

## SEJD Circular 14/1998

### Extracts Relating to Home Background Reports

2.5.1 Given the unique nature of the Extended Sentence provision, there are several distinctive features to the role of the Supervising Officer. These include:

- regular visits to the prisoner on a 6 or 12 monthly basis, according to sentence length
- any Home Background Report for parole purposes to be informed by such an assessment visit
- increased contact where appropriate with the offender's family

### 3. Importance of information exchange

3.1.1 The Extended Sentence, in order to be effective, requires a significant level of exchange of assessment and other information between social workers in the community, their colleagues in prison units and equally, personal officers, psychologists and other specialists in prisons. This will be a particularly important feature at the following stages:

- following admission and during the initial stages of the custodial sentence
- in the context of visits of Supervising Officers
- at points of significant changes in the prisoner's circumstances, including completion of prison programmes or risk assessments
- in preparation of reports for referral to the Parole Board or other pre-release planning

4.3.3 Factors most commonly found to be criminogenic are:

- financial problems
- employment difficulties
- limited education/ work/ social skills
- poor relationships and/ or social isolation
- negative peer pressure
- alcohol and/ or drug misuse
- mental health problems
- anti-social attitudes to the law and law enforcement

4.3.4 Assessment of the likelihood of **violent offending** is further associated with:

- history of violence
- substance misuse
- mental illness
- for long-term prisoners sentenced to a custodial term of 4 or more years, a prison visit must be made on an annual basis, **with an additional visit as may be required to assist in the preparation of any report for referral to the Parole Board**, thereafter as required by existing National Standards for pre -release planning.

5.4.2 It should be remembered that, in the light of changed circumstances and / or increased assessment of risk, the Supervising Officer might apply subsequently to Scottish Ministers, in accordance with a recommendation of the Parole Board, to introduce an additional requirement as appropriate, in all cases other than where the offender is subject to a Supervised Release Order. Note that all applications go to the Parole and Life Sentence Review Division of the Scottish Executive Justice Department - there is no court role. In the case of Supervised Release Orders the procedures laid down in paragraphs 381 to 383 of the National Standards should be followed. It is important that supervising officers should apply for additional conditions where public protection considerations require this. However any such applications will normally be supported by comprehensive risk assessment and other relevant evidence. This will minimise the possibility of the new condition(s) being successfully challenged via judicial review.

6.3.2 Unless otherwise assessed as inappropriate due to a breakdown in family relationships, each scheduled visit to the prisoner should be preceded by a home visit to the prisoner's family, to keep up to date with the family situation and to foster positive family support. Other than in exceptional circumstances, any Home Background Report on the prisoner, either for temporary leave or parole purposes, should be allocated to the Supervising Officer.

6.4.1 Preparation of Home Background Reports for referral to the Parole Board

The objectives, steps involved in preparation, and content of these reports is covered in detail in the Throughcare National Standards (paragraphs 140-156). For Extended Sentence cases these remain unchanged other than where indicated below. For these cases the Supervising Officer, or other author, must additionally:

- give renewed consideration to the question of risk assessment in line with the guidance offered here and in the related documents noted above
- ensure that the HBR is informed by a visit to the prisoner unless one has been made within the preceding 3 months.

6.4.2 HBR authors will wish to give consideration to the question of **additional requirements** within the extended period of supervision. While authors will have foremost in their minds the importance of managing risk, realism will be required regarding the degree to which the offender may be prepared to engage with the process of supervision on release. There will be little point in committing to an extensive change programme, involving additional conditions and resources, where the offender continues to be resistant. Authors must consider the appropriate balance of activity on supervision, involving continued risk assessment, practical assistance, monitoring and oversight of the offender and access to personal change programmes. In view of the long periods of supervision involved with Extended Sentences, it may prove most helpful for any additional requirements to be framed in enabling,

rather than restrictive, format e.g. “to reside in accommodation approved by the Supervising Officer” or “to take part in specialist programmes as directed by the Supervising Officer”.

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