing alcohol or drugs, it will challenge them to face up to their problems and recognise the harm they have caused while supporting them to change. The launch of this pilot presents an opportunity to break the cycle of offending and, ultimately, another opportunity for the Department of Justice to play its role in creating a safe community for Northern Ireland, where we respect the law and each other."

Thelma Abernethy, Chief Executive Addiction NI, commented:

"Addiction NI are pleased to be part of this innovative programme in supporting people going through the courts to address their

alcohol and/or drug use while at the same time taking personal responsibility for their actions. This programme will support individuals to address underlying issues, understand the impact of alcohol and drugs on their families and communities and enable them to avail of a range of supports to better manage their lives. For many, going to prison and doing the time and not addressing life issues can be easier but not as effective in bringing about real change."

Dr Geraldine O'Hare, Probation Head of Psychology Services and Interventions said:

"This innovative problem solving approach which will address the underlying root causes of substance misuse and offending behaviour, provides the Criminal Justice System and other agencies, the opportunity to work intensively with individuals who come before the court with such problems. The programme will challenge offenders to address their behaviour and the harm caused by alcohol and drug related crime in our society.

Innovation

SENIOR US JUDGE, THE HONORABLE GREGORY JACKSON, VISITS PROBATION

While in the US on a Churchill Fellowship programme looking at innovative problem solving courts, Geraldine O'Hare, Head of Psychology and Interventions, had the pleasure of meeting Judge Gregory Jackson, Associate Judge Superior Court of the District of Columbia. As an associate judge, Judge Jackson has presided over misdemeanour and felony cases in the Criminal Division, civil and criminal cases in the Domestic Violence Unit and civil matters in the Civil Division. He is the longest serving judicial officer to

date in the Superior Court Drug Intervention Program. Throughout his tenure on the Court he has served as a member of the Court Security Committee and currently is a Court representative on the D.C. Sentencing Commission.

Invited to be the keynote speaker at the third annual Probation seminar in Parliament Buildings on 'Justice in Transition', Judge Jackson also took time to get a better feel for what Probation does.



Judge Jackson was the keynote speaker at the third annual Probation seminar which took place in Parliament Buildings.



Dr Geraldine O'Hare took Judge Jackson to meet with Bernadette Roberts Political and economic Officer at the US Consulate in Belfast.



Judge Jackson meets with Alan Cartwright, Corporate Development Manager NICTS



Judge Jackson meets Anthony Harbinson, Director of Safer Communities DoJ, Paula Hillman, Detective Chief Superintendent PSNI, and Alan Cartwright, Corporate Development Manager NICTS.



Judge Bagnall speaking to the attendees alongside Peter Luney, NICTS Chief Executive.

Substance Misuse Court Awareness session

Probation was pleased to take part in an awareness session held at Laganside Courts Complex in February 2018 on the Substance Misuse Court initiative. The event brought together legal professionals and practitioners to inform them about the initiative and its links to the wider reform agenda around problem solving justice.

The Presiding Judge involved with the Substance Misuse Court (District Judge Bagnall) was present and speakers included Peter Luney, Chief Executive, NI Courts & Tribunals Service, Catherine Burns, Office of the Lord Chief Justice and Dr Geraldine O'Hare, Head of PBNI Psychology and Interventions.

After the presentations, there was an opportunity for stakeholders to have a question & answer session with representatives from the partner agencies involved in delivering the pilot programme.

To find out more about Probation's role in the Substance Misuse Court, contact Sarah Watson Tel: 02890 262469 or Email: admin.SMC@pbni.gsi.gov.uk



Dr Geraldine O'Hare, Head of Psychology and Interventions, speaking about Probation's involvement with the Substance Misuse Court

Programmes

PROBATION STAFF TRAINED IN NEW SEX OFFENDER PROGRAMME

Probation continuously seek to use the most up to date and evidence-based initiatives to deliver the best outcomes for those directed by the courts to take part in programmes and interventions as part of their sentence.

Some of the more complex and demanding programmes delivered by Probation are for those who commit sexual offences. As part of a review of sex offender programmes across the UK, new programmes have begun to be implemented. One such programme is Horizon. It is aimed at medium-risk offenders, aims to teach them "to manage unhealthy sexual thoughts and behaviours" and make other positive changes to their lives.

Probation staff involved in programme delivery have recently been trained in Horizon and are now delivering it to sex offender's sentenced to take part.

As with all such programmes, Horizon is subject to both internal and external evaluation.

PROMOTING POSITIVE RELATIONSHIPS PROGRAMME

Funded through the Department of Justice and working in partnership with Women's Aid, Probation are delivering domestic abuse programmes in the Omagh and Derry regions. Referrals are made form through the WHSCT area. The programmes are for un-adjudicated perpetrators i.e. those who are not involved in court proceedings, and are aimed at males, aged 18 years and over, who have demonstrated the potential to be abusive within intimate relationships and whose children are assessed as at risk by Social Services.

The programme that Probation are delivering is the Promoting Positive Relationships Programme (PPRP). The principal aims of PPRP are to ensure the safety of women and children and to prevent further abusive behaviour. It promotes and requires interagency working and central to this are 6 weekly practitioners meeting, where all agencies involved with the family meet to discuss risk issues and progress on PPRP. The aim is to hold perpetrators/abusers accountable and provide effective interventions for their behaviour.

Community Service

GLENBANK COMMUNITY CENTRE SHOWS COMMUNITY SERVICE IN ACTION

Community Service has been working with Glenbank Community Centre, Belfast, a vital link within the local community providing playgroup facilities as well as community activities important to mental and physical health.

The centre is situated on substantial grounds with open grass and wooded areas. These areas can overgrow very quickly and not only look untidy but can prove to be a health and safety hazard. Probation's Community Service teams work closely with the centre to make sure the garden and wooded areas are kept under control

Lydia Miskimmon, Community Development Worker at Glenbank Community Centre;

"Community service is a vital resource for us, one we can't do without. We have no other way of providing the services we receive. The guys cut the grass, weed and generally tidy the whole place up. We have a childcare service here and we wouldn't be able to let the children go outside if it wasn't for the work PBNI does in cutting the grass area around the playground, it would just be too dangerous.

We also have a four-week Summer-scheme here that facilitates up to 1000 children from the local area. The guys come and cut a huge grass area for us and leave it in a perfect state for many of our outdoor games and competitions. As a community organisation ourselves, we are glad to be able to be in a position to help in the reparative process. After all many of these guys come from the surrounding communities, it's good for us to feel like the process of giving back to the community is of a mutual benefit."



COMMUNITY SERVICE GIVING RECONCILIATION A HELPING HAND

St Columbs Park House is a peace and reconciliation centre based in the heart of an urban park with a huge outdoor space surrounding the house. Its mission is 'to be the heart of the park nurturing peaceful, vibrant, compassionate communities. We run a range of outreach projects that promote leadership, peaceful activism and well-being.

Probation has been a key partner with St Columb's Park House for many years supporting the development and maintenance of the historic house and the environs.

Recently the team from community service have been active in clearing debris and litter from the grounds, keeping the grass and plants tidy and healthy and the upkeep of the building. The building is listed and as such needs a lot of maintenance and painting to keep it in excellent condition.

St Columbs Park House Managing Director, Helen Henderson, welcomes community service and states; "As a small charity we would not be able to be able to keep this huge building and grounds in such great condition without the help and support from the team at Probation."

The caretaker, Kieran, works with the individuals on placement and includes them as one of the team, and has commended the hard work and positive attitude of every individual on community service that has contributed towards our work so far.

Real Life stories

Gemma's story

Gemma* was given 80 hours community service for drug charges and had no idea what to expect.

*not her real name

Gemma said:

“In September 2016 my life changed what I thought initially was for the worst, I'd been given 80 hours Community Service on drug charges which had originally come to light from 5 years previous in a very bad time in my life. I came out of Court that day with the fear that my life was ruined. I had to resign from a job I loved and that's when the anxiety started as the reality of the Court appearance finally hit me – it was the worst experience of my life. When the Judge said I was getting Community Service I didn't know what was ahead of me I was alien to this environment.

“My first contact was with Carol at the Probation Board, straightaway she explained the process and offered me a placement at Cancer Research charity shop. On my first day I was anxious but the minute I arrived the staff were more than welcoming. I worked 2 full days a week to ensure I got my Community Service hours completed in good time. The more time I spent at Cancer Research I started to get my confidence back and my anxiety became less and less. I had extensive retail experience and being in this shop environment again gave me the buzz of getting back into this line of work again. As I was nearing the end of my Community Service hours the Manager had told me about an upcoming job with the company and encouraged me to apply. Filling in my application I had convinced myself I wouldn't even get an interview as I was worried my conviction would rule me out of getting any kind of job. I got an interview and was so delighted. When I went to the interview I had to leave my anxiety at the door if I was to have any chance of getting the job. The interview went brilliant and the next day I got offered the job. After 6 months I was made permanent and one year on I have been given the job of being in charge of our new warehouse facility.

The person I am today is not the person who walked out of the Court house in September 2016 with the help and support from Community Service and encouragement of Cancer Research I've finally got my life and career back on track.”

Contacts

Probation Works is a biannual newsletter that aims to inform you about important news from PBNI. It is produced by Gail McGreevy, Head of Communications. If you would like further information about any article or you would like to receive a more detailed briefing about our work please contact Gail at:

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PBNI Probation works



69%

of those supervised by the Probation Board for Northern Ireland in the community through a **community disposal** did not go on to reoffend within one year

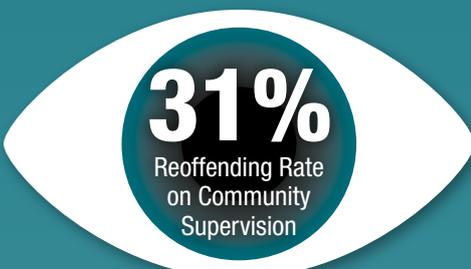
PBNI
1.6% of Justice department budget



42%

Reoffending Rate

Overall, the one year proven **reoffending rate** for adults who were released from custody was **42%**.



31%

Reoffending Rate on Community Supervision

In Northern Ireland, the one year proven **reoffending rate** for adults who were released from custody on **community supervision** was **31%**



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