

National Objectives for Social Work Services in the Criminal Justice System: Standards - Throughcare

CHAPTER 3: SOCIAL SERVICES IN PRISONS

INTRODUCTION

34. Social work in prisons is part of the provision of a comprehensive throughcare criminal justice social work service, commencing before the arrival of the offender in prison and continuing, for many offenders, after release into the community. As part of their overall responsibility for throughcare services in the criminal justice system, local authorities are required to undertake a number of statutory and other mandatory core responsibilities and duties within prisons. As well as the mandatory responsibilities, other services, such as group work and support programmes, may be provided by the local authority. The Scottish Prison Service, in consultation with the Director of Social Work/Chief Social Work Officer, and in line with the established core activities/priorities of this document and the needs of the prisoner population of the establishment, will determine the balance of programme related work between prison staff, social workers and other professionals and agencies according to regime requirements. The formal, systematic involvement of prison officers in the provision of practical assistance and information to prisoners is an essential component in ensuring the efficiency and effectiveness of social work services in prisons. Prison officers should also undertake those welfare tasks which do not require professional social work skills.

35. All establishments are required to have formal systems in place to ensure that prison officers deal with prisoners' problems in relation to:

35.1 the provision of information about prison procedures and routines (including services available from the social work unit), visits etc.;

35.2 the provision of information about and assistance with, welfare benefits (including Housing Benefit), discharge grants etc.; and

35.3 practical assistance involving contact with prisoners' relatives, routine contacts with DSS, landlords, housing agencies, lawyers etc.

36. Prisoners participating in the SPS Sentence Planning Scheme are allocated personal officers (suitably trained prison officers) to assist them to develop a plan to make best use of their time in prison and to address their offending behaviour. Increasingly the SPS is organising work with prisoners on a multi-disciplinary basis, with prison staff undertaking intensive work, in conjunction with social workers and other specialists, to help prisoners to tackle their offending behaviour and related problems.

OBJECTIVES

37. The objectives of social work in prisons are:

37.1 where agreed, to offer prisoners access to a range and level of social work services similar to those in the community;

37.2 where agreed, to contribute through advising on, and in some cases providing, a range of individual and groupwork programmes to address offending behaviour as agreed with the Governor; and

37.3 where agreed, to provide appropriate professional support and assistance to help prisoners resettle and reintegrate into society following release.

OPERATIONAL PRINCIPLES

38. Social work services in prisons must:

38.1 be delivered, by fully qualified social workers, as an integral part of local authorities' social work services in the criminal justice system, taking due account of the statutory responsibilities these authorities have in respect of many prisoners before and after their release;

38.2 have a specific focus on offending behaviour and seek also to address those problems arising from imprisonment and problems which are likely to confront prisoners on their release;

38.3 help prisoners to maintain, as appropriate, their family and community ties (including working jointly with prisoners, family members and/or community based services, where necessary);

38.4 take account of the nature of the prisoner population in the establishment and also take account of the function of the establishment within the prison system; and

38.5 be delivered in a manner which is efficient, fair and consistent throughout the prison system, without discrimination against race, religion, colour, gender or sexual orientation.

SOCIAL WORK ACTIVITIES IN PRISONS

39. The core activities of social workers in prisons include:

39.1 assessment- of risk and dangerousness to self and others, personal and social need, and re-offending risk in conjunction with other professionals;

39.2 contributing a distinctive social work perspective to the strategic planning of the establishment including programme planning;

39.3 liaison with, and consultancy for, prison staff and managers, including the provision of specific training programmes where required; and

39.4 work with prisoners' families and other social supports, including through community based social workers, to reduce the risk of re-offending on release and to assist reintegration within the community.

40. The role played by social workers in prisons in relation to programmes will vary from prison to prison. Social work input to programmes will be agreed locally between the Governor and the Director of Social Work/Chief Social Work Officer in the context of SLAs. Such input will contribute to agreed priorities including those prisoners subject to mandatory supervision on release. Thereby social work will:

40.1 contribute to the provision of an agreed range of individual and groupwork programmes designed to address particular offending behaviours or problems

associated with such behaviour (for example, alcohol or drug problems) and to help prepare prisoners for release;

40.2 contribute to co-ordinating the provision of a range of programmes, services and interventions from other agencies or providers, particularly those in the community, appropriate to the needs and requirements of the prisoners at the establishment, aimed at reducing re-offending and assisting resettlement;

40.3 assist in monitoring and evaluation of social work programmes in prison.

PRIORITIES FOR SOCIAL WORK IN PRISONS

Basic Requirements

41. For social work units in prisons, there are a range of required tasks which have to be carried out in relation to pre-release assessment and planning, associated with parole and other statutory supervision post-release. This pre-release work encompasses provision of information, assessments and reports from social workers in prisons and their community-based colleagues, as well as the arrangement of pre-release planning meetings. Detailed procedures in relation to these areas of work are described in Chapters 4 & 5, and include:

41.1 supervised release orders (see also Chapter 12);

41.2 life licence;

41.3 non-parole licence;

41.4 parole;

41.5 children sentenced to detention;

41.6 short sentence licence;

41.7 compassionate release; and

41.8 Schedule 1 offenders (see also Chapter 11).

42. Determination of priorities for social work in prison must reflect the interests and responsibilities of each of the partners in provision of social work services to prisoners, SPS, The Scottish Office and local authority social work departments.

43. While priorities must take account of national considerations, they should also be subject to an element of local determination which reflects the needs of the prisoner population and the scale and function of the prison establishment. The determination, application and review of priorities for social work services will be agreed between the Governor-in-Charge and the Director of Social Work/Chief Social Work Officer in the context of negotiation of the Service Level Agreement for each establishment (see Annex B).

44. In the main, the setting of priorities for social work in prisons derives from 2 principal concerns:

44.1 to offer support to those prisoners most likely to be vulnerable in custody;
and

44.2 to focus intervention on those prisoners most likely to prove a risk to themselves or others in the community post-release.

Priority Client Groups

45. The following priority client groups reflect the twin concerns of vulnerability and risk. While each category is not necessarily applicable to each establishment, it is for Directors of Social Work/Chief Social Work Officers and Governors to ensure that social work activity is focused appropriately towards these groups, in accordance with the needs of the population and function of the establishment.

46. These client groups are:

46.1 those at risk of self injury;

46.2 those identified as vulnerable, e.g. through post-sentence interviews at court;

46.3 those experiencing custody for the first time;

46.4 those who are mentally disturbed;

46.5 those who have a learning and/or physical disability;

46.6 those subject to supervised release orders;

46.7 Schedule 1 offenders;

46.8 sex offenders;

46.9 those likely to be subject to statutory supervision on release, e.g. parole, life licence, non-parole licence etc.;

46.10 children and young offenders up to 18 years;

46.11 those with, or at risk of HIV/AIDS;

46.12 those with alcohol or drug-related problems;

46.13 those eligible for compassionate release supervision; and

46.14 those requesting voluntary after care post-release.

Work with Prisoners and Families

47. Social work input to prisoners and their families, together with support from prison staff and other agencies, has significant potential in increasing the effectiveness of work in relation to the above processes and client groupings. Such work can be instrumental in countering isolation and vulnerability for the prisoner while in custody and promoting and sustaining a supportive family

environment post-release. Investing in this work, where appropriate, can be crucial in reducing patterns of re-offending post-release.

ACCESS TO SOCIAL WORK SERVICES

48. Social workers must make use of an induction period to inform prisoners about social work services. Information can be conveyed in a variety of ways, including service description leaflets, video presentations and individual interviews. Social workers should also ensure that information about complaints procedures are available to prisoners.

49. In addition to these general responsibilities, social workers have a specific responsibility to initiate early contact with particular groups of prisoners who will be subject to statutory supervision on release or who fall within the remit of Schedule 1 (see Chapter 11).

50. Governors and social work unit managers must ensure that systems are in place which enable prisoners to gain access to social work services. Such systems should be appropriate to the establishment and should assist social work units in targeting their services effectively.

51. Governors are responsible for ensuring that appropriate mechanisms are in place for identifying priority groups of prisoners listed in paragraph 46 as early as possible following admission and must ensure that this information is routinely and timeously made available to social work units in prisons.

52. The purpose of any agreed self referral system is to provide prisoners with regular opportunities to seek social work assistance with any personal or social problems which may affect their eventual re-settlement or help in addressing offending behaviour.

53. Governors must ensure that social work interviews are conducted in accommodation which provides both privacy and staff safety.

WORK WITH REMAND PRISONERS

54. Work with prisoners on remand must reflect the presumed innocence of unconvicted prisoners. It must always be underpinned by the operational principles set out at paragraph 38 and, in all cases, must be directed towards achieving the objectives set out at paragraph 37. In every case, decisions about the scope of the work to be undertaken will be determined by a range of factors, but must always take account of the length of the remand period. Additionally, in certain cases (for example, with some convicted prisoners awaiting sentence), it may be possible to engage in work directed towards addressing offending behaviour or intended to begin to motivate people toward such work following sentence.

55. Many remand prisoners will have pressing problems, often of a practical nature, arising from or exacerbated by remand in custody. Practical problems (for example, accommodation difficulties, benefit issues, contact with lawyers and families etc.) must be addressed rapidly, taking due account of the length of the remand period, and should normally be dealt with by prison staff trained to undertake the welfare task (see paragraph 35 above).

56. For many people, a custodial remand constitutes a time of crisis, during which they may be particularly vulnerable and would benefit particularly from social work assistance. In all cases, social workers must bear in mind that the quality of early contacts with prisoners on remand may well influence their subsequent attitudes to social work involvement, in the event of conviction. Social workers dealing with remand prisoners should, where appropriate, ensure that relevant information relating to work undertaken during a remand period is passed to any social work unit in a prison which may be involved with the offender following sentence. Information may also be supplied to any social work department involved subsequently with the offender (including for the purposes of preparing social enquiry reports), as requested by that department.

57. Some remand prisoners may face complex practical or emotional problems as a result of their remand, or may begin to identify problems they may not previously have recognised. Building on the concept of crisis intervention, social workers in prisons can have a key role in helping people on remand to address their problems by:

57.1 offering advice and, where necessary, help to cope with imprisonment;

57.2 offering advice, and where necessary, help to deal with personal problems (e.g. family or relationship difficulties, health issues, drug or alcohol-related problems);

57.3 facilitating contacts with family and friends; and

57.4 facilitating contacts with relevant statutory and voluntary agencies in their local communities, where appropriate.

58. In order for social workers in prisons to work efficiently with remand prisoners whose vulnerability or other difficulties are such as to make them priorities for social work intervention, Governors of establishments must ensure that effective systems to identify such prisoners be in place in all establishments holding remand prisoners.

59. In addition, Governors-in-Charge of establishments holding remand prisoners must ensure that appropriate mechanisms are in place to provide early information to such prisoners about the social work and welfare services available to them, and will reflect the service level agreement for social work services in that establishment.

WORK WITH CONVICTED PRISONERS

Focus of Work

60. Work with convicted prisoners must be underpinned by the operational objectives and principles set out in paragraphs 37 and 38 and will reflect the service level agreements for social work services in that establishment.

61. In order to ensure the most effective development of throughcare services, local authority social work services in prisons should be targeted on:

61.1 those prisoners who will be subject to statutory supervision on release;

61.2 those prisoners who, irrespective of sentence length, fall within the scope of Schedule 1 to the Criminal Procedure (Scotland) Act 1995 (offences against children under the age of 17) and in respect of whom specific procedures apply - see Chapter 11; and

61.3 those prisoners who, irrespective of sentence length, fall within one or more of the priority client groups referred to in paragraph 46.

62. Social work contact with convicted prisoners must focus on:

Assessment

62.1 Assessment leading, where appropriate, to the development of individual action plans and the direct or indirect provision of programmes to meet these plans. This will include assessment of both risk of re-offending and personal and social need, reflecting the twin concerns of "dangerousness" and "vulnerability". Any such plans should contribute to any plan drawn up under the SPS Sentence Planning Scheme.

62.2 In relation to "dangerousness" assessment should focus on:

62.2.1 the nature of offending behaviour;

62.2.2 the risk of re-offending;

62.2.3 the nature of any underlying problems associated with offending behaviour;

62.2.4 the offender's understanding of his/her offending behaviour;

62.2.5 the offender's ability or capacity to change his/her attitudes/behaviour; and

62.2.6 the offender's motivation to change.

62.3 In relation to "vulnerability" assessment should focus on:

62.3.1 the offender's social circumstances and the availability of support networks;

62.3.2 the offender's emotional state, including level of self-esteem and self-confidence;

62.3.3 the prisoner's mental health and in particular, any history of self-injury;

62.3.4 the prisoner's physical health and in particular, any physical disability or life threatening condition; and

62.3.5 the degree of stress which the prisoner is experiencing within the prison system, which may be related to the stigma attached to particular types of offences.

Action Plans

62.4 Where there is an identified need for direct social work intervention, social workers must draw up an action plan, in conjunction with the prisoner, which clearly identifies the issues to be addressed, the action to be taken by relevant parties, the timescale within which work will be carried out and the date when progress will be reviewed. Any such plans should contribute to any plan drawn up under the SPS Sentence Planning Scheme.

62.5 Where action plans identify a continued need for service following release, early contact should be made, with the prisoner's consent with community-based services, in order to secure appropriate assistance on release.

Programme Provision

62.6 In the light of the assessment of the needs of prisoners, social work units may be asked to provide a range of individual and groupwork programmes, appropriate to the assessed need within individual establishments. Activity must be targeted on those priority prisoners who are assessed as being most 'dangerous' or most 'vulnerable'.

62.7 Groupwork programmes should, wherever appropriate and practicable, involve prison staff and other specialists.

62.8 All programmes must incorporate evaluation of effectiveness.

Programme Co-ordination

62.9 There may be circumstances where it is neither appropriate nor practical for a particular service to be offered by social work or other staff in prisons. In such cases, the Governor may ask the social work unit to facilitate access to programmes, services and interventions which may be provided by other agencies or providers, particularly those in the community.

62.10 When services are being provided from more than one source, governors must ensure that effective co-ordination takes place and must identify who will undertake the role of co-ordinator for each prisoner. In the case of prisoners who will be subject to statutory supervision on release, Governors may nominate social workers to undertake this role. In other circumstances, Governors may ascribe this role to personal officers.

Sentence Planning

63. Social work activity must be integrated with the SPS Sentence Planning scheme.

64. Governors must ensure that social workers are directly involved in sentence planning at the initial assessment stage and, where on-going social work activity is planned, at subsequent sentence planning reviews.

65. Social workers should make full use of the opportunities presented by the Sentence Planning Scheme to attempt to engage with prisoners in consideration of their offending behaviour and any social and/or personal problems which may affect their long-term re-settlement.

66. Social workers should arrange a personal assessment interview which will focus on assessing the prisoner's level of dangerousness or vulnerability and assisting the prisoner to make realistic plans to address these issues.

67. At this stage, not all long-term prisoners may wish to accept social work contact, and in these circumstances, it is important that the social worker advises the prisoner of how he/she can gain access to social work services at a later date.

WORK WITH PRISONERS SUBJECT TO SOCIAL WORK SUPERVISION ON RELEASE

68. All prisoners subject to mandatory supervision on release must be interviewed by prison social work units as follows:

68.1 those subject to supervised release orders: within 21 days of reception (see Chapter 12);

68.2 those sentenced to at least 4 years custody: during the induction/preliminary sentence planning process, for the following basic purposes:

68.2.1 to outline and encourage use of social work services available during the prison sentence;

68.2.2 to inform the prisoner of the parole system and process;

68.2.3 to inform the prisoner of his/her liability to mandatory supervision on release, irrespective of early release on parole.

68.3 those subject to short-sentence licence or compassionate release licence: prior to release, for the purposes of explaining the nature and obligations of the relevant licence.

COMPLAINTS PROCEDURES

Local Authority Complaints Procedures

69. Formal complaints concerning social work practice or personnel in prisons must be dealt with under the complaints procedure of the relevant local authority.

Social work units in prisons must ensure that prisoners can readily access such procedures by ensuring the provision of relevant information concerning their operation, e.g. by use of leaflets and posters.

Scottish Prison Service Complaints Procedure

70. SPS Circular No 11/1996 describes the objectives and operation of the above system.

71. In order to assist the operation of the scheme, the following are regarded as appropriate functions for social work personnel in prisons:

71.1 social workers may assist prisoners on request and where considered appropriate by the worker's line manager, in presenting information to the establishment's Internal Complaints Committee;

71.2 social work personnel should offer witness testimony at the discretion of its chair, to the Internal Complaints Committee.

72. Social work personnel should not serve as members of Internal Complaints Committees.

73. Prisoners who make a written complaint about social work in prisons using the SPS complaints procedure will be advised to use the relevant local authority complaints procedure where the complaint refers to social work professional standards. Other complaints may be dealt with by the SPS procedures including referral to the Scottish Prisons Complaints Commission.