



INSTITUTE OF PRISON LAW

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

CERTIFICATE OF COMPETENCY IN PRISON LAW: 2019/2020

DISTANCE LEARNING

This Distance Learning Course is designed for those whose work brings them into day to day contact with prisoners, as such it is ideal for Prison Governors, Prison Officers, Solicitors, Fee-Earners and Barristers, or indeed prisoners themselves. The course requires no prior prison law knowledge but an understanding of English public/private law is advisable.

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 prison and the lectures are on DVDs.

The lectures are delivered by Julian Coningham, Solicitor, Higher Courts Advocate and managing partner with Coninghams Solicitor – Julian has practiced prison law, human right and judicial review for 25 years and is considered an expert in his field.

Each Module consists of around six 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.

Once you have passed the course you are accredited by the Institute of Prison Law for one year, continued accreditation requires you to attend a one-day Prison Law Update Course usually held in London in October each year, no further examinations are necessary.

COSTS: the total cost of the course is **£999.00+VAT** this includes all eight online modular texts, eight video lectures, registration fees, marking fees (except exam resits as detailed above), and a complimentary copy of **The Prisons Handbook (latest edition 2019/2020 (August 2019))**, the definitive 1200-page annual guide to the penal system of England and Wales, is provided free of charge.

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

LECTURER: Solicitor, HCA, Julian Coningham.

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
- 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 2019; 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 Earned Privileges

General
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

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 from Black and Minority Ethnic Groups
- Women Foreign Nationals
- 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.

2 Licence. Issues re recall and re-offending whilst at risk.

3 The parole system.

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; F2052SH. 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.

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

2 Modular Course materials, including DVDs, are copyright and 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 after access to the course material has been provided or DVDs sent to those in custody.

4 Candidates in Custody need permission from an appropriate authority (Governor / Head of Learning and Skills) confirming they can register for the course.

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

Inmate Name: _____ **Prison Number** _____

Establishment: _____

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

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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