

Serious and Sex Offenders Briefings

Sentence Progression

This briefing paper explains what happens after someone is convicted of a sex offence and given time in prison. It has been drafted by Prison Reform Trust and Action for Prisoners' Families as part of a project funded by the Nationwide Foundation and the Pyke Trust, looking at the needs of the families of serious and sex offenders. It is one of a series of papers which will be available to download from the internet.

Making progress

Shortly after conviction and sentence, your family member will be categorised. This means that the local prison where they were sent from court will assess them. The prison will decide what kind of security conditions they need to be held under – i.e. how likely they are to escape. Your family member will then be allocated to another prison and transferred. There is more information in PSO 0900, Categorisation and Allocation. Prison Service Orders (PSOs) are documents that explain the Prison Service regulations. You can download them on the Prison Service website:

<http://www.hmprisonservice.gov.uk/resourcecentre/psispsos/listpsos/index.asp?startow=51>.

Offender management

Offender management is the term used by the Prison Service to explain the process by which the prisoner's time in prison and on licence is managed to reduce the risk of reoffending. Some prisoners will have an offender manager. The prison will tell your relative whether they have one and who they are. The offender manager will be someone from the probation service who should work with your family member throughout their time in the system. The offender manager will help your family member to think about things that might lead them to offend again and help them to change their behaviour.

Risk assessment

Prisons and probation use the Offender Assessment System (OASys), to assess how much of a risk your family member is. They should be involved in the assessment and will be asked about the offence(s). They will be asked to answer some questions. Your family member should be shown what is written about them and given a copy of their OASys report. They will have regular reviews to check that they are making progress.

Sentence plan

Following the risk assessment, the offender manager or probation officer will write a sentence plan. This is for your family member to follow though the whole sentence, including any licence period. The sentence plan could include goals about changing behaviour and getting help with any drug and alcohol problems. They may also have an offender supervisor and/or personal officer to help them keep to the plan. If your family member is in a young offenders institution (YOI) they will have a personal officer who may also be in contact with you. These people will talk to the offender

manager/probation officer about your family member's progress. Your family member should meet with these people once a year to review progress.

The sentence plan will be used to make decisions about where your family member works in the prison, and whether they get temporary release (see below).

The Parole Board will use the sentence plan to assess whether they have reduced their risk when they apply for parole. Anyone serving 12 months or more will have an OASys assessment and a sentence plan. You can find more information in PSO 2205.

Family involvement in sentence planning

Some prisons will ask family members to be involved in sentence planning. However, this does not happen everywhere and the regulations do not say that it has to. You might find that you are asked to attend a sentence planning meeting, a SOTP review or a meeting with an offender manager.

Release on Temporary Licence (ROTL)

Temporary release means that they your relative be able to leave the prison for work, training or to attend interviews or meetings. This will only happen if the prison says they are safe enough to be released temporarily. There will also be conditions they have to follow. There is more information in PSO 6300.

Offending Behaviour courses

The prison or YOI may ask your family member to attend groups or courses to help them to stop offending. These courses are designed to meet particular needs and reduce the risk of re-offending. The programmes vary between prisons and not all are available in every prison. The programmes include courses designed to reduce violent behaviour, manage emotions, increase thinking skills and reduce sexual offending.

Sex Offender Treatment Programmes (SOTP)

The aim of these programmes is to reduce sexual and violent offending. They will be offered according to the risk and needs of your family member. Anybody convicted of a sex offence will be assessed to see if they are suitable for these courses. They are voluntary and prisoners can refuse to take part.

The groups are usually made up of people who have committed different types of offences. Priority for treatment is based on need and time left until release. The courses are delivered by psychologists and specially trained prison officers. The courses and what is said during the course is confidential and all participants have to agree to this by signing a contract.

There are currently seven SOTP courses:

- **Core SOTP** addresses a range of offending behaviour and looks at thinking patterns, victims, understanding risk and using strategies to stop offending.
- **Extended SOTP** is for people who have completed the core programme and need to do more work on their offending behaviour. It covers emotions, relationships and triggers to offending.
- **Rolling SOTP** is the same as the core programme but group members can join and leave at different times.

- **Adapted SOTP** is similar to the core programme and designed for those needing support with literacy.
- **Better Lives Booster Programme** is for those who have completed the core and extended programmes and are assessed as needing a refresher course and support planning for release.
- **Adapted Better Lives Booster Programme** is the above course with additional literacy support.
- **Healthy Sexual Functioning Programme** is for people assessed as needing to work on specific deviant or disordered behaviour.

MAPPA

MAPPA stands for **Multi-Agency Public Protection Arrangements**. It is the way police, probation and prison services work together with other agencies to manage violent and sexual offenders and protect the public from harm. It does not apply to all prisoners. Your family member will be told if it applies to them and what this means.

Anyone convicted of a sex offence will be assessed to find out the risk of harm they pose to themselves as well as the public. Risk management plans are devised to manage those risks, which will involve sharing information between the police, prisons and probation. Depending on the circumstances of the case, it may be necessary to assess whether your family member presents a risk to children. The assessment will help staff decide what, if any, form of contact with children they are allowed. You can find more information about MAPPA IN PSO 4745.

If they have been convicted of a sexual offence they will have to register with the police when they are released. Their names will be put on the Sex Offender Register. A separate briefing on the Register is available on the APF website.

Sentence progression

The prison system is currently very overcrowded and resources are stretched. This can mean that there are delays getting transfers or long waiting lists for courses. If your family member is worried that they are not making progress, they could seek advice from a solicitor specialising in prison law.

Maintaining Innocence

Your family member may be maintaining their innocence. The Prison Service sometimes call people in this situation 'deniers/refusers'. This can make it more difficult to make progress in the sentence. It will mean that they will not be suitable for some offending behaviour courses.

You may also find that this will impact on your family member's IEP (Incentives and Earned Privileges) level. Enhanced status is a privilege given to those who meet certain criteria. These criteria usually include following the sentence plan, which may contain offending behaviour courses. Your family member may be unsuitable for or refusing to do an offending behaviour course. This means that the Prison Service may refuse to give your family member enhanced status. The courts have decided that the Prison Service is acting lawfully in doing this.

It is important that family members get legal advice if you find there are difficulties caused by the prisoner maintaining their innocence.

Maintaining innocence and parole

The law says that the Parole Board has to accept that your family member is guilty. It may still decide to release them if Parole Board members believe the family member will not commit crimes on parole. The Parole Board does release people who say they are innocent. Your family member will have to show that they are not a risk to the public. If the Parole Board refuses release only because the prisoner maintains their innocence, your family member can challenge the decision and get the case looked at again.

Parole

Your family member may be eligible to apply for parole. Parole is not granted automatically. Parole is considered on the basis of reports from various people such as prison officers, psychologists, offender managers and others. These reports cover the nature of the offence, home circumstances, release plans, behaviour in prison and progress made in prison. The parole process starts six months before the earliest date of release. The reports will be considered by the Parole Board and your family member might have to attend a hearing. If your family member is granted parole, they will be given licence conditions and supervised in the community.

Licence

The licence period is when someone is in the community but being supervised by the probation service. This is part of the sentence and the period varies. Your family member should be told how long the licence will last. You can find more information about this in PSO 6000.

Action for Prisoners' Families and Prison Reform Trust have done our utmost to provide accurate, up-to-date and unbiased information but we cannot be held responsible for any changes in legislation or for developments in policy since this information was published.

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