

Information for Members of Parliament about Prison and Probation

The National Offender Management Service has put this briefing together for MPs and their offices to help explain common terms and phrases used in both the prison service and probation.

It is not a definitive guide to prisons and probation, but a reference document - arranged alphabetically in prison and probation sections - to hopefully help you with queries about the services from constituents.

Prisons

Adjudications

Adjudication is the procedure where offences by prisoners against the Prison or Young Offender Institution Rules are dealt with. The adjudication system sets out how prisoners or young offenders are charged with offences, the procedure for enquiring into the charge to determine their guilt or innocence, their right to a defence, the punishments for those found guilty, and their right to apply for a review.

The punishments that may be imposed for these offences range from a caution, forfeiture of privileges, stoppage of earnings, cellular confinement, and, for determinate sentence prisoners only, up to 42 additional days in custody. Unlike other punishments which are determined by a governor grade, additional days can only be imposed by an Independent Adjudicator. Independent Adjudicators are District Judges.

Assisted Prison Visits Scheme

The scheme aims to promote family ties by contributing to the cost of prison visits by close relatives and partners who are in receipt of a low income. Information about who is eligible and an application form can be obtained from prisons or:

APVU,
PO Box 2152,
Birmingham
B15 1SD,

Tel: 0845 300 1423 (10:15-11:45 hrs and 14:15-15:45 hrs Monday to Friday).
assisted.prison.visits@noms.gsi.gov.uk

Accommodation and Support Service for those on bail and HDC (BASS)

BASS is provided under contract to supply short term support with and without accommodation. The accommodation is in single gender, shared and self-contained houses/flats. It is available to courts and prison governors for the following, who would otherwise be remanded or remain in prison and for whom BASS accommodation and/or support enables consideration of bail, Home Detention Curfew (HDC) or Intensive Alternative to Custody (IAC):

- *Charged with an offence and remanded in custody
- *Currently serving a custodial sentence and eligible for HDC
- *Appearing in court from the community and likely to be remanded in custody
- *Eligible for a community sentence under the IAC arrangement

Those referred to accommodation pay rent, either from housing benefit or private means. The properties are not staffed, however, support officers visit at least weekly. A parent can be accommodated with dependent children if appropriate. Support is to monitor compliance with bail and HDC conditions, to assess need and signpost individuals to appropriate services, and to assist with move-on to more stable accommodation where required.

The service is available for those aged 18 or more. Sex offenders and those charged with sex offences are excluded.

Categorisation and Allocation

Security categorisation involves an assessment of the risk of escape or abscond and the potential risk of harm to the public posed by an individual prisoner should they escape or abscond. All prisoners must be placed in the lowest security category consistent with the needs of security and control. Prisoners who are on remand awaiting trial, convicted and awaiting sentence other than those provisionally placed in category A are not subject to the categorisation process but are placed in category U (unclassified). They are normally held in category B conditions in local prisons.

A prisoner's security category is reviewed within prescribed time scales or whenever there is a significant change in the prisoner's circumstances. Recategorisation must be based on a clear change in the level of risk posed by the prisoner.

Catering

Some 90 million meals a year are served to prisoners. Prisons provide breakfast, midday and evening meal together with all condiments and beverages. Menu requirements vary between establishments and are based on the prisoner population, local regimes and seasonal availability. Within this freedom to meet local needs, Governors are required to follow the requirements for Prison Service catering as set out in the PSI 44/2010.

Contracted out/private prisons

The National Offender Management Service (NOMS) operates through a number of providers including HM Prison Service which operates 125 prisons run by staff directly employed by NOMS; and private sector companies such as Serco and G4S who privately manage 12 prisons. All privately run prisons have a 'Controller' linking them to the Ministry of Justice. The governors of private prisons are called 'Directors'. The number of privately contracted prisons will shortly rise with the addition of one new built prison (Featherstone 2).

Corruption Prevention

NOMS has acknowledged the particular operational and reputational risks presented by a small number of corrupt staff working in prisons who may engage in criminal activities and abuse their position of public trust for their own or another's financial and/or personal benefit or gain. A national Corruption Prevention Unit (CPU) has been set up to lead on a long term change programme to deliver significant improvements in the way NOMS works with law enforcement partners, and within existing human resource policies, to detect, deter and disrupt the activities of corrupt individuals working in prisons.

Determinate prison sentences

If a court fixes the length of a prison sentence, it is called a 'determinate' sentence. For example, a judge may say an offender is sentenced to six years.

For determinate sentences under 12 months, the offender is released automatically at the halfway point of their sentence and there is no licence or supervision by the Probation Service. However, if the offender commits a further offence during the remaining half of their sentence the court, when sentencing them for the new offence, can order that they return to prison to serve the outstanding part of the original sentence as well.

For determinate sentences of 12 months or more, the first half of the sentence is spent in prison and release is automatic at the half-way point. The second half is spent outside prison, in the community on 'licence' and under the supervision of the Probation Service. The offender may be recalled to prison at any time until the end of the sentence for failure to comply with the licence conditions.

These release arrangements apply to prisoners given a determinate sentence for offences committed on or after April 2005, when the Criminal Justice Act 2003 came into force. Different provisions apply for offences committed before 4 April 2005 – when the Criminal Justice Act 1991 applied. (For more information on the different release provisions, see Release and Sentence calculation on page 12).

Drug Supply Reduction

Prisons deploy a robust and comprehensive range of security measures to reduce drug supply – including:

- passive search dogs, which are available in all prisons, to detect visitors carrying drugs. Active search dogs which are used to search goods and vehicles;
- local searching strategies;
- strict measures to tackle visitors who smuggle or attempt to smuggle drugs, including – on suspicion of smuggling – 'closed' visits (i.e. through a glass screen) or visit bans, and arrest and prosecution where there is sufficient evidence;
- the criminal process is invoked against visitors and prisoners where sufficient evidence exists of an attempt to supply. A range of internal sanctions exists for prisoners caught using drugs;
- visitor biometric systems;
- CCTV surveillance in most social visits areas and low-level furniture in social visits areas in all Category C prisons and above, to make it more difficult to pass drugs;
- intelligence systems, including targeted monitoring of telephone traffic through the PIN-phone system;
- close working with the police to target serious criminals outside prison who are increasingly involved in supply;
- Supply Reduction Good Practice Guide used by all prisons;
- deployment of technology and strategies to detect and disrupt mobile phones, and analysis of recovered handsets and SIM cards;
- disciplinary sanctions for positive Mandatory Drug Testing (MDT) tests (see page 6 for further detail on MDT).

Education (Simon Boddis)

The majority of learning and skills in prison is co-commissioned by the Skills Funding Agency and NOMS under the banner of the Offender Learner and Skills Service (OLASS). Delivery in prisons is provided by a range of Further Education colleges and organisations. The OLASS curriculum has a strong focus on literacy and numeracy and developing skills for employment. This is complemented by personal and social development and preparation for release and resettlement. As part of OLASS, there are also contracts with providers of a Careers Information and Advice Services (CIAS).

For more information visit: <http://olass.skillsfundingagency.bis.gov.uk/>

In Wales, offender learning and skills is a devolved responsibility of the Welsh Government following a Transfer of Function Order which took effect from 1 April 2009. The Skills Funding Agency does not operate in Wales. Instead, learning and skills provision is delivered through NOMS Cymru in accordance with a Memorandum of Understanding with the Welsh Government.

All prisons also have a Library, usually contracted from the relevant Local Authority.

Employment

Prison Industries employ some 9,600 prisoners a day across a wide range of manufacturing and service sectors. In addition prisoners contribute to the upkeep of the prison estate and help offset the cost of imprisonment. This work includes cooking in the kitchens and cleaning. Activities in prisons differ widely according to the function of the prison and the facilities and space available. Employment can play a fundamental role in providing valuable skills and qualifications that help prisoners get a job once they are released. (See Prison Industries)

Privileges

The Incentives and Earned Privileges Scheme exists to ensure that privileges are earned by prisoners through good behaviour and constructive activity and are removable if prisoners do not meet required standards.

Prisoners enter the system with a 'standard' privilege level and can progress to 'enhanced' or regress to 'basic' according to their behaviour and willingness to co-operate with the prison regime and their own individual sentence plan. Prisons operate local schemes within a national framework.

Escorts of prisoners outside establishments

Prisoners may be escorted outside the prison establishment for a number of reasons - to attend hospital either as out-patients or to receive in patient treatment, when the medical treatment required can be more effectively provided outside the prison; for family reasons including visits to dying relatives or to attend the funeral of close family member and, in certain circumstances, to be married or to register their civil partnership.

All such movements outside the prison are subject to a robust risk assessment to determine the risk of the prisoner escaping or being assisted to escape and the risk of harm to the public and to staff if this were to happen. The risk assessment includes an evaluation of security issues associated with the escorts' destination, including liaison with the local police as necessary, the strength of escort required and the need for the prisoner to have restraints applied while outside the physical security of the prison. Where it is considered that the security risks involved in escorting a prisoner outside the prison for non-essential reasons are too great then the escort will not be allowed.

European Social Fund (ESF) Co-financing Organisation (CFO)

The European Social Fund (ESF) has been used for many years to help offenders and ex-offenders to develop skills and find employment. The introduction of the NOMS co-financing

programme (in England only) is providing added value to existing services for offenders by filling gaps in existing services as well as helping them access mainstream employment and skills services. The programme targets the “Hardest to Reach” groups and offenders serving less than 12 months and provides a link to mainstream services via an integrated case management model. Providers support offenders in a range of ways dependent upon their individual needs. Mentoring is strongly featured. A critical component of this activity is to complement and not duplicate existing delivery or provision.

Faith and Pastoral Care

NOMS is committed to ensuring that prisoners from all religious faiths are given the opportunity and facilities to practice their religion. All prisons have multi-faith chaplaincy teams to enable and facilitate this, and also to provide pastoral support to prisoners and staff.

First Night Centre

New prisoners will spend their first night in the prison’s ‘first night centre’. In some prisons this may be a wing or unit dedicated to the needs of new prisoners. Prisoners are carefully assessed to decide whether they are safe to share a cell, or would present a risk to their cell mate, where single cells are unavailable. They are provided with personal necessities, clothing, toiletries etc and given basic information about the prison. More detailed information on prison life is provided in the ‘induction’ stage of custody following the first night. (See page 6 for Induction).

High Security prison

A high security prison is an establishment that holds and manages within its population prisoners of Category A status, which includes the most dangerous and highest security risk prisoners in the Prison Service. A Category A prisoner is an offender whose escape would be highly dangerous to the public or the security of the state, and for whom the aim must be to make escape impossible.

There are eight high security prisons, including three core locals (Belmarsh, Manchester and Woodhill) and five Dispersals (Frankland, Full Sutton, Long Lartin, Wakefield and Whitemoor). Core Locals hold un-convicted, Category A, B and C prisoners. Dispersals accommodate a largely convicted Category A and B population of individuals serving a sentence of four years or above. In addition high security establishments provide specialist units for managing the challenging and dangerous prison population.

Home Detention Curfew (HDC)

HDC offers eligible prisoners the opportunity to spend the final part of their sentence on curfew at their home address (or suitable, approved address). During the curfew period (usually 7pm to 7am) they are electronically monitored by means of a tagging device and may not leave their home.

HDC is available to eligible prisoners serving sentences of between 3 months and under 4 years. Prisoners who are not released on HDC will be released at the halfway point of sentence.

Prisoners are only released on HDC if they pass a stringent risk assessment. Prisoners are not released if they pose a risk to the public.

Some prisoners, including foreign nationals liable to removal from the UK and registered sex offenders are statutorily excluded from HDC. In other cases, including prisoners sentenced to

4 years or more, or who have been convicted of specified offences there is a very strong presumption against release on HDC. They will therefore be released in accordance with the relevant statutory release provisions described (see Release and Sentence Calculation on page 12).

Early release with electronic monitoring is also available to eligible trainees (offenders under the age of 18 sentenced to a juvenile sentence of Detention and Training Order (DTO)) serving 8 months or more under the DTO. This provides a useful and properly managed transition back to the community, helping reintegration of juveniles into law-abiding society. Trainees who have been convicted of certain serious offences are not eligible for DTO early release.

Indeterminate and extended prison sentences

For the most serious and dangerous offenders, a court can impose a sentence of Imprisonment for Public Protection (IPP), sometimes described as an indeterminate sentence. The court sets the minimum time the offender must spend in prison but not an end point. For example, a judge may say an offender must go to prison 'for a minimum of ten years'. This minimum period set by the judge is called a 'tariff'. These sentences are given for violent and sexual offences where the court considers that the offender presents a risk to the public through further offending.

Indeterminate sentences mean that the offender has no automatic right to be released. They will always serve the 'minimum' sentence, or 'tariff', set by the court. When the minimum time in prison is over, an independent body (the Parole Board) will decide if it is safe to release an offender. If they think it is, the offender will be released under licence. When they are released, they will be supervised by the Probation Service to make sure they are meeting the conditions of the licence. But if the Parole Board thinks an offender is still a risk to the public, they will remain in prison. Some may never be released.

Also available for dangerous sexual and violent offenders are 'extended sentences'. This means the prisoner will serve whatever determinate custodial term the court considers appropriate for the offence in question plus an extended period on licence, because the court considers that the offender needs to be supervised following release for longer than normal. A prisoner given an extended sentence will be released automatically in the same way as if serving a normal determinate sentence, but will then spend a longer period on licence – until the end of the extension period set by the court.

There are, however, different release arrangements for extended sentences imposed before 14 July 2008, when changes were introduced by the Criminal Justice and Immigration Act 2008. For extended sentences imposed before that date, release at the half-way point of the custodial term part of the sentence is not automatic but at the discretion of the Parole Board. If the Board decides not to release, the case will be reviewed annually, until the end of the custodial term part of the sentence at which point the prisoner must be released. Regardless of when the prisoner is actually released, they will be subject to supervision on licence for the remainder of their sentence, until the end of the extension period.

More information about the Parole Board is available at www.paroleboard.gov.uk

Induction

All prisoners new to custody or to an establishment are provided with an appropriate induction process based on their existing knowledge of prison life. The aims are to assist and support the prisoner's integration into the establishment and help them make the best use of their time in custody.

Land based activities

In the majority of prisons there is prisoner work and certificated learning opportunities relating to grounds improvements, outdoor sports facilities, and ornamental horticulture and market garden facilities. A significant number of prisons grow produce mostly for internal consumption.

Life sentences

A life sentence lasts for life because even if the offender is released from prison the licence remains in force for the rest of their life. Life sentences must be given to offenders who are found guilty of murder. A judge may also impose a life sentence for serious offences like manslaughter, rape, armed robbery grievous bodily harm with intent or arson i.e. offences for which the maximum penalty prescribed by law is a life sentence.

For most life sentences the judge sets a minimum time the offender will spend in prison before being considered for release - this is called a tariff. After this time, if the Parole Board thinks it would be safe to release them, they can be released under licence. They will remain under licence for the rest of their life. If they break the terms of their licence at any time during their life they can be recalled to prison.

In some very serious cases, a judge may give an offender a 'whole life term'. This means that there is no minimum term set by the judge, and the offender will never be considered for release during their life. The only way such a prisoner may be released would be in exceptional compassionate circumstances – for example if they are about to die from a terminal illness and to allow their final days to be spent with family at home or in a hospice – but even then release would only be considered where there would be no risk to the public or of further offending.

Listeners

Listeners are prisoners that have been trained by the Samaritans to give support and counselling to other prisoners. Anything a prisoner says is confidential and will not be passed on to prison staff without permission. All prisoners are offered the opportunity to speak to a Listener before spending their first night in custody.

Local prison

Most local prisons are in towns and cities; prisoners on remand are kept there to be near to the courts. Convicted and sentenced prisoners are assessed at local prisons, given a security category and usually moved to other prisons to serve their sentences. All local prisons have quite high levels of security and some have higher security units within them.

Mandatory Drug Testing (MDT)

MDT is a urine-based drug testing programme. Samples are analysed for a standard panel of eight drugs – amphetamines, barbiturates, benzodiazepines, buprenorphine, cannabis, cocaine, methadone and opiates. LSD is optional.

There are two types of MDT – targeted and random. Targeted testing includes “on reception”, “on suspicion”, “frequent” and “risk assessment” testing. Random testing takes place in all prisons.

Mobile Phones

It is a criminal offence to convey specific items, including mobile phones and associated equipment into or out of a prison or to transmit sounds or images from within a prison. The Crime and Security Act 2010 will also make it an offence, with a penalty of up to two years' imprisonment and/or an unlimited fine, to possess a mobile phone or other electronic equipment or component element that can receive or transmit information electronically. (See "Prohibited Articles Within Prisons" section on page 11)

NOMS Victim helpline

The NOMS Victim Helpline is for victims of crime or people who are related to a victim who have received unwanted contact from a prisoner (by letter or telephone) or are worried about their release from prison.

The Victim Helpline can be contacted by calling 0845 7585 112.

Or by writing to the:

NOMS Victim Helpline
PO Box 4278
Birmingham
B15 1SA

Offending Behaviour Programmes

The National Offender Management Service (NOMS) delivers a broad range of interventions to address the particular risks and needs of offenders.

There are a range of accredited offending behaviour programmes available to prisons and Probation Trusts. These are intensive courses aimed at helping offenders stop their offending by understanding what causes it and devising strategies to avoid committing a further offence.

There are a number of accredited offending behaviour programmes addressing thinking skills, anger management, domestic and other types of violent crime such as domestic violence and sexual offending. A range of interventions is available for offenders with an alcohol or drug problem.

Offenders may also have access to other activities across prison and probation such as training, education, work, non accredited courses and specialist support. Programme tutors regularly feedback to offenders' offender managers.

Decisions about whether an offender needs a particular intervention will be a local matter for the prison or probation trust taking account of the requirements of the court and any assessments of the offender that may have been undertaken.

Open prison

In these prisons the perimeter fences are usually minimal and only those prisoners who can be trusted are allocated places there. The regime is more relaxed, although work is mandatory, and prisoners have relative freedom. Generally prisoners do not jeopardise their situation by attempting to abscond.

Parole

Other than prisoners serving life or indeterminate sentences, there is now only a relatively small category of prisoner whose release is subject to 'parole' – i.e. where release is at the discretion of the Parole Board rather than automatic. This includes prisoners serving sentences of 4 years or more for a specified violent or sexual offence and subject to the release provisions of the Criminal Justice Act 1991 (because their offences were committed before 4 April 2005, after which the Criminal Justice Act 2003 came into force).

Such prisoners become eligible to be considered for release at the half-way point of sentence – their 'Parole Eligibility Date' – when the Parole Board will consider whether it would be safe to release them. If the Parole Board decides not to release, they will review the case annually. If the prisoner has not been released by the time they reach the two-thirds point of the sentence then they must be released automatically. Whether released by the Parole Board between the half-way and two-thirds point of sentence, or automatically at two-thirds, the prisoner is released on a licence which runs until the three-quarter point of the sentence. For the final quarter of the sentence the prisoner is not subject to licenced supervision but is 'at risk' of being returned to prison by a court if they are sentenced for a new offence committed before the end of their original sentence.

Prisoners who committed their offences on or after 4 April 2005 are subject to the release provisions of the Criminal Justice Act 2003, under which prisoners serving a determinate sentence are released automatically at the half-way point – so there is no concept of 'parole' for such prisoners, regardless of the length of their sentence.

The only exception to this for 2003 Act prisoners is where the court imposed an 'extended sentence', and where that sentence was passed before 14 July 2008. In such cases, release between the half-way point and the end of the custodial term part of the extended sentence is at the discretion of the Parole Board – i.e. subject to the parole process – and then the offender is on licence from the point of release until the end of the extension period set by the court. This position changed, however, for extended sentences imposed after 14 July 2008, when new provisions in the Criminal Justice and Immigration Act 2008 were commenced. These changes meant that offenders given an extended sentence after the date of commencement are now released automatically at the half-way point of the custodial term (i.e. no parole process) and are then on licence for the remainder of the custodial term plus the extension period.

For further information on when prisoners are released, see the section on Release and Sentence Calculation on page 12.

Prison healthcare

All prisoners are screened when first received into custody to identify all those who have health concerns, including mental illness, so that their needs can be assessed. Mental health treatment and care is delivered in prison, as is general health treatment (e.g. for prisoners with diabetes or heart disease).

When urgent treatment is needed and which can not be delivered in prison, prisoners are transferred to NHS hospitals outside of the Prison Service. Prisoners with severe mental illness and which is too severe to be treated in prison may be transferred to secure NHS facilities, provided they meet the criteria for detention (sectioning) under the Mental Health Act.

Full information about healthcare for prisoners is available on the Department of Health website at www.dh.gov.uk/en/Healthcare/Offenderhealth/index.htm

Concerns about prison healthcare - these may be taken forward in the following ways:

Individual prisoner's healthcare issues:

- Where a complaint relates to the period before the NHS became responsible for prison health (i.e. pre 1 April 2006) contact the governing governor.
- All complaints post 1 April 2006 should be referred to the Chief Executive of the relevant Primary Care Trust (PCT).
- Where a prisoner is in a Welsh prison or the matter is a Welsh prison healthcare issue contact the Welsh Assembly Government.

Concerns about the performance of PCTs - contact the Strategic Health Authority.

Concerns about Prison Health Care Policy – contact the Director of Offender Health at Wellington House 133-155 Waterloo Road London SE1 8UG.

Prison Industries

Prison Industries employ about 9,600 prisoners daily in around 400 workshops providing a wide range of goods and services. There are also a number of other facilities in prisons that provide vocational training such as Industrial Cleaning and Painting/Decorating courses.

Prison Industries break down broadly into two main areas:

- providing and selling goods (e.g. office furniture, printing, cell furnishing and security, clothing and industrial laundry) in an internal market to both NOMS and, increasingly, the wider Ministry of Justice; and
- “contract services” where private companies hire space and spare capacity in prison along with prisoner labour
- (see Employment)

Prison Retail

All prisoners are given the opportunity once a week to purchase basic provisions such as toiletries, beverages, snacks, phone credits, stamps and tobacco – using their own money. Products are picked and packed by some 500 prisoners a day in retail workshops across the estate, providing employment and skills training up to NVQ level in partnership with DHL, a global logistics business.

Prisoner Complaints procedure

The Prison Service takes complaints very seriously and there is a process for making sure that complaints are dealt with as quickly and as fairly as possible.

At any point during the complaint process a prisoner can make an application to speak to a member of the local Independent Monitoring Board (IMB) or they can if they wish write to their MP. Details of local IMBs can be found at www.imb.gov.uk

As a first step, prisoners should talk to a member of staff. Lots of problems are dealt with very simply and quickly in this way.

If the matter cannot be sorted out through discussion and the prisoner is still unhappy, they can make a written complaint. All prisons are required to have in place a three-stage complaints process and to make complaint forms freely available on the prison wing. Ordinary complaints are

managed locally and should normally be responded to within prescribed time limits so that problems can be resolved swiftly.

The stage 3 response is the final scrutiny of a complaint by the Prison Service, after which a complaint may be taken to the independent Prisons & Probation Ombudsman. Further details on the Prisons & Probation Ombudsman can be found at www.ppo.gov.uk

There are also external avenues through which prisoners may pursue a complaint without necessarily having exhausted the internal process although some of the organisations will expect the prisoner to have at least raised their complaint internally. These include The Criminal Cases Review Commission, Equalities and Human Rights Commission Court of Human Rights and The Criminal Injuries Compensation Authority.

Prisons Information and Communication Technology Academy (PICTA)

The PICTA allows prisoners skills to be developed in the use of IT systems, their management and repair. Qualifications gained by prisoners via the Academy are linked to industry requirements and the links with Cisco systems provide both mentoring and employment opportunities.

Prisoner Location Service

The NOMS Prisoner Location Service (PLS) deals with requests to trace someone who is believed to be in prison but their exact whereabouts is not known. Requests come from members of the public, police, solicitors, courts, probation and many central government departments.

The PLS can be contacted by writing to the:

Prisoner Location Service
PO Box 2152
Birmingham
B15 1SD

Fax : 0121 626 3474

Email: prisoner.location.service@noms.gsi.gov.uk

Prisoners Unlawfully at Large

Prisoners can be unlawfully at large for several reasons:

Escapes - Involves a prisoner absencing him or her self from prison custody without lawful authority by overcoming a physical security restraint such as that provided by fences, locks, bolts and bars, a secure vehicle or handcuffs.

Absconds – Where a prisoner absents himself from prison custody without lawful authority and without overcoming physical security restraints (usually from open prisons).

Temporary Release Failure – Where a prisoner who is released on temporary licence either fails to return or is recalled to prison because of a breach of their licence conditions. The prisoner is unlawfully at large from the time the licence expires or the recall is issued and the prisoner being taken into police or prison custody.

Release in Error – A release in error occurs as result of an error made by the prison. The majority of errors are the result of administrative mistakes such as wrong sentence length calculations, some of which can be quite complex, or further warrants to detain the prisoner which are overlooked.

Prohibited Articles Within Prisons

The Offender Management Act 2007 introduced three lists of articles prohibited within prison graded according to their seriousness and their perceived threat to security and safety within a prison:

- List A articles - controlled drugs, explosives, firearms or ammunition and any other offensive weapon.
- List B articles - alcohol, mobile telephones, cameras and sound recording devices.
- List C articles – tobacco, money, clothing, food, drink, letters, paper, books, tools, information technology equipment

It is a criminal offence to:

- conveys list A or B items in or out of a prison by whatever means or cause another person to do so;
- convey a list c item into a prison with the intention of passing it to a prisoner;
- leave a list A or B item in any place (in or out of the prison) intending it to come into the possession of a prisoner;
- knowing a person to be a prisoner, gives a list A or B item to him/her.

Maximum penalties on conviction range from ten years imprisonment and/or fine for list A items to two years and/or fine for list B items to a maximum penalty of a level 3 fine (currently £1000) for list C items. All carry a criminal record on conviction.

The Act also created new offences of, without authorisation, taking a photograph or making sound recordings within a prison, transmitting electronically any images or sounds from a prison or conveying or transmitting electronically certain documents out of a prison. The maximum penalty on conviction is of two years imprisonment or a fine or both.

A clause in the Crime and Security Act 2010 (to be commenced in 2011) makes the following an offence to possess within a prison without authorisation:

- a) a device capable of transmitting or receiving images, sounds or information by electronic communications (including a mobile telephone);
- b) a component part of such a device;
- c) an article designed or adapted for use with such a device (including any disk, film, or other separate article on which images, sounds or information may be recorded).

The maximum penalty on conviction for this offence will be 2 years imprisonment and/or an unlimited fine.

Reception

On arrival at prison, the identity of the prisoner is checked to ensure the he/she can be lawfully detained. The prisoner and their property is searched and their property is listed by an officer and put into safekeeping. The prisoner can keep some of the items in possession, the rest will be returned to them when they leave prison or transfer. (See transfers)

As part of the reception process prisoners are offered a shower and meal, as well as being interviewed by a prison officer, who will assess their immediate needs and every prisoner is assessed by a member of the health care team so they can be given the proper care they need and kept safe while they are in prison.

Release on Temporary Licence (ROTL)

In certain circumstances a prisoner will be allowed to leave prison on a temporary licence. The purpose of this is either for compassionate reasons (e.g. to attend the funeral of a close relative) or to help the prisoner improve their chances of resettlement after their release. Release for resettlement may be granted only towards the end of a prisoner's sentence, but will often take place on a regular basis, to allow them to get used to being back in the community, for example by doing work outside the prison or to spend short periods with their families so they can adjust to being at home. A rigorous risk assessment is carried out each time before release on temporary licence is approved.

Certain groups are ineligible for release on temporary licence, these include:

Category A prisoners

Unconvicted or unsentenced prisoners

Prisoners subject to extradition proceedings

Prisoners remanded on further charges or awaiting sentence following further convictions

Prisoners on the escape list

Prisoners held on behalf of the International Criminal Tribunal for the Former Yugoslavia (ICTY)

Other categories of prisoners, such as lifers, are given special consideration before any release.

Remand

As a result of their special status, remand prisoners are, as far as possible, kept separate from convicted prisoners and are entitled to a number of rights and special privileges. They do not have to work unless they wish to, can wear their own clothing, providing it is suitable, can buy extra reading, writing and hobby material, and can send and receive as many letters as they wish. They can continue to carry out business activities but are not provided with special facilities for this. Remand prisoners can be attended by their own registered medical practitioner or dentist, at their own expense. However, these special privileges are not absolute and can be tempered by consideration of security, operational need and practical considerations.

Repatriation

Where a prison transfer agreement exists between the United Kingdom and another country, sentenced foreign national prisoners from the country concerned can apply to be repatriated. This means they will serve their sentence in their home country. Most prisoners transfer agreements are voluntary but in a few cases, compulsory repatriation is possible.

Resettlement Prison

These are designed to help prisoners, particularly those serving longer sentences, prepare for release. As part of the resettlement arrangements some prisoners are able to go out to training or work from the unit or prison and return when they have finished.

Release and Sentence Calculation

Sentences are imposed by the courts and the Prison Service has no power to release prisoners permanently other than in accordance with the statutory provisions laid down by Parliament which govern the release of prisoners at the set dates prescribed by their sentences.

For sentences imposed for offences committed on or after 4 April 2005, the prisoner is generally subject to the release provisions in the Criminal Justice Act 2003 (4 April 2005 was the date on which those provisions were brought into force). The exception is sentences of less than 12 months, where the release provisions of the previous legislation – the Criminal Justice Act 1991 – continue to apply, regardless of the date of the offence.

Prisoners sentenced to less than 12 months must be released automatically at the halfway point of the sentence, if not released earlier on Home Detention Curfew (HDC). They are not subject to supervision by the Probation Service.

Prisoners sentenced to 12 months or more (for offences committed after 4 April 2005) must be released automatically at the half-way point of their sentence (unless granted HDC earlier). They will then serve the second half of their sentence on licence in the community, subject to supervision by the Probation Service (and liable to recall to prison if they fail to comply with their conditions) until the end of the sentence. Prisoners released on HDC will also be subject to probation supervision during the period of HDC.

Where the sentence is for offences committed before on or 4 April 2005, prisoners are subject to the release provisions of the Criminal Justice Act 1991. This means:

- Prisoners sentenced to 12 months or more but less than 4 years are released automatically on licence at the half-way point of sentence (if not placed on HDC) and are subject to licence conditions until the three-quarter point.
- Prisoners sentenced to 4 years or more (for a specified sexual or violent offence) become eligible to be considered for release by the Parole Board at the half-way point but do not have to be released until they reach the two-thirds point. When released (whether at the discretion of the Parole Board or automatically at the two-thirds point), they are on licence and supervised by the Probation Service until the three-quarter point.
- Prisoners serving sentences of 4 years or more under the 1991 Act for offences that are not specified violent or sexual offences have had their sentences ‘converted’ to the release arrangements of the 2003 Act – i.e. they are released automatically at the half-way point and the licence remains in force until the end of the sentence.

(This ‘conversion’ of long-term 1991 Act sentences was introduced in June 2008 by the Criminal Justice and Immigration Act 2008.) Prisoners sentenced for a specified violent or sexual offence (as listed in Schedule 15 of the Criminal Justice Act 2003) were excluded from these provisions and therefore their release at the half-way point continues to be at the discretion of the Parole Board.)

Prisoners sentenced prior to 1 October 1992 (when the Criminal Justice Act 1991 came into force) remain eligible for parole at the one-third point of their sentence. If parole is granted, they are released on licence until the two-thirds point of the sentence. If they do not get parole, they are released unconditionally (i.e. without licensed supervision) at the two thirds point of the sentence.

Prisoners released under the provisions of the Criminal Justice Act 1991 (i.e. the sentence was one of less than 12 months or for an offence committed prior to 4 April 2005) are ‘at risk’ of return to prison by the court to serve all or part of the remainder of the sentence if a further imprisonable offence is committed before the end of the sentence. Those prisoners serving sentences for

offences committed on or after 4 April 2005, and released under the provisions of the Criminal Justice Act 2003, are not at risk of return by the court (but they are on licence until the end of the sentence and can be administratively recalled to prison during that period if they breach their conditions).

Religion – see Faith and Pastoral Care

Searching

Prisons may employ a comprehensive range of robust searching techniques and security measures as part of their local security strategies to detect and uncover items of contraband at the point of entry or concealed in the establishment. Such measures include basic and enhanced rub down searching and full searching, the use of x-ray machines, drug detection dogs and Body Orifice Security Scanners, which can detect metallic items concealed internally. These measures can be used for prisoners, staff and visitors, as appropriate. In addition, CCTV surveillance cameras may be used in visits halls and closed (non-contact) visits can be imposed. Also, routine and intelligence-led searching of prisoner living accommodation and communal areas is also widely deployed.

Segregation

Prisoners may be removed from normal association with other prisoners (usually to a dedicated segregation unit but sometimes on normal location if that is practicable) under Prison Rules either for reasons of good order or discipline, for their own protection, while awaiting an adjudication or as a punishment following adjudication. Initial segregation may be for a period of up to 72 hours with subsequent segregation for up to 14 days at a time subject to review by a multi-disciplinary team.

The segregation process includes safeguards to ensure the prisoner's mental and physical wellbeing and that s/he is treated fairly and decently including oversight by healthcare professionals and the Independent Monitoring Board. The use of segregation is monitored and reviewed within each establishment.

Terrorism and extremism

Prisons and probation trusts manage a small number of offenders charged or convicted of offences under the Terrorism Act 2000 and subsequent legislation, or for other offences committed in relation to terrorism, or whose offences are deemed to relate to domestic extremism (a term used to describe individuals or campaign groups that carry out criminal acts in furtherance of a campaign). This is a small but complex offender group who are individually managed on the basis of the risk they present.

Training prisons

Training prisons offer sentenced prisoners opportunities for education, training, work or offending behaviour programmes. There are high and low security training prisons, and where a prisoner will be sent to depends on the individual's security rating and where the appropriate training opportunities are available

Transfers

High population levels throughout the Prison Service estate can lead to prisoners being transferred from their home area to prisons with a greater number of vacancies.

For some prisoners, such as life sentence and vulnerable prisoners, it is more important to hold them in prisons that can cater for their specific needs, though such prisons may often be a longer distance from home.

Prisoners can apply to transfer to other suitable establishments, but moves are subject to them being accepted by the prison they have applied to move to.

Prisoners can request a transfer through the applications system, or on a form provided by the prison. Transfers will normally only be considered after the prisoner has served a few months at the prison they wish to leave. This also applies to transfer to other UK jurisdictions. Applications for such 'cross border' transfers are managed by NOMS HQ.

Use of Force

The term use of force covers a variety of techniques that may be used as a last resort to deal with violent or refractory prisoners. Any force used must be proportionate, reasonable in the circumstances of the incident and no more than is necessary to bring the situation under control. Officers are trained to, wherever possible, defuse a potentially violent situation to avoid any use of force.

Control & Restraint (C&R) techniques are used in all prisons and Young Offender Institutions in England and Wales. These are approved techniques deployed by a team of three officers either as a planned or spontaneous response to bring a violent or refractory prisoner under control or to deal with potentially disruptive situations. C&R uses only the force necessary to enable staff to cope competently and effectively with the situation with minimal risk to prisoners or staff.

Personal Safety Techniques are also used in prisons and YOIs but are used by isolated members of staff who may be attacked and need to break away from the attacker and call for help.

Batons are carried routinely by prison officers other than those working in the women's and young people's establishments, in open prisons or in health care units. They must be drawn only in exceptional circumstances and used only in a defensive manner.

Physical Control in Care (PCC) is an approved system of holds designed for use on young people which are used in Secure Training Centres.

Virtual Campus (VC)

Virtual Campus is a cost effective, secure IT-based learning and employment service which is being rolled out across prisons. It provides access to a range of learning and resources materials to improve access to employment opportunities. Prisoners can search job vacancies using up to date information provided by Job Centre Plus. Access to this information can be maintained after release.

Visits

Unconvicted prisoners are allowed at least three social visits every week. Convicted prisoners are allowed at least one social visit every fortnight.

Convicted prisoners are allowed to defer social visits and accumulate up to a maximum of 26, which they may apply to take at the prison in which they are detained, or at another suitable prison.

Convicted prisoners cannot be visited unless the visitor has a Visiting Order. Visits must be booked in advance, usually by telephoning the prison's booking service. Visits may be terminated if prisoners or visitors are verbally or physically abusive, or if an officer overhears a conversation that may cause a threat to security or to good order or discipline (GOOD). The reason for any termination will be recorded.

Social visits take place in an open visiting room unless closed visits have been authorised - if there is evidence that open visits may pose a threat to security or GOOD.

Women's Prisons

In general, the procedures and processes described in this document are appropriate in women's prisons as well, but there are a range of gender specific standards that also apply for women in custody to meet their different needs.

Young Offenders

A prisoner aged between 18 and 21 (often referred to as young adult).

Young Offender Institution (YOI)

A YOI is a prison holding young people, young offenders or both.

Young People/Juveniles

Offenders aged between 15 and 17 years of age serving a Detention and Training Order (DTO) are known as young people (or, historically, juveniles). They are also often referred to as trainees. The Youth Justice Board commission custodial places for young people from NOMS through Service Level and Partnership Agreements.

Probation

Approved Premises

The Probation Service runs Approved Premises (probation hostels). They provide structured, supervised, temporary accommodation for offenders living in the community. It may be a requirement of an offender's licence to reside in Approved Premises.

They are used primarily to supervise high risk of harm offenders on release from custody into the community and, as such, play an important role in protecting the public. Hostel residents must abide by a strict set of rules, including an overnight curfew and random room searches. Where they breach the rules, offenders are liable to be returned to custody.

Hostel staff trained in risk assessment and risk management work with partners, specifically the Offender Manager and local police, to protect the public. They also work with residents to help them settle back into the community without committing further offences. This service also plays an important role in the reintegration of offenders safely into the community.

Community Order

A community sentence, made up of one or more of 12 “requirements”. These requirements are:

- **Supervision** – regular sessions with an offender manager, who will tackle all aspects of the offender’s life to get to the root causes of his or her offending. The offender may be required to do homework between sessions. The statutory purpose of supervision is to promote the offenders rehabilitation.
- **Unpaid Work (Community Payback)** – the offender works unpaid for the benefit of the community, between 40 and 300 hours. Each offender must work at least six hours per week and finish all the hours within 12 months. Unemployed offenders sentenced to 200 or more hours are required to work a minimum of 18 hours each week, over three days.
- **Offender behaviour programmes** – these are specially designed to address attitudes and patterns of behaviour which contribute to offending. Some target specific offences, such as domestic violence, drink driving or sex offending.
- **Drug rehabilitation** – one of the most intensive requirements managed by the Probation Service. The offender must consent to attend drug treatment sessions and must address their drug abuse, drug related lifestyle and offending. The requirement varies in intensity according to the seriousness of the offence, and includes treatment, up to five days a week, at a drug treatment centre, regular drug testing, weekly supervision with a probation officer and returning to court regularly to report on the offender’s progress.
- **Alcohol treatment** – for offenders with serious alcohol dependency issues who commit offences related to their drinking. They must consent to attend treatment sessions to stop or reduce their alcohol consumption.
- **Curfew** – the offender must remain at an agreed place for between two and 12 specified hours, often 7pm to 7am for up to six months. The curfew must be monitored electronically, unless there is good reason not to, when the offender is fitted with a tag, which can detect if they break their curfew.
- **Residence** – the offender must live at an agreed address. This might be an Approved Premise (probation hostel), independent hostel or private address.
- **Activity (specified activity)** – the offender must undertake specific activities identified by the courts, such as an education course or spending time with the victim of the offender’s crime.
- **Exclusion** – the offender is not allowed to enter certain areas for up to two years. This might be a geographical area or a certain place, such as a park.
- **Prohibited activity** – the offender must not participate in certain identified activities relating to their offending such as using a computer or going to a football match.
- **Mental health treatment** – the offender is given professional medical help for mental health problems that led to offending.
- **Attendance centre (for under 25s)** – an offender has to go to an attendance centre for between 12 and 36 hours, normally for three sessions, where they will undertake activities such as basic skills, first aid and physical education.

Community Payback

The unpaid work requirement of a community or suspended sentence order is now referred to as Community Payback. The intention of the Community Payback initiative is to promote public understanding of unpaid work and other community sentences. Offenders sentenced to Community Payback do work which benefits the community and on most work sites they wear high visibility orange jackets so the public are aware that Community Payback is taking place. Community Payback is primarily a punishment which can be combined with rehabilitative requirements, such as supervision by a probation officer or an offending behaviour programme. The sentence can also help offenders to develop important employment related skills and provide pathways into employment

Like other community sentences Community Payback is available for offences which carry a potential custodial sentence and are serious enough for a community sentence, but for which the seriousness of the offending, or the risks posed by the offender do not require imprisonment. It has been shown that Community Payback as a single requirement or in combination with other requirements is more effective in reducing reoffending than a short custodial sentence. Typically, offenders undertaking Community Payback will have been convicted of offences of dishonesty, lesser violent offences, driving offences and criminal damage.

All offenders being considered for Community Payback are assessed for their suitability and the risk they may pose to others and. The aim is to ensure that all offenders undertaking Community Payback can be safely managed in the community and are physically able to undertake the work required of them.

As part of the Community Payback scheme members of the public can nominate projects to be completed by offenders. This can be done at.

https://forms.direct.gov.uk/forms/form/266/en/nominate_a_community_payback_project Suitable work projects should be challenging and demanding for offenders, while benefiting local communities. In this way offenders are able to give something back to the community to make reparation for their crimes. Most of the work is done in supervised groups and projects range from litter and graffiti clearance, removal of undergrowth and fly tipping to bring areas back into public use, maintenance work in public parks and decorating community centres. Other lighter work such as sorting donated clothing in charity shops is available for offenders who are not able to do heavy physical work.

Enforcement

If an offender breaks the terms of their community order they may receive a warning or be sent back to court. Only one warning is allowed in any 12 month period if the breach is proved. The court must either make the existing requirements harder or revoke the order and re-sentence the offender for the original offence, if necessary (**Enforcement of SSO**) Where offenders breach their licence conditions, they may be recalled to custody by the Secretary of State, on a recommendation from the Probation Service.

If an offender breaks the terms of their suspended sentence order by unreasonably failing to comply with the community requirements he or she may receive a warning or be sent back to court. Only one warning is allowed in any 12 month period. If the offender commits a further offence during the period of the suspended sentence order the court will deal with that breach when dealing with the second offence. In dealing with a breach, the presumption is that the court will give effect to the suspended sentence, either in full or by imposing a lesser term, unless it considers that in all the circumstances it would be unjust to do so. If the court does not give effect to the suspended sentence it must make the order more onerous, for example, by imposing a further requirement, or by extending the supervision or operational period of the order.

Integrated Domestic Abuse Programme (IDAP)

The aims of this programme are:

- To prevent re-offending and to promote the safety of women and children
- To reduce the risk of violent crime and abusive behaviour towards women in relationships by helping perpetrators change their attitudes and behaviour.
- To increase the offender's ability to respond non-abusively, to change abusive beliefs and empathise with victim(s).
- To help offenders understand why they use violence and abuse against partners/ex-partners and the effects of this behaviour on their (ex) partners, children, others and themselves
- To encourage offenders to take responsibility for their violence.
- To help offenders accept that they exercise choice in the way they behave.
- To increase the offender's ability to identify high-risk situations and to manage these effectively in the future.

A Women's Safety Worker works with women victims of domestic violence as part of this programme. The Women's Safety Worker, should the victim choose to engage with this service, can help women victims and any children to access support, advice and assistance from other relevant organisations.

Victims are given regular updates about how the offender is progressing on the programme and, if the victim and perpetrator are still in regular contact or are still living together, asked for feedback about his behaviour at regular intervals, including when the programme is over.

Integrated Offender Management (IOM)

Integrated Offender Management (IOM) is an overarching framework for bringing together agencies in local areas to prioritize interventions with offenders who cause crime in their locality regardless of their position within the criminal justice system. Local IOM arrangements work best if they are not restricted to statutory or local criminal justice agencies, but involve a wide range of social agencies, including the voluntary and community sector, who have a role to play in tackling risk factors associated with crime and offending.

IOM approaches were initially pioneered in six locations, but many more areas across England and Wales are now developing similar arrangements. The approaches are still fairly new and while evidence of the impact on crime reduction is limited – partly because of the difficulty in measuring the unique contribution of this activity – there is ambition and appetite for intensive joint management and rehabilitation of offenders.

Intensive Alternative to Custody (IAC)

Intensive Alternatives to Custody (IAC) were piloted from 2008/09 to 2010/11 to test the use of intensive community orders to divert offenders from short-term custodial sentences. The IAC pilots enabled courts to use the existing community sentencing options in new ways by combining intensive probation supervision with a mix of demanding requirements and interventions delivered by partner agencies. Typically, these orders will combine a mixture of intensive supervision, curfew, unpaid work and a range of rehabilitative requirements, frequently delivered through partnership with other statutory and voluntary agencies. The pilot phase has ended but each of the areas is committed to delivering an intensive community order investigating ways to either mainstream provision or to expand delivery.

Licence

Offenders serving prison sentences of 12 months or more are released on licence. The offender is effectively serving the rest of their sentence in the community on licence and under the supervision of the Probation Service. They will be allocated an Offender Manager, otherwise known as a Probation Officer, who is responsible for supervising the offenders compliance with licence conditions and taking appropriate action where it is known that the offender is in breach of his licence condition.

Licences have a number of standard conditions relating to being of good behaviour, not committing further offences, reporting to the Offender Manager, notifying any change of address and so on. Depending on risk levels posed by the offender, further conditions may be imposed such as residence restrictions, bans from certain areas, no-contact with named persons (e.g. to protect victims or their families) and an obligation to complete specified programmes.

Licence recall

If an offender on licence breaches the conditions of their licence, they are liable to be “recalled” to prison. The conditions of licences are strictly enforced.

There are a number of checks and balances in place to ensure accountability for the decision to send an offender on licence back to prison. The initial recommendation is made by the probation officer, who discusses it with a senior probation officer, who then makes a report to an assistant chief officer.

The report is sent to the NOMS Public Protection and Mental Health Group, which makes the final decision on behalf of the Secretary of State.

There are two types of recall in terms of timescales:

- Emergency recall - the process is completed by a caseworker on behalf of the Secretary of State within two hours.
- Standard recall - the process is completed by a caseworker on behalf of the Secretary of State within 24 hours.

Lower risk offenders may be subject to a fixed term recall of 28 days. Other offenders who are recalled will be re-released usually only where the Parole Board directs their re-release, although the Secretary of State may re-release certain offenders executively, provided that he is satisfied that there is a robust risk management plan in place for them. When the offender has been recalled by the Secretary of State and had the licence revoked the Public Protection and Mental Health Group notifies the local police whose responsibility it is to apprehend the offender and return him to custody. Once arrested, the offender has a chance to appeal against the recall.

MAPPA (Multi Agency Public Protection Arrangements)

The most high risk offenders are managed through MAPPA. MAPPA are a set of statutory arrangements, in which the Police, Probation and Prison Services are required to work together to assess and manage the risk presented by sexual and violent offenders.

There are a number of other agencies which are under a duty to co-operate with the three main Services, which are known as the “responsible authority”. The most high risk or complex cases are the subject of multi-agency meetings, at which additional resources may be committed to the management of an offender, in order to protect the public.

Sexual offenders are made subject to the notification requirements, which are often known as the “sex offenders’ register”. It is for the Police to monitor offenders’ compliance with the notification requirements.

Victims - The victims of the sexual and violent offences, where the offender is sentenced to more than 12 months in custody, are entitled to receive key information about the offender’s progress through his sentence. They are also entitled to make representations about any conditions to which the offender should be subject on release. This service is provided to them through Probation Victim Liaison Officers. For offenders whose release from custody is subject to the Parole Board, victims now have the right to submit a victim impact statement, outlining to the Parole Board the ongoing impact of the offence.

OASys

Both the prisons and probation use a rigorous risk assessment tool, OASys, to determine an offender’s likelihood of committing a further crime and the level of risk he or she presents to the public. This results in a sentence plan which determines both the amount and type of work that is done with the offender.

Offender Employment, Training and Skills

Probation Trusts have a long history of involvement in Employment, Training and Education (ETE) work with offenders. Some ETE services are provided in-house but most are delivered in partnership with the independent sector, Job centre Plus and the Skills Funding Agency. These working partnerships help to secure good interaction and ensure that training and skills provision offered to offenders is relevant and closely aligned to local skills shortages and employment opportunities.

Offenders in the community are able to access mainstream education services, along with the general population. Offenders also have access to the Skills Funding Agency “Next Step” service that began on 1 August 2010. Next Step is the free adult careers service that serves the needs of all adults in England, aged 19 and over. The service provides expert, impartial advice, resources and intelligence as well as supporting individuals to make informed choices about future skills, careers and work.

Offender Manager

An offender manager works directly with offenders and is community based. An offender manager can be either a Probation Officer or a Probation Service Officer.

Offender Management Model

The NOMS offender management model has as its core feature the principle of a consistent named offender manager, who is responsible for working with the offender across their whole sentence, whether in the community or in custody, delivering consistency and continuity of work. The model relies on a strong, professional working relationship between offender and offender manager.

Pre Sentence Report

Probation Trusts prepare pre sentence reports for the courts to help magistrates and judges decide the most appropriate sentence. Some reports are delivered on the day in court either presented orally or in written format. Others, where the risk or serious harm and/or likelihood of offending is high and there are other complexities can take up to three weeks. All reports require at least one interview with the offender and can involve liaison with other experts, such as psychiatrists. Probation staff use the Offender, Assessment System (OASys) to inform the preparation of the report with the offender.

Prolific and priority offenders (PPOs)

PPOs are a small proportion of offenders whose volume of offending has caused significant impact in their local community. PPOs are selected locally by Community Safety Partnership agencies working together, using local criteria, to ensure that schemes address local crime reduction and reducing re-offending priorities taking account of local crime patterns and other relevant factors. They are subject to both “Catch & Convict” interventions to disrupt their offending and to bring them to justice for the crimes they have committed, and “Rehabilitate & Resettle” interventions to reduce the likelihood of further offending. These offenders can have a variety of contact with the criminal justice system, including offenders under no statutory supervision, those serving community sentences and those serving custodial sentences, including those serving less than 12 months.

Probation Trusts

There are 35 probation trusts in England and Wales, which run their services according to local need. The trusts are contract managed by the National Offender Management Service (NOMS), which sets national standards and targets for each trust.

Social enterprise

Social Enterprises are ‘not for private profit’ businesses that re-invest any surplus in furthering their social or environmental objectives. Many are rooted in local communities and the over 60,000 social enterprises in the UK cover a wide range of industrial, retail and service sectors. They offer a range of opportunities for the criminal justice system from straight forward delivery of interventions or services to more complex embedding of, for example, skills and employment work within a business setting.

NOMS has a social enterprise programme, funded through the European Social Fund (ESF), that seeks to develop the market for social enterprise engagement and delivery across both prisons and the community. This includes testing whether enterprises can sustain work with offenders through resources generated through trade; supporting innovative enterprise based ideas from both the sector and internally; local and national networking to create a better understanding within NOMS and the sector of potential opportunities; exploring joint venture models and methodologies for reinvesting in communities value created by offender work.

More information can be found at: www.bit.ly/NOMSocialenterprise

Supervision

Under a supervision requirement, offenders attend regular sessions (often weekly) with their

offender manager or probation officer, who creates a sentence plan for the offender. The offender manager devises a scheme of work to carry out with him or her, aimed at addressing the root causes of their offending.

As a result of supervision, the offender may be signposted to other agencies for help with problems such as education, housing, debt or employment. Sometimes the offender is given homework to do between supervision sessions. The offender is expected to actively take part in the supervision sessions.

Suspended Sentence Order

This is a prison sentence of 12 months or less which is suspended for a period of time specified by the court (up to a maximum of two years) and the offender is subject to one or more requirements in the community (see Community Order page 17) imposed by the court. If an offender breaches the community requirements or commits a further offence during the period when the prison sentence is suspended, the presumption is that the prison sentence will take effect unless the court determines that it would be unjust to do so in all the circumstances.

ViSOR

ViSOR is a national database of all violent and sex offenders designed to facilitate the work MAPPA by assisting co-operative working between police, prison and probation in their joint management of individuals posing a risk of serious harm. It means that all three agencies have access to confidential records of information about violent offenders managed through MAPPA.

Correspondence about Prison and Probation related issues

Ministers are, of course, always happy to correspond with Members of Parliament about prison and probation issues. However, you will often receive a speedier response by writing to the individual prison or probation trust directly in the first instance or to the CEO of the National Offender Management Service (NOMS) Michael Spurr at ceocorrespondence@noms.gsi.gov.uk

Examples of where MP's may want to write directly include:

Enquiries about operational matters;

Enquiries about individual prisoners, such as progress enquiries on applications for release on Home Detention Curfew, family visits or requests for transfer.

Crispin Blunt MP, Parliamentary under Secretary of State for Justice, is the Minister responsible for prisons and probation and his contact details are below. However it would be helpful in the first instance if queries about individual offenders could please be sent to NOMS CEO Michael Spurr at ceocorrespondence@noms.gsi.gov.uk

David Young
Private Secretary to Crispin Blunt MP
Ministry of Justice
102 Petty France
London
SW1H 9AJ

Tel: 020 3334 3686

Email: david.young@justice.gsi.gov.uk

When writing about a particular offender or case, it is helpful if an offender's full name, date of birth and, ideally, their prisoner number; along with the prison they are serving their sentence can be provided. Without this information it is unlikely that the offender will be correctly identified, and this may delay any reply. In letters following up previous correspondence, it is also helpful if the reference number of any previous reply can be provided.

There are no clear rules on which Members should represent prisoners. There are arguments for cases being accepted by either the Member representing the prisoner's last home address or the Member in whose constituency the prison is located. Clearly, prisoners will often be moved around a great deal from prison to prison, and if they are taking up their cases with a number of Members, or moving on before an issue is resolved, this could cause confusion. Referring cases back to the home address could be a way of simplifying the process.

However, it is obviously perfectly proper for the Member in whose constituency the prison is situated to take an interest in the operation of that prison. Some Members take a very strong interest in their local prisons and regularly take up the cases of inmates. Much will depend on the circumstances of the case (for example, what it is that the prisoner is asking or complaining about and how long he or she likely to be at that particular prison), and, of course, on the wishes of the Members concerned.

Further details

There is prison and probation information available on the Ministry of Justice website, www.justice.gov.uk

Many probation trusts also have their own websites. Links to them are on the Ministry of Justice website: <http://www.justice.gov.uk/about/probation-trusts.htm>

