



# INSTITUTE OF PRISON LAW

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

## CERTIFICATE OF COMPETENCY IN PRISON LAW: 2021 UPDATED TO 1<sup>st</sup> November 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 was has been devised, written and updated by expert prison law barristers and has been updated fully to 1<sup>st</sup> November 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 the eight modular full texts and the eight modular examinations – these will be sent to you at your own pace, as you complete one module the next will be sent – this allows us to ensure the text remains fresh and up to date.

Dependent on experience each Module consists of around 10 to 15 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 plus VAT) or simply moving on to the next module – in which case you will be told which questions you got wrong and why and 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 for those who pay the full course fee complimentary copies of **The Prisons Handbook (latest edition 2021 (November 2020))**, the definitive 1600-page annual guide to the penal system of England and Wales and **The Prison Law Index** (latest Edition 2021) free of charge while stocks last – these books are wholly 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:**  
**2021 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](http://www.adobe.com)).

**Email address for course materials:**

\_\_\_\_\_

- 1.The signature below confirms the registered student’s specific acceptance of the full terms and conditions shown here - <https://prisons.org.uk/terms-conditions/>
- 2.The Certificate is gained by passing all eight Module Examinations with a minimum 80% mark.
- 3.Modular 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?
- 4.All fees must be paid in advance and are non-refundable.
- 5.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](http://www.prisonlaw.org.uk)**

Signed \_\_\_\_\_ Dated: \_\_\_\_\_

PLEASE SEND THIS FORM AND YOUR REMITTANCE TO:

**INSTITUTE OF PRISON LAW. PO Box 679, Bury. BL8 9RU.**  
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