



INSTITUTE OF PRISON LAW

FOUNDED IN 1998 AND ACCREDITED BY THE
SOLICITORS REGULATION AUTHORITY
OF ENGLAND & WALES

CERTIFICATE OF COMPETENCY IN PRISON LAW: 2020 UPDATED TO 1st September 2020

This Distance Learning Course is designed for those whose work brings them into day to day contact with prisoners – or indeed prisoners themselves over 400 of whom have taken and passed the course – and as such it is ideal for Prison Governors, Prison Officers, Solicitors, Fee-Earners and Barristers or anyone with a personal, professional or academic interests in prisons in England and Wales. The course requires no prior prison law knowledge but an understanding of English public/private law is advisable.

The course has been devised, written and updated by expert prison law barristers and has been updated fully to 15th May 2020 taking into account changes as a result of Covid-19.

The course consists of eight self-contained Modules and, once registered on the course, you will receive a user name and password allowing you to access the eight modular full texts and the eight video lectures – for prisoner candidates the course is delivered by secured .pdf files sent to the person at the prison named on page 7 of this form which must be returned to customer.services@prisons.org.uk

Each Module consists of around six to eight hours work, and each Module ends with a multiple choice examination which you must submit for marking.

The Course leads to the **Certificate of Competency in Prison Law** and brings with it membership of the Institute of Prison Law, allowing the Certificate holder to display the Institute's 'Prison Law Qualified' on stationary and advertising.

The Certificate is gained by successful completion of the eight examinations, with a minimum 80% pass mark in each; if you obtain less than 80% in a module you have the choice of resitting it (£24.99) or simply moving on to the next module – in which case you can complete the course but you will not be awarded the Certificate.

COSTS: the total cost of the course for non-prisoners is **£999.00+VAT (for prisoners the course price is £499+VAT)** this includes all eight modular texts described on this form, registration fees, marking fees (except exam resits as detailed above), and complimentary copies of **The Prisons Handbook (latest edition 2019/2020 (August 2019))**, the definitive 1600-page annual guide to the penal system of England and Wales and **The Prison Law Index (latest Edition 2020)** free of charge while stocks last – these books are complimentary and are not necessary for completion of the course.

The course must be purchased as a single entity, in advance of dispatch; regrettably we cannot offer a pay-as-you-learn option as access to the course provides access to all the course material.

COURSE DIRECTOR: Julian Coningham, Solicitor and Higher Courts Advocate

INSTITUTE DIRECTOR: Mark Leech FRSA.

THE COURSE

MODULE 1

Unit 1: A short history of imprisonment – from the middle ages to the current day

Unit 2: The Statutory and Regulatory Framework – Acts, Rules, Orders, Instructions....

The Prison Act 1952.

The Prison Rules - The Legal Status.

Prison Service Instructions and Orders and Policy Frameworks

The Ministry of Justice and the Prison and Probation Service

Contracted out prisons

Private escorts

The contract document

Unit 3: The Prison Estate and Population – What prisons we have, public and private, male, female, young offenders and who is detained in them.

The Structure of the Prison System

The adult prison system

Men's prisons

Local prisons

High security prisons

Special security units and high security units

Close supervision centres

Dangerous and Severe Personality Disorder Units

PIPE units

Category B training prisons

Category C prisons

Category D/open prisons

Resettlement prisons

Vulnerable Prisoners' Units

Women's prisons

Mother and Baby Units

Protected Witness Units

Prison Staff

"The role"

Eligibility Requirements:

Prison Management

HMPPS

HMPPS Key Performance targets:

Independent Monitoring Boards

The Prisons and Probation Ombudsman (PPO)

The Probation Service

Unit 4: Funding: How to obtain funding for Prison Law work today – an expert view from a practicing prison lawyer on the how to obtain funding for prison law work – and what mistakes to avoid.

Unit 5: Overview of Prisoners' Rights 2020; Access to law; Right to life; Prevention and investigation of prison deaths; Liberty and Release Date calculations; Recall; Prison Offences and Discipline; Regime, Categorization and Allocation; Incentives and Privileges; Contact with the outside world, Letters, Visits and Phone Calls; Contact with Journalists; Health; Religion; Race and Equality.

Unit 6: Requests & Complaints

Requests

Complaints

Non-Confidential Complaints

Allocation of the complaint

Response to the complaint

Reserved Subjects

Complaints about members of staff.

Other Avenues of Complaint.

Independent Monitoring Board

The Prisons and Probation Ombudsman

The Parliamentary Commissioner for Administration.

MODULE 2

Unit 1 – Sentence Planning & OaSys

Sentence Planning

OASys: How does it work?

Risk classification

Targeting needs
Responsivity
Treatment method
Programme integrity
Community-based programmes
An effective risk needs assessment
What is OASys in a Nutshell?
Benefits of OASys
OASys: Scoring.
How does OASys arrive at its scores?
Section 1: Offending information
Section 2: Analysis of offences
Section 3: Accommodation
Section 4: Education, training and employability
Section 5: Financial management and income
Section 6: Relationships
Section 7: Lifestyle and associates
Section 8: Drug misuse
Section 9: Alcohol misuse
Section 10: Emotional wellbeing
Section 11: Thinking and behaviour
Section 12: Attitudes
Section 13: Health and other considerations
Self-assessment
Who has an OASys Assessment – and when?

Unit 2 – Categorisation & Allocation

Allocation
Categorisation
What are the security categories and what do they represent?
Category A
Category B
Category C
Category D
Restricted
Open
Closed
Category A Prisoners
Definition of Category A
Definition of Restricted Status
Criteria Justifying Suitability
Escape Risk Classification
Standard Escape Risk.
High Escape Risk:
Exceptional Escape Risk:
Legal Background
Identification & Reporting in of Potential Category A prisoners.
Reviews of Provisional Category A and Restricted Status Prisoners
Reviews Leading Up to Conviction and Sentence
Escape Risk Classification
First Formal Review
First Formal Review Preparation
Completion of the First Formal Review
Reviews of Confirmed Category A and Restricted Status Prisoners
Oral Hearings
Timings of Annual Reviews
Annual Review Procedures
Preparing the Reports
Disclosure of the Reports
Local Advisory Panel Consideration
Initial Category A Team Consideration
Annual Review Decisions by the Category A Team
Referral of Annual Reviews to the Director of High Security
Decisions from the Director of High Security
Downgrading from Category A or Restricted Status

Unit 3 – Incentives and Privileges

General – policy framework 2020
Basic Theory: Good behaviour v poor behaviour.
Local incentive arrangements
Four levels: basic, entry, standard and enhanced.
Devising local IEP
Schemes

- Key earnable privileges
- Privilege levels
- Basic Level
- Entry Level
- Standard Level
- Enhanced Level
- Further details of key earnable privileges
- Access to private cash
- Extra and improved visits
- Higher rates of pay
- In-cell television
- Wearing own clothes
- Time out of cell
- Additional Privileges
- Games Consoles and Games
- Management and operation of local IEP Schemes
- Criteria for good behaviour and performance
- Reviews
- Prisoners' in denial of their offence
- Double jeopardy
- Review Boards
- Retention of privilege level on transfer
- Special groups of prisoners
- Unconvicted prisoners
- Immigration detainees
- Foreign national prisoners
- Prisoners with disabilities/particular needs/older prisoners
- Prisoners in Segregation Units
- Safer Custody
- Prisoners who are at risk of suicide or self-harm
- Violent behaviour
- Monitoring

Unit 4 – Prison Work & Pay

- Prison work
- Prison Pay.
- Rates of Pay
- General
- Rate of pay for unemployed prisoners
- Minimum Employed Rate for All Prisoners
- Standard Rates of Pay
- Piecework
- Higher Rates of Pay
- Prisoners who are Released on Temporary Licence and those on 'Working Out' Schemes
- Tax and National Insurance Thresholds
- Other liabilities
- Deductions
- Prisoners who are Short-Term Sick
- Prisoners who are Long-Term Sick, or of Retirement Age
- Pregnant Women and Mothers caring for Babies
- Prisoners attending Outside Hospital
- Transfers
- In-Cell work
- Management of the Prisoners' Pay/Earnings Budget
- National Minimum Wage
- Unemployment pay
- Minimum
- Employed rate
- Minimum employed rate
- Short-term sickness
- Long-term sickness and retirement
- Maternity leave or caring full-time for children
- Outside hospital allowance

MODULE 3.

Unit 1: Child Prisoners & Young Offenders

- Basic Principles:
- Prison Service Steps in its Young Person Policy
- Safeguarding and promoting welfare of children and young people
- Promoting and maintaining good behaviour

Managing challenging behaviour
 Dealing with complaints and investigations
 Healthcare
 Substance misuse
 Staff selection, process and training
 Training
 Effective management and support of staff
 Reception into custody and initial assessment
 Induction and further assessment
 Sentence management
 The personal officer or caseworker
 Involvement of the family, supervising officer and outside agencies
 Communications
 Provision of a full, purposeful and active day
 Learning and skills
 Offending behaviour programmes
 Physical education
 Resettlement
 Providing for unsentenced young people
 The Howard League: Judicial Review. The Children Act 1989
 The Children Act 2004
 Sentences & Places of Detention

Unit 2: Women Prisoners

Introduction – Women prisoners policy framework
 Some Statistical and Research Information about Women Prisoners
 Development of the Gender Specific Standards
 Role of HMPS Women and Young People's Group
 Women's prisons

- Pre-custody
- Reception and First Night Procedures
 Induction, Resolving Urgent Issues
- Health: Physical Health, Mental Health, Substance Misuse
- Offender Management, Offender Supervision, Personal Officer Schemes, Allocation

Decisions and Through the Gate Support

- Supporting Women at Risk of Self-harm
- Day-to-Day living:
 - Incentives and Earned Privileges
 - PE
 - Property and Clothing
 - Hygiene
 - Environment
 - Diet
 - Association Activities
 - Religion and Faith
 - Prison Shop
 - Complaints
- Managing Order in Women's Prisons: Promoting Pro-Social Behaviour, Adjudications and Segregation
- The Pathways to Resettlement
 - Accommodation
 - Education, training and employment
 - Health and Detoxification
 - Drugs and alcohol
 - Finance, benefit and debt
 - Children and families
 - Attitudes, thinking and behaviour
 - Supporting women who have been abused, raped or who have experienced domestic violence
 - Supporting women who have been involved in prostitution
 - Young Women Prisoners
- Older Women Prisoners
- Women Foreign Nations and Black and Minority Ethnic Groups
- Women Prisoners with Disabilities
- Indeterminate/ Life Sentence Women Prisoners
- Mother and Baby Units
- Management Issues
- Training of Staff and Volunteers
- Security in Women's Prisons
- *Lifers*
- Categorisation.
- Health Care.
- Pregnancy

Unit 3: Mother and Baby Units

Unit 4: Mental Health and the Prison Service

Unit 5: Remand\Civil\FN prisoners\Immigration Detainees

Unit 6: Equality & Discrimination

MODULE 4.

- 1 Maintaining order. Intelligence, segregation, and force. Application to the private sector.
- 2 Adjudications. Discipline manual, Article 6 requirements. Procedural fairness. Independent adjudicators.
- 3 Case studies, and roll play; adjudications.

MODULE 5.

- 1 Offending behaviour work, and prison education and courses. SOTP, ETS, Think First, CALM, Alcohol awareness, Domestic violence.
- 2 CCRC.
- 3 Communications; Letters, visits, telephone calls, and computers. Access to the media.
- 4 Racism, discrimination and religious rights.

MODULE 6.

- 1 Release regimes, and release date calculation. Tags, HDC, temporary licence. Intermittent imprisonment – Covid-19.
- 2 Licence. Issues re recall and re-offending whilst at risk.
- 3 The parole system and reconsideration mechanism 2019.
- 4 Risk assessment, denial, licence and recall. Recall procedure and hearings.

MODULE 7

- 1 Life imprisonment.
- 2 The lifer panels. Representations, procedure and evidence.
- 3 Case studies/role play; lifer panel

MODULE 8

- 1 Death in custody. Prevention. Procedures; ACCT (suicide and self harm). Article 2 and investigations. Disclosure and openness.
- 2 Inquests.
- 3 Actions for death, assault, false imprisonment, misfeasance, and negligence.

Course Booking Form is on the next page.

INSTITUTE OF PRISON LAW
CERTIFICATE OF COMPETENCY IN PRISON LAW:
2019/2020 DISTANCE LEARNING COURSE:
BOOKING FORM

I WISH TO ENROL ON THE ABOVE COURSE: Please PRINT Throughout

NAME: _____

TEL: _____ **Mobile TEL:** _____

ADDRESS: _____

_____ **POST CODE:** _____

Email address: _____

The course is fully online for candidates who are not in custody.
Course materials for candidates in custody are Modules are sent electronically, as PDF files, please print below the email address for the delivery of these modules (you will need to have Adobe Reader on your computer – which you can download free from www.adobe.com).

Email address for course materials:

Terms and Conditions.

1The Certificate is gained by passing all eight Module Examinations with a minimum 80% mark.

2Modular Course materials must not be copied to any third party; legal action will be taken where this can be proved – you've paid for the course, why let others have it for free?

3. All fees must be paid in advance and are non-refundable.

4 Students in Custody need permission from an appropriate authority (ie Head of Learning and Skills) confirming they can register for the course (PSI 32/2012 and E&LS PF 2019).

Inmate Registration: I confirm the inmate named below is authorized to register.

Inmate Name: _____ **Prison Number** _____

Establishment: _____

Your Name _____ **HMPPS Position and email:**

_____ **@justice.gov.uk**

I am (or ordering for) the above Inmate: Price £499.00 +VAT

I am a member of the public: Price £999+VAT

I attach my cheque made payable to PRISONS ORG UK LTD for the above, or pay securely online at www.prisonlaw.org.uk

Signed _____ Dated: _____

PLEASE SEND THIS FORM AND YOUR REMITTANCE TO:

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