

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

CHAPTER 4: THE ROLE OF SOCIAL WORKERS IN PRISONS

INTRODUCTION

74. Once a prisoner is due to be considered for discretionary release on parole or life licence a dossier of information to assist the decision-making process is compiled, including reports from prison staff and other professionals with a knowledge of the prisoner and his/her circumstances and (in cases of prisoners sentenced on or after 1 October 1993) a report from the trial judge. The social work department in the area in which the prisoner intends to reside on release is required to provide a Home Background Report offering information about a range of factors which may influence the resettlement prospects of the prisoner on his/her release to that area. The social work unit in the prison is required to provide a separate report.

REPORT FROM SOCIAL WORKER IN THE PRISON (PAROLE/LIFE LICENCE)

Objectives

75. To provide information to assist the Secretary of State and the Parole Board in decision-making about early and conditional release of life sentence and determinate sentence prisoners.

76. To identify and provide an assessment of the risk of further offending on release, taking account of the prisoner's experience of imprisonment, his/her future plans, and the social and family context to which the prisoner will return.

77. To provide an opportunity for discussion of achievable release plans and, wherever possible, to engage the prisoner in general preparation and planning for release.

Process

78. The Governor should ensure that no less than 6 weeks' notice be given to the social worker in prison for preparation and compilation of the report. He/she should have access from the prison to any social enquiry report, the list of previous convictions and a copy of the relevant indictment and the trial Judge's report, where applicable (see paragraph 31).

79. It is essential that social workers in prison consult and liaise with the relevant social work department in whose area the prisoner intends to reside on release. This should take place prior to the compilation of the report but after at least one home visit by the Home Background Report author and one interview by the social worker in prison.

80. The purpose of this consultation and liaison is:

80.1 to ensure the accuracy and consistency of information and advice offered to the Secretary of State;

80.2 to agree a joint assessment of risk of re-offending and levels of required supervision and support;

80.3 to consider what specialist resources are available in the area where the prisoner plans to reside on release;

80.4 from the above consultation, to agree a joint approach and provisional action plan, pre and post release; and

80.5 to encourage a responsible sense of ownership by the prisoner for developing his/her sentence planning and post-release requirements, in conjunction with key support personnel.

Basis of Report

81. A parole report prepared by a social worker in the prison should normally be based on 2 interviews with the prisoner, specifically for the purpose of preparing the report. Where work is already being undertaken with the prisoner, one interview specifically for parole purposes may suffice.

82. In many cases information thus obtained will be supplemented by knowledge based on previous or continuing contact with the prisoner and his/her family and from joint work or consultation with other staff or agencies (e.g. addiction or employment) in the prison.

83. In every case the basis of the report must be stated clearly (e.g. the number of interviews, extent of previous knowledge, contact with the family or other agencies, contact with community-based worker etc.).

84. The source of any information contained within the report must be indicated clearly. Care must be taken to differentiate between fact and opinion.

Content of Report

85. Each report must indicate, assess and comment upon the following areas:

85.1 personal circumstances:

85.1.1 domestic arrangements;

85.1.2 accommodation on release;

85.1.3 any changes to these during sentence;

85.1.4 any significant health issues.

85.2 attitude to offence

85.3 attitude to present sentence

85.4 attitude to and plans for release

85.5 response to imprisonment:

85.5.1efforts to address his/her offending behaviour and its causes;

85.5.2use of educational opportunities (any skills/qualifications obtained);

85.5.3prison work/training (especially any vocational training undertaken);

85.5.4contact with social work unit and involvement in any social work programmes (specify details);

85.5.5prisoner's perception of his/her relationships with staff/prisoners;

85.5.6any significant pattern of disciplinary reports.

85.6family/other significant relationships

85.6.1prisoner's account of the nature and frequency of contact during sentence (visits/letters): the frequency of visits can be checked against prison records;

85.6.2prisoner's views about his/her family/domestic situation (especially any recognition of possible difficulties) and his/her attitude on return.

85.7employment:

85.7.1employment record;

85.7.2intentions and attitudes to employment/training;

85.7.3recreation activities;

85.7.4associations/peer group (especially any co-accused).

85.9alcohol/drugs/gambling:

85.9.1prisoner's use of these;

85.9.2prisoner's attitudes to these;

85.9.3evidence of any problem in relation to these/action taken to address any such problem.

85.9supervision:

85.9.1attitude to and experience of supervision;

85.9.2previous response to supervision and social worker's comment on this.

85.10availability of specialist resources in community, e.g. alcohol/drug counselling projects; supported accommodation; pre-employment training etc., from voluntary and/or statutory sector as part of a potential release plan.

85.11assessment of risk of further offending.

86. Social workers should seek to provide a package of proposals intended to minimise the risk of the prisoner re-offending if the Secretary of State were to decide to release the prisoner on parole.

87. Social workers must ensure that factual information is provided in relation to each of the above areas. It is of particular importance that they should, wherever possible:

87.1 comment on the information obtained;

87.2 seek to identify pattern of behaviour;

87.3 seek to identify changes in circumstances, behaviour etc.; and

87.4 identify any particular needs and, where possible, suggest services to meet these.

88. The report should include a provisional Action Plan outlining:

88.1 work to be undertaken with the prisoner prior to release; and

88.2 where appropriate, the nature of work to be undertaken following release including any specialist services/requirements which may be needed.

REPORTS FROM SOCIAL WORKERS IN THE PRISON (NON-PAROLE LICENCE)

89. Prisoners sentenced to 4 or more years of custody on or after 1 October 1993, who are not released on parole supervision, will be discharged on mandatory supervision on reaching two-thirds of their sentence.

90. The Secretary of State is required to consult the Parole Board where he intends to impose a non-standard condition in the supervision licence.

91. Such consultation can take one of 2 forms:

91.1 consultation based on previous Parole Dossiers in respect of the prisoner; or

91.2 where a prisoner has refused to be considered for parole, reports obtained from prison staff.

92. Should the prison staff reports suggest the desirability of imposing any non-standard conditions, the Secretary of State, at his discretion, may request a Home Background Report (HBR) and a report from the social worker in the prison.

93. Although the requests for such reports from the Parole Board or Secretary of State for Scotland will be infrequent, the objectives remain the same as for parole and life licence reports. (See paragraphs 78 to 88)

94. Should such a social work report from prison be requested, it should be noted that there is no power to compel the prisoner to agree to be interviewed, if he/she is not willing to co-operate. Nevertheless, social work units in prisons should seek to engage with such prisoners and explain to them:

94.1 the procedure and its purposes;

94.2 the mandatory nature of social work supervision on release, together with the sanctions available for non-compliance; and

94.3 the advantages and benefits available to the prisoner through co-operation with the process.

95. Where a prisoner is willing to co-operate, the full procedures outlined in relation to parole reports should be followed (see paragraphs 78 to 88 above).

Process

96. Social workers in prison must always confirm that the prisoner understands the process and ensure that he/she understands the nature of statutory supervision following release.

97. It is essential that social workers in prison consult and liaise with the relevant local authority social work department in whose area the prisoner plans to reside on release in order to ensure the accuracy and consistency of the information and advice offered to the Secretary of State.

Basis and Content of Report

98. The basis and content of any report should, as far as possible, reflect the arrangements for parole and life licences outlined at paragraphs 81 to 88 above.

99. If a prisoner decides not to co-operate in the preparation of a report, the social worker must compile a report based on any information already available to the social work unit (for example, on previous contact with the prisoner), and must advise the prisoner of this. The prisoner must also be advised that he/she will be given the opportunity to see and comment on this report.

100. The social worker should draw on information contained in the social work unit's own files where there has been previous contact with the prisoner, and on any relevant information contained in the prison file. The social worker may also seek the views of prison staff or other professionals with a knowledge of the prisoner, but must not contact the prisoner's family or friends for information.

101. In particular the social worker must try to identify any particular risks which the prisoner might pose on his/her release, and should offer a view as to the desirability of any specific condition in the licence which might reduce this risk.

102. Social workers in prisons should, therefore, pay particular attention to any issues surrounding alcohol or drugs use by the prisoner; the prisoner's response to any specific counselling or intervention programmes during his/her sentence; and to any changes in the prisoner's own circumstances (or those of his/her family, if known) which might influence resettlement prospects.

103. The social worker must provide the prisoner with a copy of the report and should offer to discuss it with him/her. The prisoner must also be advised that he/she may write to SOHD if there are any aspects of the report with which he/she disagrees.

Prisoner Access to Reports

104. The social worker must discuss the content of any non-parole reports with the prisoner. Those prisoners who are involved in the parole process will, in any case, normally see the full Parole Dossier in due course. For those prisoners who opt out of the parole process, social workers must discuss the content, and provide a copy, of any social work report requested by the Secretary of State. Further information on prisoner access to reports is contained in Chapter 10 on Disclosure.