

SCOTTISH PRISON SERVICE

SENTENCE PLANNING: THE PROCESS.

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1. Introduction

The Scottish Prison Service first made a formal commitment to developing a sentence planning scheme for long term prisoners and young offenders in the document "Custody & Care" published in March 1988. This was driven by the realisation that many long term prisoners, after spending long periods in local prisons, lacked any clear view of where and how they would serve their sentence. Although the commitment to develop a standard system existed the Scottish Prison Service continued to rely on locally developed initiatives which lacked national continuity.

In May 1990, the document "Opportunity & Responsibility" was published. The Scottish Prison Service articulated its view of the prisoner as a responsible individual who should be presented with a range of opportunities to use his/her time in custody positively. This philosophy identified the need to have a national sentence planning scheme significantly different from that originally envisaged in "Custody & Care" where sentence plans were to have a contractual nature. It also clarified the need to allow prisoners to make decisions for themselves instead of prison staff and boards making such decisions in the perceived "best interests" of the individual.

In order to develop a satisfactory and appropriate national scheme, a Governor 5 from the field was seconded into Headquarters to work with representatives from each establishment to design a commonly owned and accepted scheme. Over an 18 month period, the scheme was developed and in April 1992 the design phase had been completed. A new sentence planning co-ordinator was assigned whose role is to implement, monitor and evaluate the scheme over a 12 month period.

The rest of this document outlines the principles and key elements of sentence planning which, it is hoped, gives a clear picture of the planned scheme.

SENTENCE PLANNING OUTLINE

2. Principles

In designing the Sentence Planning Scheme a set of values and principles were outlined in 'Opportunity and Responsibility' to form the key features of the scheme.

- 2.1 Regarding the prisoner as a responsible individual who should be encouraged to accept as much responsibility as possible for his own life and the decisions which he is required to make.
- 2.2 Providing information for the prisoner rather than just taking information from him.
- 2.3 Providing a self-analysis package for the prisoner to work through.
- 2.4 Developing the role of the prison officer as the facilitator.
- 2.5 Involving the prisoner in the decision-making processes.
- 2.6 Encouraging self and open reporting.
- 2.7 The process will be continuous.

In addition fast allocation is to be an integral part of the scheme with long term prisoners being moved quickly through from the local prison to the appropriate long term establishment.

Against this background, the Working Group developed a Scheme which gives effect to these principles and values.

3. Allocation

Previously, decisions regarding the most suitable location for any prisoner serving over 18 months were made by a body known as the National Classification Board. Although based in Edinburgh, this Board visited Barlinnie on a regular basis to allocate prisoners from that establishment. Under the Sentence Planning Scheme this system was no longer required. The new allocation process is based on:

- 3.1 The prisoner being allocated a security category by algorithmic approach during his first 48 hours in the local prison.
- 3.2 Depending on this and the availability of spaces in the long term prisons, staff in the local prison show the prisoner videos of the available establishments backed up by written and verbal inputs.
- 3.3 The prisoner then makes the choice appropriate to his security category and transfer take place as soon thereafter as possible. A guiding principle will be that long term prisoners should be transferred to the appropriate institution within 4 weeks.
- 3.4 Prior to transfer the prisoner should be given the opportunity to contact his lawyer, social worker and have a visit with his family where staff should be available to explain the need for and benefits of early transfer. This allows prisoners and staff in long term

establishments to work together through the vital first months of sentence with all the feelings and practical problems which are experienced.

4. Induction

All long term establishments have, or are in the process of developing, admission or induction programmes. It is anticipated that the programme will run for 2-3 weeks and be characterised by an emphasis on information giving in group and individual sessions using video, written and verbal presentations by the various specialists and opportunity groups running in the institution. During this time officers will be working very closely with the individual prisoner with the aim of establishing positive relationships and dialogue from an early stage.

The aims of the induction programme, during which time prisoners do not attend work, will be:

- 4.1 to allow time and space for the prisoner to settle down,
- 4.2 to give the prisoner a knowledge of the opportunities which are available to him and to allow him to decide what he would like to take up and when, (this can be done by a tour of the prison as well as formal written and verbal inputs),
- 4.3 to give the officer the opportunity to establish positive contact and offer the prisoner support in reaching decisions,
- 4.4 to collect the minimum necessary information from the prisoner,
- 4.5 to allow the prisoner the chance to get to know himself better through offering the individual a 'Personal Development File' during induction. This merits further explanation.

Personal Development File

In reaching decisions regarding the best use of available opportunities the prisoner requires to know himself, his own needs and priorities. In order to provide the opportunity to do this in a structured way, we have designed a 'Personal Development File' which allows the prisoner the chance to think about what is important to him and what the issues are for him during the sentence.

The file is made up of a number of individual exercises dealing with a range of issues from employment to relationships and from leisure time to coping with being in prison. It would be both cumbersome and futile to issue all prisoners with every exercise since many may not be relevant to the individual.

Therefore every prisoner is issued with two introductory chapters which will allow him to identify for himself which other exercises he should consider using in order to build up a file about himself. The officer's role is to facilitate this process by giving practical help and guidance as well as moral support to the prisoner. Staff will be able to use their proven skills in decision making as a basis for guiding the prisoner.

The decision reached by the prisoner in conjunction with the officer forms the core of the sentence plan. For those who do not wish to contribute to the decision making process in this way, decisions will continue to be

made by establishment staff and management. Such prisoners will however be continually encouraged to take a more positive approach to Sentence Planning as they go through their sentences. The focus of progress will clearly be on personal development as opposed to a progressive system based on material acquisitions.

5. Sentence Planning Review Group

At the end of the induction period, the prisoner and officer meets with the relevant Governor and appropriate establishment personnel to discuss in a relaxed setting the proposed sentence plan agreed between the officer and prisoner. The officer should have been working to ensure that the prisoner's expectations are realistic and practical and this should avoid any significant alterations to the Sentence Plan at this late stage. Once agreement is reached the plan commences and the induction officer takes the prisoner to his new hall to meet his Personal Officer.

6. Personal Officer Scheme

Each prisoner should have an assigned member of staff who should be his 'personal officer'. Some establishments have found it necessary to develop a 'group officer' scheme with 3 or 4 members of staff being linked to a particular prisoner to ensure continuity and availability. The officer's role is to continue the positive work started in induction by offering practical help and support to the individual prisoner on an ongoing basis. He will be expected to do everything reasonably possible to encourage a positive relationship between himself and the prisoner and will be expected to structure time to meet regularly with the prisoners assigned to him on an individual basis. Both prisoners and staff should leave these sessions with agreement on what each should do next and by when. This should enhance the role of the prison officer as well as provide a necessary support to the prisoner during his sentence. One relief officer will be needed per hall of long term prisoners to work from 8am - 5pm providing cover for staff who need to spend time with prisoners that day. This member of staff should not be used for any other duties.

7. A Continuous Process

It is imperative that Sentence Planning is a continuous process if maximum benefit is to be gained by staff and prisoners alike. To this end we have designed a system of monthly reporting which starts by the prisoner making an assessment of his own behaviour and achievements prior to the officer offering his comments. This gives effect to the value of treating the prisoner as responsible and allows the prisoner to articulate some of the 'hard issues' for himself, thus avoiding confrontation.

As well as open and self reporting on a quarterly basis there will be a Sentence Planning Review held at least annually (although the prisoner or officer may call for an earlier review in specific circumstances). This will concentrate on what has been achieved in the previous period and the individual's targets for the next year. Again the Sentence Planning Review Group will be the forum for discussion although the officer and prisoner will have done much of the work prior to the meeting.

8. Access to Information

The prisoner will be provided, during induction, with a Sentence Planning folder in which he can keep his Personal development exercises,

copies of quarterly reports completed by staff, copies of the discussions of the Sentence Planning Review Group, prospectuses and other important information. This will be the prisoner's own file and, other than the standardised searching procedures, will not be seen by the officer other than with the agreement of the prisoner. The prisoner will also have access to the copy of information retained by staff in the Sentence Planning File held for each prisoner - needless to say this should not include material related to security issues.

The officer should, however, be with the prisoner if he wishes to have access to his file to encourage a feeling of openness and honesty, a necessary part of Sentence Planning.

9. Conclusion

The type of scheme which has been developed is characterised primarily by a fundamental shift in the way we view and treat the prisoner. As a responsible individual he must be allowed the autonomy and scope to make choices and decisions from limited opportunities to best meet his own needs. We must treat him with honesty and openness and we need to be accountable for the things we write, say and do which have an impact upon the prisoner. Of course, the corollary to this is that the prisoner must accept responsibility for the part he will play in building up positive relationships with staff and deciding how to spend his time in custody most effectively.

However, we as a Prison Service must also act responsible in our management of the system. The opportunities offered must be realistic and honest. This will necessitate openness and forthrightness from staff, management and prisoners if sentence planning is to work.

THE SENTENCE PLANNING PATH

