Foreword

During the year 2000, the Probation Board agreed interim standards for probation practice with the Northern Ireland Office. The interim standards covered the preparation of Pre-Sentence Reports, Probation Orders, Custody Probation Orders, Combination Orders and Community Service Orders. Collectively these became known as the Core Standards and were implemented on 1 November 2000. At that time it was also agreed that, over time, the interim standards would be subject to review and revision resulting in a comprehensive set of Northern Ireland Standards for the assessment, management and supervision by the Probation Board of all offenders made subject to Community Sentences, Custody Probation Orders, Statutory Licences as well as the provision of Reports to Courts and the Life Sentence Review Commissioners.

An independent review and expansion of the interim standards took place during 2004-05 which has resulted in this revised manual for probation practice in Northern Ireland. Review, revision and upgrading of the Standards have been informed by, and driven by, a number of factors which include:

- the circa 2000 agreement with the Northern Ireland Office;
- additions and changes to criminal justice and related legislation;
- increasing demands for protection of the public from crime and its effects;
- lessons learned from application of the interim standards to daily practice;
- the outcomes of four years of monitoring practice and periodic internal audits;
- a raft of recommendations which reflect the findings of successive external reviews and inspections.

PBNI Management and Staff are to be commended for their commitment and diligence in working to the interim standards which has led to a more informed, disciplined and rigorous management of the supervision of offenders in the community.

Quality measures which are central to the eventual success of the revised standards provide an even more demanding agenda for PBNI as a whole and have the potential to demonstrate the strength of the organisation’s contribution to creating a safer community.

Following on a running in period the Northern Ireland Standards will take effect from 1 September 2006 and will be subjected to an independent review during 2009-10. In the interim, amendments will be issued in response to any changes of legislation or if urgently required from the findings of monitoring, audit, inspection or review. Authority for issuing amendments rests with the Director of Operations.
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- Service Requirements 6-13

Interim November 2009

Determinate, Extended, and Indeterminate Custodial Sentences.
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Interim 08/01/10
General Introduction

1. Authority

These Standards are approved by the Northern Ireland Office to take effect from September 2006. The Standards set out the levels of service and practice required of the Probation Board for Northern Ireland (PBN1) in relation to its assessment, management and supervision of persons who have been made subject to Community Sentences, Custody Probation Orders or Statutory Licenses as well as for the provision of reports to courts and the Life Sentence Review Commissioners. The Standards also define the related Service Requirements and monitoring practices together with required quality indicators and measures.

The NIO shall be informed promptly in the event of any significant inability by the PBN1 to discharge its duties in line with these Standards.

2. Aims

The aims of the Standards are to provide a framework for the effective supervision of offenders and to continuously improve service provision by:

- setting clear requirements for supervision which are understood by all concerned;
- enabling the professional judgment of managers and practitioners to be exercised within a framework of accountability;
- placing priority on the protection of the public from harm and reducing the likelihood of re-offending;
- underlining the importance of the effects of crime on victims; and
- ensuring that sentencers and the public can have confidence that PBN1 supervision of offenders is an effective means of helping those offenders become more responsible citizens.

3. Accountability

The Standards provide a clear and consistent framework within which work with offenders can be planned and decisions justified. They provide a basis for accountability in individual cases and as a measure of the work of the service as a whole. The Chief Executive Officer is accountable to the Probation Board for ensuring that the Standards are consistently applied in practice (see Section 5.4 – Page 7). In turn the Probation Board is accountable for providing information required by the Secretary of State from time to time in relation to adherence to the Northern Ireland Standards.

4. Responsibility and Application

It is the responsibility of all practitioners and their managers to familiarise themselves with all requirements set out in this manual and to consistently apply them in assessing, planning and carrying out all work with offenders for whom they have supervisory or management responsibility. Application of
the Standards should not be a mechanical exercise. The benefits of Standards may be diminished unless they are applied with thoughtful discipline, sound judgment and in the context of a probation officer’s legal duty to “advise, assist and befriend” offenders placed under his/her supervision. (Duties of a probation officer can be found at Article 14A in the Probation Board (Northern Ireland) Order 1982). This duty is central to a professional relationship which is based on mutual trust and respect and which is the primary vehicle for engaging the offender in a process of personal change.

The Standards and related Service Requirements together with the quality requirements provide an ordered and disciplined approach to offender supervision and have the potential to produce a credible and high quality delivery of service.

If circumstances prevent a practitioner from meeting a routine requirement, all that is required is to enter a full explanation of those circumstances in the record of supervision. However, if inability to carry out any requirement has the potential to compromise public safety or the safety of the offender then the Area Manager (or ACO) shall be consulted without delay.

Within the bounds of public and/or offender safety Area Managers may exercise discretion and permit variance from a Standard where circumstances indicate that that is appropriate in a particular case. Where variance from a Standard is approved the Area Manager shall enter the reasons into the record of supervision together with the date and his/her signature.

The Standards, Service Requirements and all quality measures shall be applied from day one to all new Orders made on or after the implementation date and to all existing cases from the first review due after the implementation date.

5. **The Relationship Between Standards and Service Requirements**

In each section of the manual the Standards are printed on white paper followed by the related Service Requirements which are printed on green paper. The Standards provide brief statements of what must be done whilst the Service Requirements provide additional information and guidance which amplify each Standard. The Standards and Service Requirements are of equal importance.

6. **Core Standards and Levels of Application**

All sections of the manual, with the exception of the last three sections, set out ‘core’ Standards. The last three sections which cover supervision of ‘listed’ high risk cases, sex offenders and young offenders (other than Juvenile Justice Centre Orders) set out the higher levels of application of ‘core’ Probation Order Standards required for these categories of offender.

Depending on the nature and level of seriousness, management and supervision of a single case may demand that, during the life of the order, managers and practitioners apply two sets of core Standards as well as taking
account of up to three higher levels of application of ‘core’ Probation Order Standards. For instance, a person who is under the age of eighteen, who is convicted of sex offences, assessed as posing a high risk of harm to others, is subsequently ‘listed’ as dangerous and then sentenced to a Custody Probation Order would fall into this category.

7. **Monitoring, Audit and Inspection**

The Probation Board is responsible for ensuring that there are effective systems in place which monitor compliance of practice with the Standards. Monitoring systems and practices should be subjected to continuous evaluation by senior managers. Occasional management audits should be used to check the efficacy of the flow of monitoring information.

The results of monitoring and audit activity and any consequential management decisions shall be made available, on request, to the Criminal Justice Inspectorate/Social Services Inspectorate to assist in periodic external inspection of PBNI compliance with the Northern Ireland Standards.

8. **Relevance and Access**

A thorough knowledge, and understanding, of the Standards in general is required of all PBNI practitioners and managers and as related to their designated responsibilities in particular. To this end copies of the Standards must be immediately available, at all times, to all practitioners and managers.

Copies of the manual should be made available to sentencers, statutory criminal justice agencies, relevant voluntary agencies, victim agencies and community partners of PBNI. Arrangements should be made for ease of access to the Standards by offenders supervised by PBNI and the wider public. The Standards should be entered on the PBNI website in their totality.

9. **Equal Opportunities**

The work of all PBNI staff, and all others who work in partnership with PBNI, shall be free of discrimination in terms of all groupings set out in Section 75(1) of the Northern Ireland Act 1998.

Not all offenders in a multi-racial community can be expected to understand or respond to the English language. All information provided for, and/or instructions given to, an offender shall be in a language which the individual is able to understand. Where language or hearing difficulties may impair effective communication with an offender the services of an accredited interpreter should be employed. Particular attention must be given to the importance of clearly explaining all written materials to those who have limited reading skills. Offenders whose first language is not English, who are disabled, who are female or who have dependants should not be disadvantaged or not have equal access to PBNI services if they are deemed suitable. All staff should, in particular, take account of the impact on female offenders,
offenders from a different ethnic background and offenders who are disabled. This is particularly important in terms of:

- availability of groupwork programmes for female offenders
- availability of supported accommodation
- involvement of partner agencies.

10. Timescales

Wherever the Standards require an action to be taken within a given number of days, this means working days calculated on a five day week.
Improving Performance

Monitoring

1. A monitoring system can only be considered effective if it is capable of informing management decisions which in turn lead to improved performance, increased quality of practice and ultimately to securing the aims of the organisation.

2. An effective monitoring system can be viewed as a pyramid of checking devices which, if applied in a diligent manner, has the capacity to provide continuous and accurate information about where good practice exists and is also able to pinpoint where, and by whom, performance and practice needs to be improved.

3. Checking adherence to Standards and assuring quality of performance are shared responsibilities. Practitioners and managers at all levels in the organisation have important roles to play. A hierarchy of monitoring responsibilities is set out at Section 5 below.

4. In line with PBNI Risk of Harm to Others policy frequent monitoring of listed cases is of particular importance. The policy requires a Risk Management Meeting to take place in the presence of the Area Manager at 16 week intervals or more frequently where circumstances indicate the need.

5. Monitoring Hierarchy

5.1 Probation Service Officers

At the first level, PSOs are responsible for carrying out all delegated tasks in keeping with all of the relevant Standards and Service Requirements and to sign an affirmation to this effect.

5.2 Probation Officers

Probation Officers have four responsibilities. Firstly, to check and affirm that, in each case, all routine requirements have been met within the required timescales. Secondly, to check and affirm that in all instances where practice has fallen short of Standards and Service Requirements that reasons have been fully recorded. Thirdly, probation officers have the important task of ensuring that they have applied the required quality measures when: completing risk assessments and reviews; when formulating supervision plans and reviews; throughout the process of implementing supervision plans; when arranging and managing transfers of supervision and when terminating cases. Lastly, Probation Officers have a duty to ensure that all work delegated to a Probation Service Officer emphasises a requirement to meet the relevant Standards and Service Requirements.
5.3 **Area Managers**

At the next level Area Managers have the key responsibilities for ensuring that, across the team workload, continuity of risk assessments, the PSR gatekeeping process, risk management, supervision planning and implementation of plans is in place and in accord with required quality measures. Also that supervision transfers and case closures are managed in accord with all quality requirements.

Area Managers **should acknowledge and record good practice of, as well as improved performance by, practitioners.** In the quest for continuous improvement Area Managers should concentrate time and effort at two levels. Firstly focusing on strands of practice which the team as a whole need to improve the quality of and, secondly, to focus on individual practitioners who have been identified as needing extra guidance, instruction, coaching or training to raise the quality of their performance.

Area Managers are required to maintain an up to date log of their monitoring activity which must be recorded to the approved format and submitted at quarterly intervals and, at other times, if requested by a senior manager. A sample Area Manager quarterly monitoring return is appended to this section.

5.4 **Assistant Chief Officers**

It is the joint responsibility of the Assistant Chief Officer group to assure incremental improvements in the quality of performance and practice across the organisation by securing improvements in and the effectiveness of Area Manager monitoring practice.

Each ACO should require all Area Managers within his/her area(s) of responsibility to produce their up to date monitoring logs at quarterly intervals. (Intervals should be co-ordinated across ACO boundaries). Using the approved format each ACO should analyse and aggregate his/her findings from Area Manager monitoring logs. These findings, together with a detailed statement of the ACO’s own remedial responses, should be submitted to, and at times required by, the Director of Operations.

At random intervals, and in tandem with other duties when attending area offices, each ACO should select and review one or more case records without giving prior warning to the record keeper. Selection of issues for review should be governed by the known strengths and weaknesses of Area Manager monitoring and/or from the caseloads of practitioners who have been identified as requiring additional guidance and assistance. ACOs are required to provide written feedback about their findings to Area Managers.

5.5 **Director of Operations**

The Director of Operations is pivotal to the drive for, and coordination of, the quest for continuous improvement. To assist the CEO and the Probation Board to fulfil their responsibilities as set out in Section 3, Page 1, the Director
of Operations shall provide a quarterly report which summarises the collated monitoring results for the previous quarter together with next step decisions. In addition the CEO shall be informed, without delay, of any potential inability of the service, or any part of the service, to discharge its duties in line with the NI Standards. He/she should ensure that monitoring development is kept high on the agenda at all levels of the organisation. At senior management level the Director should require each ACO to submit composite monitoring reports by pre-determined dates which are set at quarterly intervals. The collated results of these reports should be used to inform next step management decisions in the drive for improved practice and results.

6. **Management Audit**

Occasional management audits should be used to test the efficacy and effectiveness of monitoring practice. The results of a first such audit might be used to set quality development benchmarks which could be tested through the ongoing monitoring process and further thematic audits.
Area Manager Quarterly Summary of Monitoring Activity  
(To be compiled at the end of each quarter from monthly work sheets of a similar format)

Quarter ending: First quarterly return – 31 August 2006

<table>
<thead>
<tr>
<th>Category</th>
<th>Figures</th>
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<tbody>
<tr>
<td>Total number of live cases on team workload at 31.8.06</td>
<td>201</td>
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<tr>
<td>Total number of PSRs submitted to courts during the quarter</td>
<td>67</td>
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<tr>
<td>Number of new cases allocated during the quarter</td>
<td>21</td>
</tr>
<tr>
<td>Number of cases terminated during the quarter</td>
<td>17</td>
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<tr>
<td>(of these, 3 were terminated by the Court on grounds of good progress and 1 more was varied to a conditional discharge)</td>
<td></td>
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<tr>
<td>Transfers in during the quarter</td>
<td>1</td>
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<tr>
<td>Transfers out during the quarter</td>
<td>2</td>
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Total number of cases reviewed by me during the quarter = 61

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<td>CSO</td>
<td>11</td>
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<tr>
<td>Combination Orders</td>
<td>3</td>
</tr>
<tr>
<td>CPO (Pre-release)</td>
<td>4</td>
</tr>
<tr>
<td>CPO (Post-release)</td>
<td>7</td>
</tr>
<tr>
<td>Lifers (Pre-release)</td>
<td>1</td>
</tr>
<tr>
<td>Lifers (Post-release)</td>
<td>3</td>
</tr>
<tr>
<td>Article 26 (Pre-release)</td>
<td>1</td>
</tr>
<tr>
<td>Article 26 (Post release)</td>
<td>1</td>
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<tr>
<td>JJCO</td>
<td>5</td>
</tr>
<tr>
<td>Inescapable voluntaries</td>
<td>0</td>
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Focii of reviews:  
Risk assessments (new cases) = 21  
Risk assessment reviews = 18  
Work plans (new cases) = 21  
Progress reviews/revised plans = 18  
Terminated cases = 17  
Transfers in = 1  
Transfers out = 2  
PSRs = 21

Level of assessed risk of cases reviewed:  
Listed = 11  
High risk but not listed (ACE score of 30 or higher) = 14  
Not assessed as high risk = 36

Number of approved posts in team: = 6  
Number of staff currently in post: = 6  
Number of staff who had work reviewed during this quarter: = 6
Progress during this quarter: (The Area Manager’s comments under this section should identify actual progress made by the team as a whole and/or by individual team members. Areas of practice which still require improvement by the team as a whole or by individual members, together with action taken/planned, should be described. For example see below).

I have been encouraged by actual progress made by the whole team in relation to terminations and transfer of cases. During the quarter I have reviewed 20 cases which fall into these categories and have only had to require small improvements in 3 of those cases before signing them off.

Although there is still room for further improvements I have observed discernible improvements in the quality of new risk assessments by five members of the team. The exception has been Deidre Bell who has been required to carry out retrospective improvements to risk assessments related to all six new cases allocated during the period.

Again with the exception of Deidre Bell, risk assessment reviews have shown some improvement but I have had difficulty in securing any improvement in revised work plans in cases which existed prior to 1 June 2006. This is because the previous work plans do not meet with current quality requirements.

Until first reviews are completed on cases which commenced on or after 1 June 2006 I will not be able to form a measured opinion of whether implementation of improved work plans has improved. A cursory inspection of contact sheet recording in new cases indicates that not much will have changed. I believe that this is going to be a major area of learning for the whole team including me. I understand from Area Manager colleagues that this has emerged as a common problem.

I believe that my own monitoring practice has improved since I started to review key events in cases immediately after they occurred. For instance reviewing and commenting on the quality of initial risk assessments and initial work plans no later than the end of the fourth week of every new Order being allocated. I also find monitoring less time consuming and at the same time of more relevance since I have focused on common strands of work instead of laboriously reviewing complete cases.

In summary, Jim Merton and Alison Jepson seem to have made most progress during the quarter and I would expect them to continue to progress steadily. The three second year officers Adam Smyth, Sile Dougan and Fiona May have shown willing and with my support will continue to improve their all round performance. Deidre Bell, the longest serving officer in the team has shown resistance to all my efforts to help her improve her performance. In her recent appraisal I have already commented on her poor response to training and her openly expressed attitudes to current quality requirements. Both issues are now subject to dispute.

Monitoring outline for next quarter: (This section should indicate the volume and nature of the Area Manager’s intended monitoring activity during the incoming quarter which should be directly related to lessons of the quarter reported on above).
During the next quarter I intend allocating my monitoring time as follows:

- maintain progress to date by reviewing and signing off all terminations and transfers in line with quality requirements;

- review risk assessments and work plans related to all new cases no later than the end of the fourth week of the Order. This group of cases will include two CPOs completing the custody phase and one lifer commencing licence;

- review the updated risk assessments, work plan reviews and revised work plans in 18 cases which were new Orders made during the last quarter. Each of my reviews will take place within one week of the due date of the PO’s review;

- review the Enforcement Records of all listed cases held by the team at least once;

- review 50% of PSRs where I have required third party monitoring plus 10% of other PSRs.

My monitoring activity will be focused mostly on the work of the three second year officers and Deidre Bell whilst keeping reasonable oversight of the work of the other two team members.

I am encouraging Jim Merton and Alison Jepsom, who already work well together, to support each other in their efforts to make yet further improvements in terms of all quality requirements. We will meet monthly to review their joint progress.

I have already commenced joint supervision of the three second year officers. During this quarter supervision of these three officers will concentrate on securing further improvement in the quality of risk assessments and initial work plans.

At an early date I would wish to discuss how best to proceed with the difficulties I am having with securing the cooperation of Deidre Bell.

Monica Torr
Area Manager
Legislation

1. There is a plethora of legislation which impinges directly or indirectly on the work of employees of the Probation Board. What follows is a guide for probation officers and other professional employees to the key pieces of legislation which give authority to, or informs and guides the work of the service and of which all professional employees of the Probation Board must have a working knowledge.

2. Each section of this manual provides an introduction, each of which commences with a brief guide to the legislative powers which give authority to the involvement of probation officers and other employees of the Board with court defendants and those persons who receive Community Sentences, Custody Probation Orders or those who are released from prison and who are subject to Statutory Licence when so released.

3. Set out below is a list of the main pieces of legislation which impact upon and/or give support to the work of probation officers and other employees of the Probation Board.

- The Criminal Justice (Northern Ireland) Order 1996;
- The Probation Board (Northern Ireland) Order 1982;
- The Criminal Justice (Children) (Northern Ireland) Order 1998;
- The Children (Northern Ireland) Order 1995;
- The Sex Offender Act 1997;
- The Sexual Offences Act 2003;
- Criminal Justice (Northern Ireland) Order 1998 Sex Offender Orders Guidance;
- Life Sentence (Northern Ireland) Order 2001;
- Life Sentence Review Commissioners Rules 2001;
- The Treatment of Offenders (Northern Ireland) Order 1988;
- The Housing Support Services (Northern Ireland) Order 2002;
- The Rehabilitation of Offenders (Northern Ireland) Order;
- The Northern Ireland Act 1998;
- The Data Protection Act 1998;
- The Criminal Law Act 1967 (as amended by the Criminal Law Act 1977);
- The Human Rights Act 1998;
- The Freedom of Information Act 2000;
- The Family Homes and Domestic Violence (Northern Ireland) Order 1998;

4. Two pieces of legislation from the list above are singled out for particular attention at i) and ii) below because they are important in their own right and are central to the work of all professional staff employed by the Board regardless of what responsibilities have been allocated to them for the time being.
i) The duties of a probation officer

Schedule 5 of the Criminal Justice (Northern Ireland) Order 1996 deals with repeals and amendments. Paragraph 14 of the schedule sets out the duties of a probation officer and requires these to be inserted as a new Article 14A in the Probation Board (Northern Ireland) Order 1982.

The new Article 14A spells out the first duty of a probation officer as follows:

a) “to supervise persons under their supervision and to advise, assist and befriend those persons.”

Standards and Service Requirements provide an essential framework for good practice but it is important that supervision takes place, and that Standards are applied, within the context of a positive and constructive relationship within which supervisor and supervisee accord each other respect. The duty to advise, assist and befriend is central to such a relationship and is the main vehicle for promoting, achieving and sustaining personal change in the attitude and behaviour of the supervisee.

ii) Requirement to disclose information about offences
(see also PBNI Disclosure Policy)

All employees of the Probation Board should be aware that information gained from or about persons under their supervision, or any other person, is in no way privileged and must be disclosed if it is believed that person has committed an arrestable offence.

Article 5(1) of the Criminal Law Act 1967 as amended by the Criminal Law Act 1977 states:

“Subject to the succeeding provisions of this section, where a person has committed an arrestable offence, it shall be the duty of every other person, who knows or believes:

a) that an offence or some other arrestable offence has been committed; and
b) that he has information which is likely to secure, or to be of material assistance in securing the apprehension, prosecution and conviction of any person for that offence;

to give that information, within a reasonable time, to a constable and if, without reasonable excuse, he fails to do so he shall be guilty of an offence and shall be liable on conviction on indictment to imprisonment according to the gravity of the offence about which he does not give that information . . . .”

Article 5(1) i), ii), iii) and iv) set out the penalties (for non-disclosure) according to the gravity of the offence about which information has not been given.
The Management of Risk

Introduction

1. What is Risk Assessment?

Risk assessment within an offending context refers to the formal process of determining and evaluating the Risk of Serious Harm posed by an offender and identifying those factors which contribute to the offending behaviour. It is about making an informed judgement about whether or not, in what way, to whom and in what circumstances an offender is likely to cause Serious Harm to others.

Risk is dynamic in nature which requires the risk assessment process to also be dynamic so as to be able to include new information and insights, changes in circumstances, attitudes and behaviour on a continuous basis. Risk assessment is integral to the risk management process and while it is a complicated and difficult task it can contribute to helping prevent further offending and victimisation.

2. Why assess and manage risk?

In our work, we help to prevent re-offending by assessing offenders, challenging their offending behaviour, seeking to change their attitudes and behaviour and thereby protecting the public.1

The impact of crime on victims and the prevention of further victimisation is central to our engagement with offenders.2

PBNI regards high quality risk assessment as critical at all stages in our contact with offenders.3 Risk assessment is essential to all effective interventions with offenders. It also provides the basis for defensible decision making at all stages of contact with offenders. It achieves this by:

- Identifying risk factors;
- Matching the intensity of the interventions with risk levels;
- Providing regular review and by updating assessment feedback.

Effective risk assessment requires constant vigilance as well as a pro-active, investigative approach.


The complex nature of offending requires a rigorous and thorough risk assessment to take place. The current PBNI approved assessment tools are the Assessment, Case Recording and Evaluation (ACE) and the RA1 Risk of Serious Harm. Both ACE and RA1 assessment of the Risk of Serious Harm shall be completed in relation to all cases where a risk of serious harm to others is indicated.

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1 PBNI Corporate Plan 2008-2011 pg 7
2 PBNI Corporate Plan 2008-2011 pg 10
3 PBNI Corporate Plan 2008-2011 pg 24
Both ACE and RA1 separately and together promote a searching enquiry into and evaluation of, the offender’s: past and present offending; present circumstances; experiences; relationships; skills; habits; social supports; behaviours and attitudes.

ACE provides an assessment of the likelihood of general re-offending over a 2 year period while the RA1 provides a structured process for assessing the Risk of Serious Harm to others through the gathering, verifying, analysing and evaluating relevant information.

Additional approved assessment tools shall be used to complement ACE and RA1 as deemed necessary.

The victim is central to the offence. It is therefore essential for all those involved in the Risk Assessment and Management of offenders to keep a victim perspective in focus.

Whilst it is not possible to eliminate risk completely the risk assessment and risk management processes need to be rigorous and based on defensible decision making.

4. Functions of Risk Assessment.

A comprehensive and rigorous risk assessment gives structure to the enquiry process and provides information, knowledge and analysis on which to base a sound PSR. Sound risk management is also a vital foundation on which to build relevant Supervision and Risk Management Plans. In turn this can help to minimise the Risk of Serious Harm to victims and potential future victims and contribute to protection of the public.

The continuous and dynamic nature of risk assessment and review is the means of providing indicators for identifying the need to adjust supervision / Risk Management Plans and making proper enforcement decisions.

Risk assessment helps target the most intensive use of resources on those offenders who are considered to pose a Risk of Serious Harm to others.

The PSR is the process by which PBNI presents information, including a risk assessment, to the court for consideration.

Any significant decision making during the life of an order or licence shall be informed by a full and up to date risk assessment.

5. Who has responsibility for Assessing Risk?

The PSR writer at the pre sentence stage and/or the allocated supervising officer at all other stages of imprisonment and probation supervision shall ensure that ACE, and where appropriate, a full RA1/r assessment is completed.
The supervising officer has the responsibility for carrying out a substantive review and re-evaluation of ACE and, where relevant an RA1/r, at agreed times as outlined in the relevant PBN1 Standards for each type of Order or Licence.

A Risk Assessment shall also be completed by Probation Officers prior to providing reports to the Parole Commissioners.

Where the original assessment that any offender poses a Risk of Serious Harm is validated by the Area Manager the assessment process moves into a Risk Management Meeting forum which can involve other relevant disciplines and agencies in sharing in the assessment and, where appropriate, the risk management process.

In relevant violent and serious sexual offence cases the risk assessment shall be informed by and inform the Public Protection Arrangements Northern Ireland (PPANI) through the Local Area Public Protection Panel (LAPPP).


It is not possible to predict or eliminate risk completely. It is however critically important that all reasonable steps are taken to complete the initial and subsequent risk assessments as fully and accurately as possible so as to manage and minimise the risk of serious harm to others.

Risk assessment is best achieved by linking into all known and relevant sources of information about, and knowledge of, the offender. In the context of human rights, equality and data protection legislation, there is a need to be aware of the important legal and ethical implications of communicating risk assessments to courts, prisons and other organisations in all reports which in turn inform sentencing and release decisions.

It is essential for assessments to be accurate and defensible. Defensible assessments shall always be based on principles of legality, necessity, accountability, proportionality and ethical practice. This requires a solid evidence base (as far as is possible and practical) to support decisions about restrictions on liberty to protect the public.

Hazel Kemshall1 outlines the key criteria for defensible decisions as:

- All reasonable steps have been taken;
- Reliable assessment methods have been used;
- Information has been collected and thoroughly evaluated;
- Decisions are recorded (and subsequently carried out);
- Policies and procedures have been followed; and
- Practitioners and managers adopt an investigative approach and are proactive.

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7. Risk Management.

Risk Management is the process of addressing the identified risk of serious harm being caused by formulating and implementing a Risk Management Plan which targets each identified risk factor through lawful, necessary, adequate and proportionate actions.

Effective Risk Management is founded on a risk assessment process which is dynamic and in which the changing features of the offenders circumstances, and new or updated information are constantly appraised to evaluate whether they indicate that the offender is more or less of a threat to others.

8. Multi agency co-operation.

The assessment and management of risk includes, where relevant, multi agency/disciplinary co-operation and engagement including the sharing of information through the PBNI Risk Management Meetings and LAPPP in terms of relevant violent and serious sexual offenders, as well as Child Protection arrangements. It is important that duplication is avoided and where relevant, that all involved agencies engage appropriately to effectively manage the risk posed by all offenders who pose a Risk of Serious Harm to others.

The strategies used within Risk Management Plans may combine both external measures, such as curfews, restrictions, sanctions, enforcement, and electronic monitoring as well as internal control factors targeting motivation, attitudes, and promoting pro social contacts and activities.
The Management of Risk
Performance Standards

1. PBNJ Initial assessment.

**Standard 1.1**
An ACE Assessment shall be completed by the Pre Sentence Report (PSR) writer and entered on PBNJ’s Case Management System prior to a PSR being completed for court.

**Standard 1.2**
The ACE Risk of Serious Harm filter shall be completed on all ACE assessments.

**Standard 1.3**
A full RA1 assessment shall be completed in all cases where the ACE Risk of Serious Harm filter has recorded at least 1 ‘Yes’ response.

**Standard 1.4**
All offenders convicted of murder or who have a previous conviction for murder shall require a full RA1 assessment.

**Standard 1.5**
All offenders convicted of a Serious and/or Specified Offence¹ or who have previous convictions for offences which are now classified as Serious and/or Specified shall require a full RA1 assessment.

**Standard 1.6**
If the conclusion to the assessment is that the offender is considered to pose a Risk of Serious Harm then the Area Manager shall be consulted with immediate effect (but not more than 2 working days² after the completion of the RA1) regarding the validation of this Assessment.

**Standard 1.7**
If the Area Manager concurs with the assessment that the offender poses a Risk of Serious Harm an initial Risk Management Meeting (RMM) shall be convened within 10 working days of the validated initial assessment. In all Murder, Serious and/or Specified Offence cases an RMM shall be convened within 5 days and in any event in advance of the court date.

**Standard 1.8**
In all current Crown Court Murder, Serious and/or Specified offence cases where the RA1 does not indicate that the offender poses a Risk of Serious Harm the probation officer shall discuss the reasons for the assessment with the Area Manager with immediate effect (but not more than 2 days after the completion of the RA1). If an Area Manager, when reviewing the assessment, is of the opinion that a Risk of Serious Harm does exist a PBNJ Initial Risk Management shall be convened as per 1.7 above.

¹ See Schedules 1 and 2 Criminal Justice (NI) Order 2008.
² From hereafter ‘day’ shall refer to a working day.
2. PBNi Initial Risk Management Meetings (RMM)

**Standard 2.1**
The Probation Officer shall ensure that a PBNi Initial RMM is organised and co-ordinated.

**Standard 2.2**
The PBNi Initial RMM shall be chaired by an Area Manager.

**Standard 2.3**
The PBNi Initial RMM shall follow the agreed format.¹

**Standard 2.4**
In all current Murder, Serious and/or Specified Offence cases the PBNi Initial RMM shall take place pre sentence.

**Standard 2.5**
Whether the outcome of an Initial RMM is that the offender does or does not pose a risk of serious harm the evidence for such findings shall be clearly detailed in the PSR. In the situation where the offender is assessed as not posing a risk of serious harm there may still be identified risk factors which need to be addressed to reduce the risk. These cases shall be managed according to the relevant Northern Ireland Standards.

**Standard 2.6**
Within 10 days of the Initial RMM, minutes of the meeting shall be communicated in accordance with PBNi Risk of Serious Harm Procedures.²

3. Reviewing Risk

**Reviewing Risk – Community. PBNi Review RMM**

**Standard 3.1**
The supervising officer shall ensure that the risk assessment and progress of the case is reviewed at an RMM, at intervals of not less than 16 weeks.

**Standard 3.2**
The review shall be brought forward where there are significant changes in the circumstances or details of an offender e.g. re-offending, non-compliance, breach, variation, discharge, recall or where there are increased concerns about risk.

**Standard 3.3**
Where there is an overlap between PBNi Risk of Serious Harm cases and PPANI cases assessed at Category 2 and Category 3, the offender shall be reviewed under PPANI arrangements.

¹ See Appendix 1 PBNi Risk of Serious Harm to Other Procedures (2008)
² See Section 3.14 PBNi Risk of Serious Harm to Others Procedures (2008).
**Standard 3.4**  
The PBNI Review RMM shall follow a similar process and structure to the PBNI Initial Risk Management Meeting.

**Standard 3.5**  
PBNI Review RMM decisions shall be recorded and communicated in accordance with the relevant PBNI procedures.¹

**Reviewing Risk – Custody**

**Standard 3.6**  
To inform and facilitate continuous review of Risk of Serious Harm, relevant documents including risk assessments and the PSR shall follow the offender into custody and on transfer between prisons.

**Standard 3.7**  
PBNI shall ensure that a Review RMM for those sentenced prisoners who have initially been assessed as posing a Risk of Serious Harm is convened:

- at least every 6 months;
- at least every 12 months for Life Sentence prisoners;
- 8 weeks in advance of consideration by the Parole Commissioners for release;
- prior to and consideration for home leave;
- 1 month prior to final release

**Standard 3.8**  
PBNI shall prepare for, and co-ordinate, Review RMMs in custody as well as record and communicate the RMM decisions in accordance with the relevant PBNI procedures.²

**Standard 3.9**  
Prior to PPANI’s active re-involvement with convicted Potentially Dangerous Person (PDP) cases assessed at PPANI Category 2 and Category 3, where the prisoner is assessed as posing a risk of serious harm, the case shall be reviewed as per 3.8 above.

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¹ See Section 5.6 PBNI Risk of Serious Harm to Others Procedures (2008).
² See Section 5 PBNI Risk of Serious Harm to Others Procedures.
Reviewing Risk - PPANI

**Standard 3.11**
Sexual and/or violent offenders, including those categorised as ‘PDP’s and who are or subject to PBNI community supervision and, have been assessed at PPANI Category 2 or Category 3, shall be managed under PPANI arrangements until such times as they may be re-categorised as PPANI Category 1.¹

**Standard 3.12**
Where Category 2 or Category 3 PPANI cases supervised by PBNI have been reassessed as Category 1 these cases shall return to PBNI for single agency management. These cases may be referred back to PPANI if significant concerns emerge²

**Standard 3.13**
PPANI may be involved at the remand (bail/custody) stage in assessing the Risk of Serious Harm posed by ‘PDP’s. PBNI shall contribute to the initial assessment, and any subsequent reviews of ‘PDP’ cases under the PPANI arrangements.

¹ PPANI Guidance to Agencies Public Protection Arrangements 2008
² PPANI Guidance to Agencies Public Protection Arrangements 2008 and PPANI Manual of Practice 2008
The Management of Risk
Service Requirements

1. PBNI Initial assessment.

Standard 1.1
It is essential that the ACE, the ACE Risk of Serious Harm filter and the RA1 are fully entered on PBNI’s Case Management System in advance of the Initial Risk Management Meeting. Care should be taken when cloning a previous document to ensure that all of the details are fully updated and accurate.

Standard 1.2
As stated in the Standard

Standard 1.3

Quality Indicators

Practitioners, when completing (and Area Managers when reviewing) initial assessments or reviews of the likelihood of re-offending and/or Risk of Serious Harm shall ensure that:
• the assessment is **timely** and prior to the completion of the PSR;
• a **thorough** and searching assessment is carried out;
• **all** sections of the risk assessment documents are **fully** completed;
• **all** ACE scoring boxes are complete with no blanks (If no score enter ‘0’);
• **all** scores of 2 or more and **all** sections are supported by tangible evidence;
• there is evidence that the defendant has been given an opportunity to participate in the assessment;
• the completed assessment(s) have been explained to the offender (and parents in the case of a child or young person) and that he/she has been helped to understand how the assessments were arrived at. Confirmation of this shall be recorded on the PBNI Case Management System (Client Contacts).
• all assessments and reviews are signed and dated where and by whom required.

Standard 1.4
As stated in the Standard.

Standard 1.5
As stated in the Standard.

Standard 1.6
The Area Manager in validating the assessment shall record additional comments and in particular any immediate actions that may be required to protect others from Serious Harm including communicating concerns to other agencies in accordance with policies, procedures, legal responsibilities and protocols.  

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Standard 1.7
As stated in the Standard

Standard 1.8
As stated in the Standard

2. PBNP Initial Risk Management Meetings (RMM)

Standard 2.1
As stated in the Standard

Standard 2.2
As stated in the Standard

Standard 2.3
As stated in the Standard

Standard 2.4
If an Initial RMM is prevented from sitting before the date of the sentencing court and the defendant receives a sentence of imprisonment to be followed by statutory supervision, PBNP at the receiving custodial institution shall be informed and convene an Initial RMM within 10 days of sentence or before the prisoner is released if this is sooner.

If an Initial RMM is prevented from sitting prior to sentence and the defendant receives a Community Sentence, PBNP in the relevant team shall be informed and convene an Initial RMM within 10 days of sentence.

Standard 2.5
As stated in the Standard

Standard 2.6
As stated in the Standard
3. Reviewing Risk
The review of risk shall take into account any significant changes which may have occurred since the last risk meeting including further offending or conviction and/or breach/recall/amendment proceedings. By necessity a Review RMM shall have to track offenders as they progress through their sentence and also be sufficiently thorough and comprehensive as to be able to accurately inform decision making at significant stages of sentence either in the community or in custody or when release is being considered.

Reviewing Risk – Community. PBNI Review RMM

**Standard 3.1**
As stated in the Standard

**Standard 3.2**
As stated in the Standard

**Standard 3.3**
As stated in the Standard

**Standard 3.4**
Where a Risk of Serious Harm case becomes subject to PPANI arrangements (category 2 or category 3) a PBNI Review RMM shall not be convened. The supervising officer shall ensure that the PPANI ‘Risk tab’ on the PBNI Case Management System is selected and the Risk of Serious Harm ‘Risk tab’ is deselected.

**Standard 3.5**
As stated in the Standard

Reviewing Risk – Custody

**Standard 3.6**
As stated in the Standard

**Standard 3.7**
As stated in the Standard

**Standard 3.8**
As stated in the Standard

**Standard 3.9**
As stated in the Standard
Reviewing Risk - PPANI

Standard 3.11
As stated in the Standard

Standard 3.12
These arrangements require the involvement and co-operation of PBNI whether the offender is in the community or in custody.
In order to avoid duplication where an offender is managed under PPANI (Category 2 or Category 3), PBNI shall not convene separate Review Risk Management Meetings.
The exception being:

- the PSR stage where all Serious and/or Specified Offence cases which meet the criteria shall have a Risk Management Meeting convened pre court;
- convicted ‘PDP’ cases in custody prior to PPANI’s active re-involvement pre release (as per Standard 3.11).

PBNI contribution to PPANI arrangements shall include:

- undertaking tasks as Designated Risk Manager (DRM) in relevant cases;¹
- ensuring that ACE and RA1/r are fully completed and updated within the stipulated time frame;
- informing offender of Review Meeting;
- preparing a DRM report in advance of the review meeting;
- ensuring that PBNI’s Case Management System records that a LAPPP meeting has taken place;
- documenting the key outcomes from the PPANI Meeting and signpost on PBNI’s Case Management System including:
  - date of meeting;
  - progress or otherwise towards addressing risk factors;
  - changes or new information from the last Risk Meeting;
  - PPANI risk category
  - any designated actions or tasks;
  - date of next review meeting.

- carrying out any identified task as required in role of DRM outlined in the Risk Management Plan including communicating the outcomes of the Review to the offender.

Standard 3.13
This involvement may well precede the PSR process where ACE and RA1 assessment and other information on the individual may be limited.²

¹ PPANI Manual of Practice 2008
² PPANI Guidance to Agencies Public Protection Arrangements 2008 Chapter 2 pg 11.
Pre-Sentence Reports (PSRs)

Introduction

1. These Standards and Service Requirements set out the process, details and structure of what is required of Probation Officers tasked with providing a Pre-Sentence Report (PSR), including an assessment of the Risk of Serious Harm.

2. A PSR is defined as a report in writing which will assist:

   ‘(a) …the court in determining the most suitable method of dealing with an offender, is made or submitted by a probation officer or a social worker of an HSS Board or authorised HSS trust; and
   (b) contains information as to such matters, presented in such a manner, as may be prescribed by rules made by the Secretary of State….’

3. The purpose of a PSR is to provide a professional assessment to the court describing and analysing the nature and causes of a defendant’s offending behaviour including an assessment of the risk of serious harm and likelihood of re-offending as well as any actions that may reduce harm and its likelihood.

4. These Standards and Service Requirements shall apply to all PSRs prepared for all levels of court.

5. The primary responsibility for meeting these Standards shall be that of the PSR writer, although a PSR will be subject to gatekeeping by a third party when this is so specified by the allocating manager.

6. The Criminal Justice (Northern Ireland) Order 2008 introduced, amongst other measures, new public protection sentences into Northern Ireland where an offender has been convicted of a Serious and/or Specified Offence and has been judged by the court as dangerous, dangerousness being defined where there is:

   ‘… a significant risk to members of the public of serious harm occasioned by the commission by the offender of further such offences.’

   Serious harm is defined in the legislation as ‘death or serious personal injury whether physical or psychological’.

The public protection sentences are:
- Extended Custodial Sentence (ECS) and
- Indeterminate Custodial Sentence (ICS).

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1 Criminal Justice (Northern Ireland) Order 2008 Article 4(1)
2 For offences committed on or after 15th May 2008. Where a probation officer is unclear about whether or not the new legislation applies he or she shall refer the matter to the court for guidance.
3 Criminal Justice (Northern Ireland) Order 2008 Article 15
4 Criminal Justice (Northern Ireland) Order 2008 Article 3(1)
Extended Custodial Sentence (ECS)

An Extended Custodial Sentence will be considered where the court makes a judgement:

‘(i) that there is a significant risk to members of the public of serious harm occasioned by the commission by the offender of further specified offences; and

(ii) where the specified offence is a serious offence, that the case is not one in which the court is required by Article 13 to impose a life sentence or an indeterminate custodial sentence. 1

The ECS applies where an offence is a serious offence (Schedule1) and an ECS is adequate to protect the public2 or is not a serious offence but is listed in Schedule 2.

Indeterminate Custodial Sentence (ICS)

An Indeterminate Custodial Sentence will be considered where:

‘(3) ‘……….the court considers that an extended custodial sentence would not be adequate for the purpose of protecting the public from serious harm occasioned by the commission by the offender of further specified offences.’ 3

8. Auditing, Monitoring and Quality Assurance.

- Quality Assurance data will be collated on all PSR referrals on Serious and/or Specified Offences at defined intervals.
- Monitoring data on PSRs for Public Protection Sentences shall be collated on an ongoing basis.
- Periodically management shall arrange practice and systems audits which will scrutinise service wide samples of PSRs and gatekeeping practices.

9. Victim perspective.

- It is important that the PSR writer retains a victim perspective throughout the process in terms of accessing and analysing victim information including age, gender and whether the victim was known, targeted or chosen at random. Being aware of the impact of the offending on victims will also help to contribute to the overall assessment and report writing process and will contribute to public protection by helping to prevent re-victimisation and avoiding new victims.
- Where there are concerns about risks to others the PSR writer shall act in accordance with the relevant PBNI policies and procedures.4

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1 Criminal Justice (Northern Ireland) Order 2008 Article 14(1)
2 Criminal Justice (Northern Ireland) Order 2008 Article 13(3)
3 Criminal Justice (Northern Ireland) Order 2008 Article 13

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10. **PSR in conjunction with breach procedure.**

   In the event that there are issues where it may be appropriate for a breach PSR to be written by a probation officer other than the supervising probation officer this shall be discussed with the Area Manager who will consider such requests.

11. **Local Agreements**

   In the context of PSR Standards, each Area Manager shall seek to reach practice agreements with local sentencers and clerks at all levels of courts. Such agreements shall include the basis of commissioning PSRs and the delivery of reports to suit the requirements of local courts. Agreements shall seek to cover all manner of defendants and pleas including dealing expeditiously with breaches of supervised community orders.
Pre-Sentence Reports (PSRs)
Performance Standards

**Standard 1**

The PSR referral shall be allocated within **one** day of notification of court request.

**Standard 2**

Within **two** days of allocation a letter shall be sent to the defendant providing details of a first appointment.

**Standard 3**

The defendant shall be interviewed on a minimum of **two** occasions during the report writing process including once at his/her place of residence.

**Standard 4**

At the first interview with the defendant the PSR writer shall ensure that the defendant has received a copy of the approved leaflet which explains the purpose of the PSR.

**Standard 5**

The defendant’s level of literacy and any known learning difficulties shall be taken into account by the PSR writer when explaining the PSR process.

**Standard 6**

The PSR writer shall take reasonable steps to obtain **all** available information which is relevant to the offender, the offence(s) and the purposes of the report

**Standard 7**

The PSR writer shall use an approved structured assessment approach to inform his/her judgement as to the likelihood of re-offending and Risk of Serious Harm to others.

**Standard 8**

Where the ACE Risk of Serious Harm filter is triggered a full and thorough RA1 Risk of Serious Harm assessment shall be completed.

**Standard 9**

In all Murder, Serious and/or Specified offence cases and where a risk of serious harm has been validated by the Area Manager, the PSR writer shall ensure that a PBNI Initial Risk Management Meeting (RMM) is arranged and coordinated in advance of the court date.
Standard 10

The PSR shall be shared with the defendant prior to court.

Standard 11

It is essential that an accurate record is maintained on the PBNI Case Management System (Client contacts) of the contacts and efforts made to obtain, verify and involve the defendant and relevant others in the PSR process.

Standard 12

The level of gatekeeping shall be determined by the Area Manager at the time of allocation of the PSR.

Standard 13

The PSR shall be completed within 20 days of a court request or alternatively no later than another date determined by the court.

Standard 14

The PSR writer shall use the approved PBNI PSR structure and section headings1:

- Front sheet;
- Introduction;
- The offender in his/her life setting;
- Offence analysis;
- Risk of Serious Harm; and
- Conclusion

Standard 15

The PSR writer shall attend the sentencing court in all Murder and Crown Court Serious and/or Specified Offence cases where the defendant has been assessed as posing a Risk of Serious Harm and this has been validated at a Risk Management Meeting.

1 See PBNI PSR Template.
Pre-Sentence Reports (PSRs)

Service Requirements

Standard 1

As stated in Standard

Standard 2

The letter for the first appointment shall include the PBNI PSR Information leaflet. Where a defendant is in custody this letter and PSR Information leaflet shall be sent to the defendant at the relevant custodial institution address.

Standard 3

Every effort shall be made to base each PSR on a minimum of two interviews. If lack of cooperation on the part of the defendant interferes with this Standard being carried out the PSR writer shall reflect this in the report including any consequential impact on the quality of the PSR assessment.

Where a defendant is at liberty one of the interviews shall involve a visit to the defendant’s home. If there are personal safety concerns relating to the defendant then safeguards in keeping with the relevant PBNI Policies and Procedures¹ shall be taken.

Where appropriate, arrangements shall be made for the PSR writer to contact family, friends or significant others.

In the case of a defendant under the age of 18 Parents/guardians/carer(s) shall be offered the opportunity to contribute to the PSR process. Report writers shall be sensitive to the importance of parent(s)/guardian(s) carer(s) to be present at all interviews with the child. If, with the consent of a parent/guardian/carer, a child is interviewed outside of their presence, the PSR writer shall consider the need to have a third party present.

If parent(s)/guardian(s)/carer of a young defendant decline to avail of the opportunity offered to contribute to the PSR process the PSR shall include a statement to this effect including any consequential impact on the quality of the PSR assessment.

The PSR writer is making enquiries on behalf of the court. It is therefore essential that, as far as is possible, information provided be verified by reliable third parties. The PSR writer shall seek any additional information from relevant bodies within agreed Risk Management procedures and protocols for sharing information. The Data Protection Act 1998 and the Human Rights Act 1998 require that information on individuals is used in an appropriate and lawful manner.² Whilst the defendant’s views about consent to contact third parties are a consideration if the PSR writer believes that there may be a Risk of Serious Harm to others he/she may seek such information as is necessary for the purposes of the PSR even if the defendant withholds consent.

¹ See PBNI Risk of Serious Harm Policy and Procedures Health and Safety at Work (Personal Safety) B Policy and Organisation and Key Responsibilities,(PBNI ‘Z’ drive
² See also PBNI Policy on the Management of Information (Approved 2006) PBNI ‘Z’ Drive
Standard 4

At the first interview the PSR writer shall check if the defendant has, or has not, received the approved PSR Information leaflet and, if not, provide same. The PSR writer shall explain: the purpose of the PSR; the assessment process; the PSR writer’s role and responsibilities in completing the report for the court; the defendant’s rights and responsibilities; consent; limits to confidentiality and the complaints process. The PSR writer shall also explain that the information provided by the defendant will inform the PBNI’s risk assessment process including both the assessment of the likelihood of re-offending and risk of serious harm.

As outlined in the PBNI Policy on Disclosure, the Defendant shall be made aware that should information be provided about the commission of an offence or information that is likely to secure the apprehension, prosecution or conviction of any person for that offence, then that information will be reported to the Police.¹

Standard 5

Where language differences or hearing/visual difficulties may impair the communication between the PSR writer and the defendant or other relevant contact, an accredited interpreter shall be used.² The issue of English as a first language shall also be addressed.

If it is determined that substantive literacy and/or numeracy problems exist the PSR Writer shall include in the report a description of the nature and degree of the problem together with options for offering a remedial response. As one option, consideration shall be given to the appropriateness of making a recommendation requiring the defendant to attend further assessment followed by participation in any remedial programme indicated by that further assessment in the context of an additional requirement of a community sentence to which the defendant has signified agreement during the PSR process.

Standard 6

The PSR writer must obtain, access and review all available documentation relevant to the offender’s social and personal circumstances and offending including:
   - Current offence/s details/ indictment;
   - Depositions, witness details and victim statement
   - Up to date Criminal record;
   - Previous PBNI reports, records and assessments held on PBNI Case Management System and in other written formats; (in accordance with PBNI’s Retention and Disposal Schedule)³
   - Previous and /or current reports and assessments from Public Protection Northern Ireland (PPANI) / Local Area Public Protection Panel (LAPPP) meetings.

¹ Section 6 PBNI Policy on Disclosure of Information regarding the commission of an offence (March 2004)
² (See Public (z) drive \Information Directory\Compliance\Equality\Translation services.)
Depositions and other relevant court documentation received from the Public Prosecution Service which will be forwarded to the PSR writer at time of allocation.

PBNi shall access criminal records through the Criminal Record Viewer process.

Victim information will usually be provided through the Public Prosecution Service and the PSNI.

The PSR writer shall check with the Public Prosecution Service (PPS) to ascertain whether or not the defendant has been charged with any other offences or has been committed for trial by another court.

If a defendant is or has recently been resident in a PBNi approved accommodation the PSR writer shall seek relevant details to include in the PSR.

Where a child has been subject to a remand in custody the PSR writer shall seek information as to the effect of the remand on the child. Similarly information shall be sought from a children’s home or other professional source where that is appropriate.

**Standard 7**

The PSR writer shall complete a full ACE (Assessment, Case Management and Evaluation) assessment of the likelihood of the defendant committing further offences. It is essential that all reasonable steps are taken to ensure that:

- the assessment is **timely** and prior to the completion of the PSR;
- a **thorough** and searching assessment is carried out;
- all sections of the risk assessment documents are **fully** completed;
- all ACE scoring boxes are complete with no blanks (If no score enter ‘0’);
- all scores of 2 or more and all sections are supported by tangible evidence;
- there is evidence that the defendant has been given an opportunity to participate in the assessment;
- the completed assessment(s) have been explained to the offender (and parents in the case of a child or young person) and that he/she has been helped to understand how the assessments were arrived at. Confirmation of this shall be recorded on the PBNi Case Management System (Client Contacts).
- all assessments are signed and dated where and by whom required.

The ACE and the RA1 Risk of Serious Harm to others are currently the assessment tools approved by PBNi. Additional relevant assessment tools approved by PBNi which complement ACE and RA1, if used, shall be evidenced and documented in the PSR.

If in the course of preparing the PSR the writer forms an opinion that other psychological and/or psychiatric assessment would be appropriate he/she shall draw this to the attention of the court who may then commission such a report.
Standard 8

All the requirements for Standard 7 above in relation to the ACE document are equally relevant to the completion and sharing of the RA1 assessment.

If the conclusion to the RA1 assessment is that the offender is considered to pose a Risk of Serious Harm then the Area Manager shall be consulted with immediate effect (but not more than two working days after the completion of the RA1) regarding the validation of this assessment. A PBNI Initial Risk Management Meeting shall be convened in all cases where the Risk of Serious Harm assessment is validated by the Area Manager.

In all current Murder and Crown Court Serious and/or Specified Offence cases where the RA1 does not indicate that the offender poses a Risk of Serious Harm, the probation officer shall discuss the reasons for the assessment with the Area Manager with immediate effect (but not more than two days after the completion of the RA1). In the event that an Area Manager when reviewing the assessment is of the opinion that a Risk of Serious Harm does exist a PBNI Initial Risk Management Meeting shall be convened.

PBNI’s Psychology Services shall be involved in all cases where a PBNI Initial Risk Management Meeting has been convened and shall liaise, where necessary, with Psychiatric/Psychology Services to obtain further information or request a Psychiatric assessment from the appropriate Forensic Psychiatric Service. The outcomes of these Psychiatric assessments and any PBNI Psychology assessment shall be communicated by the PBNI Psychology Services to the PSR Writer for incorporation into the PSR.

Standard 9

The PSR writer shall invite other relevant and appropriate disciplines and agencies to contribute to the PBNI Initial RMM which among its functions provides for the effective sharing of information.

The PSR writer shall link with the Local Area Public Protection Panel (if involved) in cases of serious sexual or relevant violent offences.

Standard 10

The defendant and if appropriate, the parent(s)/guardian(s)/carer(s), shall be shown a copy of the PSR and have an opportunity to check for any factual inaccuracies and to have these amended prior to the court. The professional assessment, opinion and judgement of the PSR writer are not a matter for negotiation and, if challenged, the PSR writer shall inform the defendant of his/her right to bring these matters to the attention of his/her legal representative.

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1 Arrangements exist for Forensic Psychiatric services to be accessed through the PBNI Psychology Department.
2 See PBNI Risk of Serious Harm Policy and Procedure (2008) at section 3.5.
Standard 11

It is essential that all PBNI assessment documentation is completed fully and accessible on PBNI’s Case Management System.

Standard 12

Gatekeeping

The PSR shall provide impartial information which is factually accurate, free from jargon and free from presentational errors.

Level 1 Gatekeeping

- The PSR writer takes sole responsibility for gatekeeping and shall complete Parts 1 and 3 of the approved Gatekeeping Record when the PSR is ready for submission to the court.

Level 2 Gatekeeping

- The PSR writer shall complete Part 1 of gatekeeping record, and forward this along with the draft PSR to the designated gatekeeper at least three working days\(^1\) in advance of the date the report is required at court. All Crown Court PSRs allocated on Murder offences, Serious and/or Specified Offences, as defined by the Criminal Justice (Northern Ireland) Order 2008,\(^2\) shall be subject to gatekeeping by an Area Manager. In complex cases and those where there is likely to be a high profile media interest the level of gatekeeping may extend to the appropriate ACO.

- The designated gatekeeper shall provide feedback to the PSR writer within two days of receipt of the PSR having completed Part 2 of the Gatekeeping record.

- The PSR writer shall make any necessary amendments to the draft PSR and then complete Part 3 of the Gatekeeping Record at the time of submitting the finalised PSR.

The purposes of gatekeeping are to:

a) ensure that each report is of the required quality standard before it is submitted to the court;

b) provide a progressive means of assisting all report writers to continuously improve their report writing skills.

Standard 13

Where it has not been possible to complete the PSR assessment in time for the date requested by the court, the PSR writer shall seek the authority of the Area Manager to request a further adjournment. Such requests shall be made in writing and only in

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\(^1\) From here on ‘day’ refers to ‘working day’

\(^2\) See Schedule 1 and Schedule 2 of Criminal Justice(Northern Ireland) Order 2008
exceptional circumstances where the complex nature of the case delayed completion of the report writing process. The note to the court shall detail the reasons for requesting a further adjournment and state the date by which the report can be provided to the court.

Sufficient copies of the PSR shall be provided to enable the court to include the defence and prosecution in the circulation of reports.

Standard 14

Front Sheet.

The Front sheet shall include the following headline paragraph:

This is a Pre-Sentence Report as defined under Article 4 (1) of the Criminal Justice (Northern Ireland) Order 2008. It has been prepared in accordance with the requirements of the Northern Ireland Standards for Pre-Sentence Reports. This report is a restricted document and is not to be circulated without permission from PBNI.

The Front Sheet shall also include all of the following:

- The full name of the defendant (first name followed by family name in capitals).
- Any alias by which the defendant is or has been known.
- His/her full postal address including postcode. (If in custody the last known postal address).
- Date of birth and age at time of court appearance.
- Offence(s) dealt with in the report
- Court Case Number.
- Unique Reference Number (URN)
- Name of court.
- Details of any current court ordered financial penalties, conditional discharges, suspended sentences or community sentences. This shall include names of sentencing courts and the dates on which orders were made. Unexpired time and monies or hours outstanding shall also be stated.
- The date of the hearing for which this PSR is submitted.
- The date the report was requested.
- Name of Requester/Sentencer.
- The name, title, office location and telephone number of the PSR writer.
- The date on which the PSR was finalised and signed.

Introduction

The introduction shall include:
- A summary of all sources drawn upon to prepare the report, including documents seen, persons interviewed and agencies consulted.
- The steps taken by the report writer to verify information together with any doubts the writer has about the accuracy of unverified statements and the reasons for those opinions.
- Any important sources of information which were not contacted/accessed, but which may have produced information of use to the court.
• A statement as to whether the defendant is known to PBNI together with the nature and extent of any involvement.
• The number of interviews undertaken to prepare the report. Any appointments offered which the defendant did not keep. Whether interviews were office based and/or at other locations. Where the defendant is a young person (under 18) state whether or not the parent(s)/guardian(s) carer(s) attended/participated and if not, why not.
• State whether or not the defendant and, if appropriate, their parent(s)/guardian(s), carer(s) have had an opportunity to comment on the factual accuracy of the report before it was submitted to the court.

The Offender in his/her Life Setting

The purpose of this section of the PSR is to provide a concise assessment of the offender’s current and past personal and social circumstances which could assist the court in deciding on the suitability of relevant sentencing options in the case concerned. The following factors shall be addressed:

• A balanced account of the defendant’s personal circumstances including accommodation, relationships, associations, physical, mental health, learning difficulties, literacy and numeracy, use/misuse of drugs, alcohol and/or other substances, education, employment and training record. Comment on the relevance of these factors to offending behaviour.
• Where the charge(s) involve domestic violence the PSR writer shall liaise with PSNI Domestic Violence Unit to establish whether or not there have been any call-outs to the address of the person alleging abuse. These details shall not be included in the PSR unless charges have been brought or the defendant agrees that the information is accurate. This must include reference to any offence committed whilst on statutory supervision.
• If the subject of the PSR is a child or young person under 18, family details shall be included in as much as they relate to the stability, support and discipline available in the home. Information about school attendance, school conduct and academic ability shall also be included in the report. Information shall be requested from the school or other education provider.
• If the defendant is a child (young person under 18) and there is current or has been recent involvement with Health and Social Care Trust (HSCT) social workers, details shall be sought about the reasons for and nature of that involvement. Such details shall only be included in the report insofar as they are relevant to the child or young person’s offending.
• A verified statement of income, outgoings and debt shall be provided.
Offence Analysis

Current Offence(s)

This section of the report shall contain an analysis of the offence(s) for which the defendant now appears before the court. The court will have access to offence details and this section of the PSR shall provide analysis in addition to any offence details described in the PSR.

This section shall highlight the nature and circumstances of the current offence(s) which are likely to be relevant to the court reaching a judgment based on the nature and seriousness of the offence(s) and shall include the following:

• An analysis of:
  - the key features of the current offence(s) and the circumstances leading to the offence(s) including an assessment of the extent of the defendant’s involvement and the degree of perceived premeditation. Also, state if the offender was on supervision at the time of the offence;
  - the context in which the offence occurred, including information concerning any associated relevant offences (i.e. linked to the same incident and/or which the defendant wishes to be taken into consideration). Before including comment about offences to be taken into consideration the PSR writer shall check with the PPS or court that these have already been agreed with the court;
  - the consequences of the offence(s) including the impact on the victim(s) as set out in victim statements or in other information made available from the police. The cost of any damage shall be stated if known;
  - the defendant’s own account of his/her actions, noting and commenting on any discrepancy between his/her version and that of the police.

• Where the defendant is a child or young person under 18, the report shall indicate the expressed opinions of the parent(s)/guardian(s)/carer(s) about the young person’s offending. The PSR writer shall state whether or not these opinions are helpful in encouraging the young person to refrain from further offending.

• The defendant’s attitude to the offences and awareness of the consequences for the victim(s). The report shall draw attention to any evidence that the defendant accepts responsibility or seeks to minimise his/her responsibility. If the defendant expresses remorse, guilt or desire to make amends this shall be included in the report.

• The PSR writer shall indicate whether the defendant has taken any positive action to change his behaviour and/or attitude since the offence(s) was committed and comment on the defendant’s capacity for, and motivation to, change.

• Assessment of the implications of any special circumstances which were directly relevant to the offending, drawing attention to any matters which may be relevant to
the court’s judgment about its seriousness (particularly in relation to crime motivated by hatred or prejudice).

• The report writer shall make reference to any factors which may make the offence(s) a more serious example of its type. For instance, a high degree of planning or betrayal of trust. If features of the current offence(s) conform to a pattern of previous offending (e.g. targeting, vulnerability of victims) this shall be referred to. The term aggravating factors shall not be used.

• The report shall acknowledge and take account of any preliminary indication of seriousness that the court may have given. Where the analysis of the offence(s) exposes information which the court may interpret as mitigating or aggravating features these factors shall be included in the report without using the legal terminology of aggravation or mitigation.

• When reporting on offences the report writer will be expected, by the court, to specifically identify any violence which is assessed as being motivated by hate or prejudice. This shall be done in plain language without using legal terminology. As a result although a case may not be prosecuted as a Hate Crime, PBNI staff have a responsibility to document any hate related issues in PSRs even though that may not be the charge before the court. Legal advice on PBNI’s role here has confirmed that such issues can be put before the court even at a later stage and although a sentence cannot be increased as a result, the PSR can suggest ways of addressing this type of offending behaviour.

Previous offending

The analysis of previous offending shall include the following:

• Patterns of offending behaviour. This requires an analysis of previous offences and related behaviour, to show whether or not there is a persistent or escalating pattern of offending, particularly if the offence took place whilst the offender was subject to probation supervision. This section shall provide a verified account of the defendant’s responses to previous sentences including community sentences and refer to length of time between previous convictions. Mention shall be made of formal cautions, where relevant. State if the defendant has no previous convictions or formal cautions.

• Extent and nature of previous serious harm caused, including intent to cause serious harm, if appropriate.

• Attitude and motivation to offend.

• Insight into previous offences and victim harm issues.

Likelihood of re-offending

• The PSR writer shall state the likelihood of general reoffending from the ACE assessment in terms of High, Medium or Low categories.
Risk of Serious Harm

The aim of this section is to distil the assessment and analysis into a concise statement of the report writer’s judgment as to the Risk of Serious Harm posed to others by the defendant. For those defendants in custody this assessment shall relate the risk as if the defendant was at liberty. The assessment of the Risk of Serious Harm shall have regard to the following:

- The nature and circumstances of the current and previous offences including the Serious Harm (as well as intent) already caused by the defendant;
- Evidence from PBN1 Psychologist or Psychological/Psychiatric reports on the defendant (where available);
- Conclusion of the PBN1 Initial Risk Management Meeting as to the Risk of Serious Harm posed by the defendant covering likelihood and imminence issues.
- To whom and in what circumstances is the greatest risk posed;
- Balance of Risk and Protective factors
- The defendant’s capacity and motivation to change;
- The type of programmes, treatments, activities and interventions that could address the behaviour and risk factors or impact on further offending.

Serious and/or Specified Offence cases and ‘Dangerousness’.

- The Criminal Justice (Northern Ireland) Order 2008 outlines the requirement of a Court in Specified Offence cases to make a judgement as to whether a defendant is dangerous. The court in making the judgement:
  (a) shall take into account all such information as is available to it about the nature and circumstances of the offence;
  (b) may take into account any information which is before it about any pattern of behaviour of which the offence forms part;
  (b) may take into account any information about the offender which is before it."1

- It is the judgement of the court as to whether the defendant is considered as dangerous. The PSR provides information, assessment and analysis which the court may take into account in its determination. The PSR writer shall not use the term ‘dangerousness’ in the report.

Conclusion

- The conclusion shall flow logically and directly from the body of the report. It shall succinctly reflect the assessment of the defendant in his/her life setting, offence analysis, the assessed risk of serious harm and the likelihood of the defendant re-offending. Where relevant, the conclusions and the Risk Management Plan drawn up at a PBN1 Initial Risk Management Meeting shall also contribute to this section of the report.

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1 Criminal Justice(Northern Ireland)Order 2008 Article 15(2)
The effective management of risk requires both the use of external and internal controls which addresses the identified risks with lawful, necessary and proportionate responses.

The following shall be clearly set out:

- The risk factors which need to be addressed to help manage and reduce the risk posed by the defendant;
- The risk management methods, programmes, treatment, and activities which may be effective in reducing the identified risk factors and develop and strengthen protective factors.
- The motivation and capability of the defendant to engage with the risk management methods outlined.
- Consideration for a Sexual Offences Prevention Order (SOPO), where relevant;
- In some Specified Offence cases the offender may be assessed as not posing a Risk of Serious Harm. In these circumstances the offender may attract a determinate custodial sentence or a community sentence.

Where the assessment leads to a conclusion that a suitable form of intervention could be arranged within a community sentence, the PSR writer shall invite the court to consider the merits of a specific proposal set out in a draft plan of supervision/work plan.

The plan shall be presented in the form of a series of objectives which directly address the offending behaviour of the defendant as set out earlier in the report.

Where there are other appropriate community sentences for which the defendant would be suitable, this shall be made clear in the report affording the opportunity to the court to impose an alternative community sentence to the one proposed. It is appropriate to explain why these other options were considered less suitable by the PSR writer.

Where a community sentence is considered as an option but the defendant is not considered suitable the reasons for this shall be clearly stated. In these circumstances the PSR writer shall assist the court by making a sentence proposal which is considered most likely to reduce the likelihood of re-offending and which takes into account the full range of disposals available and which would afford best protection to the public.

When considering a proposal for a community sentence the PSR writer shall:

- Have regard to the range of programmes and activities available locally and the type of offender for whom those programmes are best suited;
- Take account of the individual offender’s assessed personal and social circumstances (including language or hearing impairment issues);
- Have regard to which community sentence is most suitable for that defendant and most likely to be completed without further offending;
- Offer a degree of restriction on liberty which is in proportion to the nature of the offence(s) and the risks identified;
- Be sure that the programme envisaged can provide the methods and intensity of supervision required to minimise risk;
- Clearly reflect the risk to public that the defendant represents so as to avoid putting forward for community supervision a defendant whom it is believed cannot be
Where the main proposal envisages a probation order with additional requirements, those requirements shall be set out in precise terms.

In the conclusion of a Youth Court PSR consideration shall be given to the welfare of the young person and how the sentencing proposal seeks to further this. Sentencing proposals to Youth Courts shall include clear objectives of work to be carried out with and/or by the parent(s)/guardian(s)/carer(s) of the child.

Where an Electronic Monitoring/Curfew requirement is part of the PSR assessment please refer to Section 18 of Northern Ireland Standards.

Where the main proposal envisages a probation order which includes a requirement for treatment of a psychiatric condition or drug/alcohol dependency, the report shall reflect prior consultation with a relevant practitioner.

If any programme or activity involved in a community sentence requires the defendant’s consent the conclusion shall confirm that the defendant has indicated his/her willingness to comply and understands the consequences of failure to do so.

PSR writers shall be alert to the possibility of a defendant’s circumstances which may limit his/her ability and/or availability to comply with the requirements of a Community Sentence and shall make the court aware of the potential for these circumstances to reduce the impact of PBJNI intervention.

Custody Probation Orders

Suitability criteria for the probation element of a Custody Probation Order are the same as for any other Probation Order. In considering suitability for an offender to be made subject to the probation element of a Custody Probation Order the PSR writer shall, on information available, give an opinion as to whether the defendant would be likely to cooperate with the requirements of such an Order.

Custodial sentence.

Where a custodial sentence is a likely option the PSR conclusion shall outline the areas and risk factors that the defendant needs to address. The PSR writer shall also refer to programmes and interventions, both in custody and within post release supervision which can address these risk factors. The PSR writer, where applicable, shall suggest to the court appropriate conditions for post-release supervision.

For offences which pre date 15th May 2008 and where a custodial sentence is a likely option.

The PSR shall identify any considerations which the court may regard as relevant to the length of sentence including the powers under Article 20 (2) (b) of the Criminal Justice

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1 CPOs shall only be recommended in cases where the offences were committed prior to 1st April 2009.
2 Where the offender will be subject to PBJNI supervision under licence conditions.
(Northern Ireland) Order 1996 to impose a longer term in custody for violent and sexual offences in order to protect the public from serious harm.¹

In the case of those convicted of sexual offences the PSR shall identify whether extended supervision on licence (Article 26) after release is required to protect the public.²

**Standard 15**

As stated in Standard.

¹ See also Article 21 (4) (b) Criminal Justice (Northern Ireland) Order 1996
² See Article 26 Criminal Justice (Northern Ireland) Order 1996.
Pre Sentence Report (PSR) Template

Front Sheet

This is a Pre-Sentence Report as defined under Article 4 (1) of the Criminal Justice (Northern Ireland) Order 2008. It has been prepared in accordance with the requirements of the Northern Ireland Standards for Pre-Sentence Reports. This report is a restricted document and is not to be circulated without permission from PBNI.

Name: Age:
(Any alias) D.O.B.

Address:

Court Case Number (ICOS).

Unique Reference Number (URN)

Offence(s)

Current court orders, including outstanding financial penalties, sentences:

Court:
Court Date:

Date Report Requested: Date Report Completed:

Name of Requester

Report Author Details
Name:
Office Address
Telephone number
• Introduction

• The offender in his/her life setting

• Offence analysis

• Risk of Serious Harm

• Conclusion
PSR GATEKEEPING RECORD

Parts 1 and 3 should be completed by the PSR writer and Part 2 should be completed by the designated gatekeeper as appropriate.

Part 1: (To be completed by the PSR writer)

Name of defendant: …………………………………………………………………. (Block Capitals)

Name of PSR writer: …………………………………………………………………(Block Capitals)

Date PSR allocated: ……………… Date finalised PSR required at court: …………………….

Serious and/or Specified Offence  Yes/No

Date draft PSR passed to gatekeeper ………………………… * Not applicable to this report

As the person with primary responsibility for providing this PSR, I affirm that I have ensured that the following have been completed in accordance with Northern Ireland Standards.

a) The defendant received and had explained the approved PSR information leaflet.  YES/NO

b) An assessment of the likelihood of re-offending.  YES/NO

c) An assessment of the Risk of Serious Harm to others (if triggered by ACE filter).  YES/NO/NA

d) Evidence that the defendant was offered at least two interviews. (May include copy letters, written consents, etc)  YES/NO

e) Evidence that parent(s)/guardian(s) were offered at least one interview.  YES/NA

f) The defendant was interviewed on …….. occasions for the purposes of the PSR.  YES/NO

g) The defendant was visited at his/her place of residence (if not, give reasons below).

……………………………………………………………………………………………………………………………………………………………………

……………………………………………………………………………………………………………………………………………………………………

h) A PBNI Initial RMM pre court 9in Murder, Serious and/or Specified Offence Case  YES/NO/NA

i) I have taken all reasonable steps to obtain all information relevant to the PSR.  YES/NO

PSR drafted in accordance with Northern Ireland Standards.  YES/NO

01/02/06 - Pink  GK/PSR
Part 2: (All sections to be completed by the designated gatekeeper)

a) All documentation indicated in Part 1 has been received by me and has been completed in accordance with Standards and Service Requirements.

YES/NO

Identify what is deficient/incomplete/missing.

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…………………………………………………………………………………………..……..

b) The draft PSR uses the approved structure throughout.

YES/NO

Explain how the structure of the PSR needs to be amended.

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01/02/06 - Pink

GK/PSR
d) All facts have either been verified or, alternatively, the PSR writer identifies particular statements which it has not been possible to verify.  

Identify which particular facts/statements have not been properly presented.

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YES/NO

e) Opinions expressed by the PSR writer have been supported by reasoned evaluative comment.  

Identify any instances where PSR writer opinion has not been supported as required and suggest improvements.

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YES/NO

f) The draft PSR is free from irrelevancies, jargon, typographical error, spelling mistakes and other presentational flaws.  

Identify any presentational flaws and suggest improvements.

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g) Regardless of comments in previous sections it is my opinion that the PSR writer has presented an impartial and balanced information.

YES/NO

Explain in what respects the PSR is partial or lacks balance and suggest how improvements may be made.

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h) **General Comment:** (Please make any additional comments in support of a job well done or about particular complexities faced by the PSR writer).

……………………………………………………………………………………………..
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……………………………………………………………………………………………..

i) The draft PSR and other documents received, together with this gatekeeping record was returned to the PSR writer on ......................... *(date).*

In my view the amendments recommended should be completed before the report is submitted to Court.

_Name of gatekeeper_ ................................................................. *(Block Capitals)_

**Part 3: (To be completed by the PSR writer)**

I have noted the comments of the gatekeeper and have amended the PSR accordingly / * Not applicable to this report /*( delete as appropriate)*

I submitted my finalised PSR to the Court on ................................................. *(date)*
Specific Sentence Reports (SSRs)

**Introduction**

1. A specific sentence report is an abbreviated form of PSR which is intended to provide the sentencing court with useful but limited information about a defendant and offence(s) to assist the court to determine whether the defendant is suitable for a specific sentence envisaged by the court. Its purpose is to speed up provision of information to assist the court to pass sentence without delay.

A SSR is most likely to be used where the court envisages a Community Service Order or a Probation Order which does not have additional requirements attached.

For the purposes of Article 9 (3) of the Criminal Justice (Northern Ireland) Order 1996 an SSR is equivalent to a PSR.

2. **Risk Assessment**

   Although SSRs are provided at short notice the report writer shall, on the basis of information available, ensure that risk assessments are adequate and as comprehensive as possible. If the report writer has concerns about the adequacy or accuracy of the risk assessment presented in a SSR he/she shall advise the court in writing of the need to request a full PSR.

3. **The Scope of a SSR**

   With the consent of the court a SSR shall be considered suitable where the current offences do not include:

   - any offences of violence, except common assault;
   - sex offending;
   - taking and driving away;
   - burglary of a dwelling house;
   - aggravated burglary; or
   - drug dealing.

   It is unlikely that a SSR will be appropriate for a defendant suffering from mental health problems or substance misuse. A SSR is not suitable for a Youth Court case, where a full PSR should always be prepared.

4. **Local Agreements**

   In the context of SSR Standards each Area Manager shall seek to make practice agreements with local sentencers.

   Such agreements shall include the basis for commissioning SSRs and the delivery of reports within locally agreed deadlines which take account of
situations where more than one SSR is commissioned by the court within a single sitting.

5. **Monitoring**

Defendants who are subject to SSRs shall also be subject to equal opportunities monitoring in the same way as if they were subject to a PSR.

A copy of the completed SSR together with the original of the working document shall be retained in the appropriate Probation Unit for monitoring/audit purposes.

6. **Gatekeeping**

In the case of SSRs the purposes of gatekeeping are to ensure that each SSR is of the required quality standard before it is submitted to court and through subsequent monitoring/audit to provide indicators of the need for practice development.
Specific Sentence Reports (SSRs)

Performance Standards

**Standard 1**

Within the approved scope of SSRs the Court Duty Officer (CDO) shall respond to each request made by the court for an assessment of defendant suitability for a specific sentence.

**Standard 2**

The CDO shall undertake enquiries as soon as is possible and submit the report by the time required by the court, which will usually be on the same day.

**Standard 3**

The report writer shall conduct an assessment of the defendant including screening for likelihood of re-offending and harm to the public using the agreed format for SSRs. (SSR2 Form).

**Standard 4**

All SSRs shall be set out using the PBNI approved proforma. (SSR1Form).

**Standard 5**

The SSR writer shall complete an approved self-gatekeeping proforma.
Specific Sentence Reports (SSRs)

Service Requirements

Standard 1
Scope of a SSR is outlined in the Introduction on Page 36.

Standard 2
In the event of a SSR request not being dealt with on the same day the CDO shall bring this to the sentencer’s attention and agreement sought for the next earliest date for hearing.

Standard 3
As written.

Standard 4
CDO shall complete the approved proformae. The SSR1 and SSR2 shall be handwritten. The SSR1 is the only document handed into court with copies for the Sentencer, Prosecution, Defence Solicitor, the defendant and PBNI records. The SSR2 is a working document for use solely within PBNI.

If having made enquiries the report writer forms an opinion that the defendant is unsuitable for the specific sentence the court has in mind, the court shall be advised of the reasons and an adjournment requested to facilitate preparation of a full PSR. This would include where the ACE filter indicates risk of harm issues which may need further assessment through a full PSR.

Standard 5
SSR writer completes Sections 1 and 2 pre court and Sections 3 and 4 after sentence.

Where a supervised community sentence is imposed a copy of the SSR1 together with the original of the working document (SSR2) and all other relevant documentation shall be forwarded to the supervising Probation team no later than the day following sentence.

Where a supervised community sentence is not imposed a copy of the SSR1 together with the original of the working document (SSR2) and all other relevant documentation shall be lodged with the appropriate Probation Unit for retention.
Specific Sentence Report

This is a Pre-Sentence Report as defined in Article 9(3) of the Criminal Justice Act [Northern Ireland] Order 1996. It has been prepared in accordance with the requirements of the Standards for Pre-Sentence Reports. This report is a confidential document.

Name: 
Age: 
D.O.B.:
Address:

Sentencer: 
Court:

Date of Hearing: 
Offence Date:

Main Offence(s):

SSR Prepared by: 
Probation Officer
Office:

The specific sentence proposed by the Court is: 

___________________________

__________________________________________________________________________________

After interview, I can inform the Court that ___________________________ is suitable for a:

Community Service Order: 

Probation Order without additional requirements: 

Unsuitable: 

I have found additional information in the following areas, which suggest that a full PSR would be appropriate.

__________________________________________________________________________________

__________________________________________________________________________________

__________________________________________________________________________________

A full report can be provided to the Court by: 

Signed: 

Court Duty Officer

01/02/06 - Yellow SSR
This assessment form should be completed during your interview with the defendant. This document should NOT be handed into Court. A SSR1 form is the Report presented to Court.

Name: [ ] Age: [ ] D.O.B. [ ]

Address: [ ]

Sentencer: [ ] Court: [ ]

Date of Hearing: [ ] Offence Date [ ]

Main Offence(s): [ ]

SSR Prepared by: [ ] Probation Officer [ ]

Office: [ ]

Tel No: [ ]

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Comments</th>
</tr>
</thead>
</table>

Specific sentence under consideration:
Introduction

This offender has been interviewed and appropriate liaisons undertaken [ ]

Record of previous convictions/cautions considered [ ]

Prosecution papers seen [ ]

Probation Service records considered [ ]
### Offence Analysis

<table>
<thead>
<tr>
<th>Pattern of offending</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Offender takes responsibility for the offence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shows awareness of impact of offence on victim and/or the wider community</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lifestyle / associates link to offending</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Has positive attitude to proposed sentence</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Offender Assessment

<table>
<thead>
<tr>
<th>Is in employment, education or training</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Available for Community Service [consult with CS Officer and complete CSO1 form]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Has financial problems [including outstanding Court orders]</td>
<td></td>
<td></td>
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<tr>
<td>Has accommodation problems</td>
<td></td>
<td></td>
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<tr>
<td>Any alcohol or drug misuse</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Has relationship problems [family/personal]</td>
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</table>

**Verified**

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<tr>
<th>Yes</th>
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01/02/06 - Yellow

SSEA
## Offender Assessment [continued]

<table>
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<tr>
<th></th>
<th>Yes</th>
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</thead>
<tbody>
<tr>
<td>Has a history of serious sexual or violent offences</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any health and/or mental health problems</td>
<td></td>
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<td></td>
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<tr>
<td>Positive response to previous supervision</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Other agency involved</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any other charges pending</td>
<td></td>
<td></td>
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</tbody>
</table>

### Screening for risk of harm to the public and the likelihood of re-offending;

*This screening is based on information available at the time of interview and may need further investigation*

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Likelihood of re-offending [comment on nature &amp; pattern or re-offending]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Risk of serious harm to public (ACE filter must be completed)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Risk of serious harm to self</td>
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</table>

### Conclusion

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>The offender is suitable for proposed sentence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The offender is unsuitable for proposed sentence</td>
<td></td>
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<tr>
<td>A full PSR is required and the Court is requested to adjourn to allow time for preparation</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>
Additional Comments

[include information which may be relevant to post-sentence risk assessment or to the supervision plan. This includes CSO form where appropriate].

Signed: _________________________________ Date: ____________________

Print Name: _______________________________________________________

PLEASE ENSURE TO COMPLETE A SSR1 FORM AND HAND IT INTO COURT. RETAIN THIS SSR2 FORM UNTIL CASE DEALT WITH AND THEN FORWARD TO APPROPRIATE PBNI UNIT.
Self-Gatekeeping Record for SSRs

Parts 1 and 2 to be completed before sentence.
Parts 3 and 4 to be completed after sentence.

PART 1:

Name of defendant: ……………………………………………………………… (Block Capitals)

Name of SSR Writer: ……………………………………………………………… (Block Capitals)

SSR commissioned by: …………………………………………………………
(Court)

on ……………………………….. (Date) at ………………………………………… (Time)

Deadline for Submission: …………………. (Date) …………………….. (Time)

PART 2:

As the person with responsibility for providing this SSR I affirm that I have ensured that the following have been completed in accordance with SSR Standards and Service Requirements.

a) Secured up to date previous convictions YES

b) Carried out an assessment based on abbreviated ACE YES

c) Carried out an assessment of risk of harm to others and/or self (if triggered by ACE filter) YES * N/A

d) If specific sentence is Community Sentence, have consulted with CS Officer to determine work availability YES * N/A

* Please delete as appropriate

Please turn over and complete Parts 3 and 4 after sentencing
PART 3:
In terms of the proposed specific sentence I found the defendant to be:

SUITABLE * UNSUITABLE

If unsuitable, I provided a full explanation to the court:

YES * N/A

I advised the court of my opinion that a full PSR would be advisable:

YES * N/A

I submitted my report on: ........................ (Date) ...................... (Time)

The sentence of the court was: .......................................................... 

PART 4:
I have:

a) * forwarded all relevant documents to the supervising team, or

b) * lodged all relevant documents for retention

Signed:  (SSR writer) ............................................................. Date:
.................................

* Please delete as appropriate
Probation Orders

Introduction

1. **Legislative Authority**

The statutory purpose of supervision under a Probation Order is set out in Article 10(1) of the Criminal Justice (Northern Ireland) Order 1996 as:

- securing the rehabilitation of the offender;
- protecting the public from harm from the offender; and
- preventing the commission by the offender of further offences.

2. **Applicability**

The Probation Order Standards apply to: Probation Orders with, or without, additional requirements; the probation element of Combination Orders and, the probation element of Custody Probation Orders. They are also the core Standards for the supervision of Young Offenders, Sex Offenders and offenders who have been listed under the PBNI Risk and Dangerousness Policy.

3. **Aim of Supervision**

The aim of supervision is to motivate and assist the offender toward a greater sense of personal responsibility and aiding his/her re-integration as a law abiding citizen.

4. **Objectives of Supervision**

Securing the purpose and aim of supervision will rely on thorough assessment and carefully planned responses which have the objectives of:

- containing identified risk of harm to members of the public, probation staff and others involved with the supervision of the offender;
- managing the likelihood of re-offending;
- enabling the offender to understand the effects of his/her offending behaviour on his/her life, his/her family, the wider community and the individual victim;
- resolving practical/survival barriers to the offender’s progress; and
- providing opportunities and support for the individual to improve his/her level of social competence and enhance his/her degree of social inclusion.

5. **Public Confidence**

5.1 For the courts and the public to have confidence in supervision of offenders in the community PBNI staff must demonstrate that enforcement of Orders is fair but at the same time rigorous and consistently applied.
5.2 The offender must be helped to understand, from the outset, what his/her responsibilities are and what the consequences of non-compliance with the requirements of the Order may be. This understanding should be conveyed by an explanatory leaflet together with explanation before sentence, confirmed by a thorough induction process at the commencement of the Order and reinforced by prompt and appropriate enforcement action where that is required thereafter.

5.3 Failure by an offender to attend the induction interview (first appointment) without good cause is a potentially serious matter. Dependent on the level of assessed risk of harm to others posed by the particular offender, and/or the supervisor is not satisfied that the offender’s future compliance can be secured, breach proceedings should be discussed with the Area Manager with immediate effect.
Probation Orders

Performance Standards

1. **Induction**
   1.1 An induction interview shall be arranged to take place within 5 days of sentence and recorded on the approved document.

2. **Serving the Order**
   2.1 The Order shall be served on and signed and dated by the offender within 5 days of it being received from the Court.

3. **Supervision Planning**
   3.1 A detailed workplan shall be agreed with the offender within 15 days of the Order being made.
   3.2 By the end of 16 weeks the workplan shall be reviewed with the offender, and a subsequent plan agreed.
   3.3 Further reviews and subsequent plans shall be completed thereafter at 16 week intervals.
   3.4 All reviews of risk assessments and subsequent plans shall be signed and dated by the Probation Officer and the offender.
   3.5 When supervisory responsibility is transferred a transfer summary shall be entered in the record of supervision prior to the transfer taking place.

4. **Contact**
   4.1 Planned contact shall be at least weekly, inclusive of one home visit per month, for the first 16 weeks.
   4.2 During the second period of supervision, frequency of contact shall be determined in accord with assessed risks and the degree of progress made toward achievement of supervision targets. Planned contact for the period shall normally not be less than at 2 week intervals and shall include at least one home visit.
   4.3 Thereafter frequency of contact shall be determined according to assessed risks and the degree of progress toward supervision targets. Planned contact during the third and subsequent periods of supervision shall be no less than at 4 week intervals and shall include one home visit during each period of supervision.
5. **Enforcement**

5.1 On each and every occasion that an offender apparently fails to comply with the requirements of the Order, the apparent failure shall be entered into the record of enforcement.

5.2 When the offender apparently fails to comply with the requirements of the Order the supervising officer shall respond within 2 working days by:
   (a) a home visit or
   (b) a telephone call or
   (c) by sending a letter by first class post.

   The purpose of this action is to secure an explanation for his/her apparent failure.

5.3 The offender shall be given no more than 5 working days to offer an explanation.

5.4 The reason given by the offender for the apparent failure shall be considered by the supervising officer and recorded as acceptable or unacceptable.

5.5 If the supervising officer deems that an explanation for failure to comply is unacceptable or when no explanation is forthcoming by the date required, the following action shall be taken:

   5.5.1 First unacceptable failure in any 12 month period of supervision - formal warning in writing with appropriate entry in the Record of Contact.

   5.5.2 Second unacceptable failure in any 12 month period of contact - final warning in writing with appropriate entry in the Record of Supervision.

   5.5.3 Third unacceptable failure in any 12 month period of supervision - breach proceedings shall be initiated within 10 days and an appropriate entry made in the Record of Contact.

5.6 The offender shall be notified by recorded delivery letter that breach proceedings have been initiated.

5.7 If a failure to comply could result in danger to the public or the offender, breach proceedings shall be initiated without recourse to prior warning. Reasons relating to a decision to proceed without prior warning must be entered in the Record of Contact.

5.8 When either a warrant or summons has been issued the supervising officer shall prepare a breach report, immediately, in readiness for the court hearing.

5.9 If at any stage of an Order it proves to be unworkable then an application shall be made for revocation of the Order.
6. **Record Keeping**

6.1 The case record shall contain a full set of documents consistent with the stage of supervision and the nature of the case.

6.2 The record shall be kept up to date i.e. entries shall be made no later than 5 working days after an occurrence.

6.3 Approved colour coding of documents and colour coding and tabbing of file covers shall be maintained.

7. **Additional Requirements**

7.1 An offender who is required to attend an approved programme as a requirement of an Order should commence that programme as soon as arrangements can be made but no later than 12 weeks after sentence.

7.2 The offender’s attendance at, and participation in, the programme shall be recorded.

7.3 On completion of an approved programme, a summary describing the offender’s participation and achievements within the programme shall be entered into the record of supervision.

8. **Closure of Case Records**

When an Order is time expired, or is terminated early, the case record shall be closed in accord with PBNI Retention and Disposal Schedule.
Probation Orders

Service Requirements

Set out below are the Service Requirements for ensuring that in working to Probation Order Standards a credible high quality level of supervision is provided.

Where practicable the offender shall be seen before leaving the court on the day of sentence and provided with the name, office address and telephone number of the supervising officer. The offender shall be given a written instruction to attend an interview with the supervising officer at a stated time on a given date which shall be no more than 5 days after the date of sentence. The offender shall be required to sign a copy of the written instruction. If it has not been possible to see the offender before he/she leaves court then the relevant field office shall be advised that same day of the need to contact the offender to arrange the induction interview.

Standard 1.1

At the induction interview the offender shall be provided with a clear explanation of the following aspects of the Order and supervision of the Order.

- The conditions of the Order as they apply to the offender.
- The intended programme of supervision including the demands that this will make on the offender.
- What constitutes, and the consequences of, unacceptable behaviour including the possibility of breach proceedings.
- Procedures to revoke/amend the Order including the right of the offender to make application.
- What the offender can expect from the Probation Service during the period of supervision in relation to fair and just treatment, confidentiality of information, etc.
- Complaints procedure with regard to service delivery by probation staff.

The offender shall also be issued with a copy of the complaints procedure.

* Unacceptable behaviour includes:

- violent or aggressive behaviour including threats of violence.
- conduct or language that may give offence to members of the public, to other offenders under supervision or to probation staff.
- language of a racist, sexist or sectarian nature.
- wilful or persistent non-co-operation.
- behaviour intended to undermine the supervision of the offender or the supervision of others.
Before the interview is terminated the offender shall be asked to sign and date the approved Record of Induction Interview signifying that he/she has been provided with an explanation of the above factors and that he/she understands the same. If the offender declines to sign the document the supervising officer shall write a declaration to this effect on the Record of Induction Interview.

**Standard 2.1**

The supervising officer, or a substitute, shall when serving the Order issue a copy to the offender and require the offender to sign and date the file copy of the Order as evidence that the offender:

- understands the conditions and requirements of the Order; and
- has received copy of the Order.

If the offender declines to sign as requested the officer serving the Order shall write a declaration to this effect on the file copy of the Order.

*If the Order has not been received from the Court within 10 days of sentence the supervising officer shall ensure that enquiries of the Clerk of the Court are made with a view to having the issue of the Order expedited. If the Order has still not been received by the 15th day after sentence the supervising officer shall advise the Area Manager so that a formal written request may be forwarded to the Clerk of the Court.*

**Standard 3.1**

Supervision plans shall reflect the outcomes of initial and subsequent assessments and shall:

- be solution oriented; and
- build on the identified strengths of the individual.

Plans should have S.M.A.R.T. (Specific, Measurable, Agreed/Achievable, Realistic, Time-bound) objectives which are prioritised in terms of managing risk of harm; and managing the likelihood of re-offending by:

i) resolution of practical/survival issues;
ii) pursuit of personal development needs;
iii) building/strengthening social support networks;
iv) challenging offending behaviour and anti-social attitudes; and

- have identified stages marking progress toward individual objectives;
- have a specific victim awareness focus;
- detail frequency, nature and places of planned contact with the offender;
- spell out reasons for variation/maintenance of contact arrangements;
- be written in the first person, stating what the offender agrees to do;
- identify the nature and level of guidance, assistance, support and/or service to be provided by the supervising officer, other PBNI personnel, and/or persons who have been co-opted by the supervising officer;
• set out the role and contributions of family* or other significant person(s) in terms of actively assisting the offender’s progress;
• set out specific objectives to secure the successful completion of additional requirements where these exist;
• include feedback arrangements for receiving progress reports from all agencies/persons concerned including the offender;
• state the number of the plan;
• include the date by which the supervision plan will be reviewed; and
• include the date the current review and revised plan were agreed together with the signatures of all parties concerned.

*In the case of a young offender the active participation of parent(s), or responsible adults, is critical to the promoting of improved parental influence and control and the prevention of further offending beyond the period of statutory supervision.

Standards 3.2, 3.3 and 3.4

The vehicle for identifying and demonstrating progress is the review of plans which shall be carried out at the required intervals. Each review of plans shall be preceded by a thorough review/revision of risk assessments followed by a review of S.M.A.R.T. objectives which should:

• clearly reflect the offender’s view of progress toward achievement of all supervision targets and/or otherwise;
• reflect the supervisor’s judgment of progress toward achievement of each supervision target and/or otherwise;
• take account of feedback from all other parties concerned;
• where appropriate, identify barriers to resolving practical problems which remain unresolved together with intended new approaches;
• describe any progress in terms of personal development;
• describe any learning/training opportunities undertaken and their impact;
• describe any regular leisure, social, educational/training, spiritual activities engaged in and how these have assisted strengthening of the social support network;
• comment on known current associations and how these have enhanced or militated against progress;
• describe any improvement or deterioration in family/social relationships;
• describe any participation in, and impact of, offending behaviour activities including victim awareness elements; and
• evaluate overall progress/deterioration against any changes in levels of assessed risks.

Each review shall directly inform the revised plan for the next period of supervision. If it is a final review, the offender and all relevant others should be engaged in setting plans for sustaining personal development and staying offence free beyond the period of supervision.
If during the currency of the Order the offender receives a new Probation Order or a Combination Order the workplan shall be reviewed forthwith and amended to take account of the new conviction(s) and applying the quality measures set out above.

**Standard 3.5**

Continuity of supervision is essential. Unless properly managed, transfer of supervision has the potential to disrupt continuity and cause any gains made in terms of offender progress to be undermined or lost altogether.

All transfers of supervision should be well informed, properly planned and have the written authority of the managers at both the sending and receiving locations. Transfers shall be informed by:

- thorough exploration of (and recording of) the reasons for transfer with the offender;
- consultation with the (sending) Area Manager;
- exploratory discussions/correspondence with the receiving location;
- thorough review and updating of risk assessments;
- a transfer summary in the form of a review and updating of current supervision plans;
- where practicable, a meeting of all relevant parties; and
- transfer of a complete and up to date case record.

Consideration should always be given to a trial arrangement with a timetable for deciding whether or not to confirm the transfer.

**Standard 4.1**

The Standard requires at least planned weekly contact during the first 16 weeks of supervision. A contact which counts toward the Standard is defined as a face to face meeting with the offender in connection with the workplan.

During the planned absence, or prolonged other absence, of the supervising officer arrangements shall be made to ensure continuity of active supervision in connection with the workplan.

Normally at least one contact each 4 weeks during the first 16 weeks of supervision shall be at the offender’s place of residence. The frequency of home visiting shall be determined as part of the workplan and not influenced by whether the offender wishes to receive visits at home.

Staff may have understandable concerns when required to visit high risk offenders in their homes. Never-the-less, arrangements should be made to facilitate home visits to take place in all but the most exceptional circumstances. On a case by case basis an Area Manager shall consider whether to approve accompanied home visits. That is the supervising officer accompanied by a colleague. If sanctioning accompanied visits in a particular case the Area Manager shall make a signed and dated entry in the case record stating his/her reasons for the decision. The Area Manager shall review the decision from time to time and not less frequently than at 16 weekly reviews of risk assessments.
Standard 4.2

In no case shall frequency of contact be planned at less than two week intervals, during the second period of supervision, unless the assessed risk of harm is low and the likelihood of re-offending is also low. For planned frequency to be less than two weeks, during this period, the record must also show that completion of all supervision targets is within reach during the remainder of the Order.

Standard 4.3

If at any point beyond the second period of supervision, both risk of harm and likelihood of re-offending are assessed as low, all supervision targets have been met and the offender has remained conviction free, (this must be established other than self-report from the offender – at the very least by accessing the up to date criminal record of the individual by way of the Criminal Record Viewer) the supervising officer shall consult the Area Manager with a view to making an application for either variation, or early discharge, of the Order.

5. GENERAL ENFORCEMENT GUIDANCE

The overall purposes of the enforcement process are to:

- ensure that the offender complies with the requirements of the Order so that courts and the public may have confidence in PBNI management of community sentences;
- set clear and fair boundaries which the offender understands; and
- secure and maintain the cooperation and compliance of the offender in order to ensure a successful completion of the Order.

The grounds for enforcement action to be considered are:

- failure to report as instructed to any place or person as required by the supervision plan;
- failure to notify change of address;
- reporting whilst under the influence of alcohol, drugs or other substance;
- failure to cooperate with the agreed supervision plan;
- failure to cooperate with arrangements for completion of an additional requirement;
- serious misconduct in relation to staff, and/or other service users. This may include verbal abuse, sexual harassment, threats of or actual violence, sexism, racism or sectarianism; and
- persistent low level misconduct such as unacceptable language.

NB. Issues of sexism, racism or sectarianism must be addressed whether, or not, people are present who may find such behaviour objectionable.

Failure to Inform Change of Address:

If a supervising officer has reason to believe an offender has changed address without notifying this, all efforts should be made to discover his/her present whereabouts. If knowledge of the offender’s current whereabouts are not established within twenty
four hours a recorded delivery letter shall be sent to the offender’s last known address giving instructions for him/her to make contact immediately on receipt of the letter. If the offender’s whereabouts are still unknown on the fifth day (24 hours in the case of an offender who is assessed as having a high likelihood of re-offending and/or is likely to cause harm to others) then breach action shall follow forthwith. If and when the postal service returns the letter as “unknown at this address”, the return letter together with its envelope shall be entered into the breach papers in readiness for the court hearing. A subsequent report to the court shall include any additional supporting information such as evidence of attempted home visiting, contact with relatives, etc.

**Standard 5.1**

An **apparent failure** to report is where the supervising officer does not have prior knowledge of why an offender has failed to keep an appointment.

Change of appointments requested by an offender should normally only be agreed to enable him/her to attend **important** family occasions such as weddings and funerals of close relatives or to deal with a family crisis.

Where a supervising officer agrees to a changed appointment at the request of an offender and, the changed appointment still enables the contact requirement of the Standard to be met, this **should not** be entered into the Enforcement Record at all. However, if a changed appointment is agreed and this prevents the contact requirement of the Standard being met then this **shall be** entered into the Enforcement Record as an acceptable absence.

Whilst reasons related to individual failures may be deemed to be acceptable supervising officers must be alert to a pattern of ‘acceptable reasons’ emerging. Such a pattern must generally be regarded as unacceptable in itself. In these circumstances the offender must be challenged and strongly urged to improve his/her level of compliance.

**Standards 5.2 and 5.3**

When an offender has failed to report, and wherever practicable, contact with the offender should be direct, either by home visit or by telephone. Contact by letter is a less desirable option because completion of the enforcement process is delayed. It is important to avoid delays in the enforcement process, in all cases, but particularly in cases which are assessed as high risk.

**Standard 5.4**

Absences that do not have prior permission should only be deemed acceptable if the reasons given by the offender meet one or both of two criteria, which are that the reasons were **urgent and/or unpredictable.** The onus shall be on the offender to substantiate the explanation proffered. The advice of the Area Manager must be sought in those occasional cases, such as claims to be under paramilitary threat. In some of these cases it should be possible to arrange contact at another service location.
There are occasions such as severe weather conditions, public transport strikes or periods of civil unrest when it may not be possible for some offenders to report to a particular probation office. In such circumstances the Area Manager should make an assessment as to whether, or not, the circumstances warrant acceptable absence in particular cases or, alternatively, whether continued contact could be maintained by a temporary arrangement. In those cases approved by the Area Manager as acceptable absence the supervising officer shall record this in the usual manner.

Absences by reason of the individual being in custody shall not be classified as acceptable. It should be noted on the contact sheet that the individual is in custody and that attendance will resume immediately following release from custody. It is for the supervising officer to make arrangements whereby he/she is notified of the offender’s release or further imprisonment.

**Standard 5.5**

With any form of enforcement consideration and/or action the supervising officer should be aware of the importance of being able to justify his/her decisions or actions in a court at a future date. The rationale for enforcement decisions and actions should be capable of being verified by reference to the case record.

Any failure or misconduct which leads to enforcement action being considered must be clearly recorded setting out the context, failure and/or misconduct and the reasons why the behaviour of the offender was deemed to be unacceptable. The record should show that the offender was invited to give an explanation and, if given, what that explanation was.

**BREACH PROCEEDINGS – GENERAL GUIDANCE**

The supervising officer shall make every effort to achieve compliance of the offender to the requirements of the Order. However, there is no legal requirement to give an offender any warnings for poor cooperation and/or unacceptable conduct before taking breach action. Whether prior warnings are given and the speed with which action is taken will depend on the assessed risk of harm to others and/or the likelihood of re-offending.

Among the grounds for considering breach action by warrant are if:

- the offender’s behaviour causes concern for the safety of others;
- gross misconduct occurs;
- contact with the offender is lost and his/her address/whereabouts is unknown and it is unlikely that contact will be renewed quickly;
- a high risk* offender fails to attend a first appointment; and
- a high risk offender, at any time, fails to report and then does not respond to a request for an explanation.

* In this context high risk is defined as ‘listed’ or that potential serious harm to the public has been identified.

In other circumstances, among the grounds for considering breach action by summons are if the offender:
- fails to comply having received two previous warnings in any complete twelve month period of supervision;
- persistently avoids working towards completion of the supervision plan;
- consistently participates at an unacceptably low level in the context of an additional requirement.

**Standard 5.6**

The letter informing the offender that breach proceedings have been initiated should also advise him/her that willingness to adhere to requirements of a renewed supervision plan may help when he/she returns to court, but that any decision about sentence for breach is a matter for the court. He/she should be offered one further appointment to take up renewed contact.

If he/she fails to turn up and does not provide a satisfactory explanation a further letter should be sent stating that no further appointments will be offered unless he/she renews contact on his/her own initiative.

If the offender re-establishes contact and again fails to comply with any of the requirements of supervision, then supervision should cease until after the court appearance. The offender should be notified in writing and a copy of the letter included with other breach evidence.

Once a summons or warrant has been issued, the fact that the offender re-establishes contact shall not be considered grounds for withdrawing breach proceedings but renewed contact and cooperation shall be made known to the court at the time of the breach hearing.

**Standard 5.7**

The provisions of Standards 5.1 through to 5.4 shall be circumvented if the supervising officer or the Area Manager have reason to believe that public safety, the safety of the offender or of probation staff may be endangered. If concerned about safety issues the supervising officer shall consult with the Area Manager without delay or with an ACO in the absence of the Area Manager.

If after consultation a decision to breach without prior warning is taken that decision shall normally be accompanied by a decision to seek a warrant for the immediate apprehension of the offender. In these circumstances the Area Manager shall record the decision to breach without prior warning in the case record and advise the relevant ACO of the action taken.

**Standard 5.8**

The breach report should contain the following details:

- name, date of birth and address of the offender;
- name of the court which made the Order;
- length of the Order and the date the Order was made;
- additional requirements made under Article 11 (if any);
• offence for which the Order was made; (A summary of police facts extracted from depositions)
• verified information about any further offence with which the offender has been charged and/or convicted;
• reasons for breach action;
• the date the breach was initiated;
• an up to date account of the offender’s responses to supervision during this Order, which outlines progress or otherwise toward planned objectives, levels of cooperation/conduct, together with the number of planned contacts and actual appointments kept;
• details of circumstances leading up to the breach and actions taken by the supervising officer and/or others;
• any known circumstances which may have contributed to the offender’s non-compliance; and
• a proposal to the court for an immediate sentencing disposal with the Order continuing or, for an adjournment to enable a PSR to be prepared before re-sentencing.

The court also has the option to revoke the Order and re-sentence for the original offence without further delay.

The breach report shall be accompanied by the file copy of the original Order, copies of the appropriate correspondence with the offender, relevant extracts from the case record and any other evidence pertinent to the allegation of breach.

The breach ‘package’ should be stored in a separate section of the case record and kept up to date with evidence of occurrences which post date the issue of the warrant/summons. The updated breach package shall be made available at least two days prior to the court hearing in the case of a summons or held in readiness for immediate submission as and when a warrant is executed.

**BREACH PROCEEDINGS AT COURT – GENERAL GUIDANCE**

The purpose of breach action is to return the offender to court for the breach to be heard and, if proven, to be properly sentenced. The probation officer prosecuting the breach should make a proposal for the breach to be marked by imposition of a specific sentence such as a fine, community service or re-sentencing. For a probation officer to propose an adjournment as a means of dealing with a breach is not acceptable practice except where circumstances suggest that a short adjournment to test the offender’s motivation may be reasonable before the court decides on sentence for the breach.

Following proof of a breach, an offender should not be regarded as suitable for continuation of a Community Sentence unless he/she has demonstrated willingness to cooperate in the future. Assessment of willingness should always involve an interview with a probation officer.

Where an offender has been sentenced for breach and the Community Sentence has been allowed to continue, supervision should cease immediately and further breach action initiated if the offender fails to comply again on one occasion without
acceptable reason. A second breach should invariably result in an application for revocation of the Order and re-sentencing.

In the event of a breach being proved and the offender sentenced the probation officer shall notify the Criminal Records Office of the new sentence using the approved proforma to transmit this information.

**Standard 5.9**

Very occasionally, for unforeseen reasons, an offender’s situation changes to such an extent that he/she is unable, rather than unwilling, to comply with reporting requirement of the Order over an extended period of time. Examples of this may be that the offender:

- has unexpectedly had to undertake **sole responsibility** for the care of a **severely incapacitated** close relative which would render office based reporting impossible;*
- has been certified sick **by a doctor** and is unable to respond to instructions for an extended period of time;
- is admitted to hospital as an in-patient and the recovery period is forecast **by doctors** to be a very lengthy one.

* Such a proposal should only be made if arrangements can be made on a regular basis to relieve the defendant of the limiting responsibilities to allow a proper response to be made to the requirements of the Order.

If such, or like, circumstances extend beyond a continuous period of six weeks or, are repeated intermittently over a period of eight weeks and there is no indication of the situation easing, then the Order should be returned to court with a view to revocation. Revocation in such circumstances should be because the Order has become unworkable and the court should be invited to deal with the case on a ‘no fault’ basis.

PSR writers should be alert to the possibility of a defendant’s circumstances which may prevent him/her responding fully to the requirements of a Community Sentence and should make the court aware of the potential for such an Order to become unworkable. A Community Sentence **should not** be proposed if contact would be limited to home visiting only.

In the event of an offender being reconvicted during the currency of the Order the probation officer shall seek the advice of the Area Manager as to whether an application for revocation is appropriate in the circumstances.

If permanent changes to an offender’s employment commitments prevent him/her from attending a programme which is demanded by the terms of an additional requirements of the Order, all efforts should be made to accommodate the offender’s attendance. If this proves to be impractical then an application should be made to revoke that particular additional requirement.

**Standard 6.1**

It is the responsibility of the supervising officer to ensure that the case record contains a full set of documents required and that each of those documents is recorded to date
in keeping with the stage of supervision. Documents shall only be considered complete/up to date if they bear the signatures required and that all entries and signatures are dated.

**Standard 6.2**

A case record can only be considered to be up to date if the documents together with ‘C’ Sheet entries reflect progress or lack of progress toward completion of workplans. To facilitate easy access to information the supervising officer and any other persons who have reason to make entries in the case record shall take care to make all entries legible and understandable to the reader and contain only relevant information.

**Standard 6.3**

For ease of recognition it is important to maintain the approved colour coding of all documents. It is the responsibility of Area Managers to ensure that administrative systems are in place to ensure that the approved colour coding can be maintained at all times.

It is essential, in every case, that the current assessed level of risk of harm is recognisable at a glance. This can be achieved by adhering to the following colour recognition code and tabbing system.

- **Listed cases** = Yellow file cover
  (To include sex offenders who have been listed. Apply white tab to top right hand corner of yellow file cover marked *Schedule 1* if appropriate)

- **All other sex offenders** = Red file cover
  (Apply white tab to top right hand corner of red file cover marked *Schedule 1* if appropriate)

- **All other cases** = Blue file cover

If a risk assessment review results in a change of risk level (up or down) it is the responsibility of the record keeper to give clear and immediate instructions to administrative staff to re-house the case record in the correct colour cover, and tabbing, consistent with the revised level of assessed risk of harm and the nature of the case.

When “signing off” a closed case the Area Manager shall give specific instructions to administrative staff to package the closed case record in a plain cover with appropriate colour tabbing.

**Standard 7.1**

Ideally the PSR writer will have ascertained the likely start date of an accredited programme prior to proposing to the court that an offender participate in the programme.

**Standard 7.2**
The person with responsibility for delivering the accredited programme shall keep a record of the offender’s:

- attendance/non attendance;
- participation levels in the programme;
- behaviour when attending;
- achievements and progress; and
- attitudes to staff and other participants.

**Standard 7.3**

When the offender completes or leaves the programme the person with responsibility for delivering the programme shall enter a summary of the offender’s participation in the case record which is a distillation of the record kept throughout the programme. The summary shall be presented in a format which takes account of the criteria set out at **Standard 7.2**.

**Standard 8**

It is essential that, when an Order is time expired or has been terminated early, the case record is properly closed.

It is the responsibility of the practitioner to:

- establish that the Order is indeed time expired or otherwise amenable to closure;
- carry out a final review of the case and enter a final summary into the planning section of the record. It is good practice for the final summary to include the offender’s plans for sustaining personal development, general progress and remaining offence free beyond the period of the Order;
- update RAS/PIMS;
- ensure that the case record contains a full set of relevant documents;
- strip the record of all duplicated and non-essential materials; and
- submit the completed case record to the Area Manager within 5 days of the termination date of the Order.

Within a further 5 days it is the responsibility of the Area Manager to:

- concur that the Order has been completed;
- agree that the case record has been properly completed and prepared for closure;
- require any remedial actions by the supervising officer if that is appropriate;
- “sign off” and date the record;
- give instructions for administrative action re packaging, tabbing and storage of the record in keeping with the approved colour recognition code; and
- ensure that the appropriate occurrence form is completed and forwarded without delay to the PBNI Information and Research Office.
## Record of Enforcement

Name of Supervisee: ___________________________ Date Order commenced: / /

### Have you read and understood Standards and Service Requirements relating to enforcement of Orders?

<table>
<thead>
<tr>
<th>Date of apparent failure</th>
<th>Explanation* sought by home visit, telephone or letter</th>
<th>*Explanation deemed to be acceptable or unacceptable</th>
<th>Action taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>No action required</td>
<td>Enter Acceptable, Unacceptable or No explanation offered</td>
<td>Write warning</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Final written warning</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Initiate Breach</td>
</tr>
<tr>
<td>2</td>
<td>No action required</td>
<td>Enter Acceptable, Unacceptable or No explanation offered</td>
<td>Write warning</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Final written warning</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Initiate Breach</td>
</tr>
<tr>
<td>3</td>
<td>No action required</td>
<td>Enter Acceptable, Unacceptable or No explanation offered</td>
<td>Write warning</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Final written warning</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Initiate Breach</td>
</tr>
<tr>
<td>4</td>
<td>No action required</td>
<td>Enter Acceptable, Unacceptable or No explanation offered</td>
<td>Write warning</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Final written warning</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Initiate Breach</td>
</tr>
<tr>
<td>5</td>
<td>No action required</td>
<td>Enter Acceptable, Unacceptable or No explanation offered</td>
<td>Write warning</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>Final written warning</td>
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<td></td>
<td></td>
<td></td>
<td>Initiate Breach</td>
</tr>
<tr>
<td>6</td>
<td>No action required</td>
<td>Enter Acceptable, Unacceptable or No explanation offered</td>
<td>Write warning</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Final written warning</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Initiate Breach</td>
</tr>
<tr>
<td>7</td>
<td>No action required</td>
<td>Enter Acceptable, Unacceptable or No explanation offered</td>
<td>Write warning</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Final written warning</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Initiate Breach</td>
</tr>
</tbody>
</table>

* Do not enter client’s explanation or supervisor’s judgments of those explanations on this document. A summary of these shall be entered on the record of contact sheet together with corresponding dates. Open fresh record sheets as required / Number each sheet / Retain all record sheets on file
Monitoring Form for Probation Orders, CPOs and Combination Orders

Name of Supervisee: …………………………………………………………… (Block capitals)  Index No: …………………

Name of Supervising Officer: …………………………………………………………………………………………… (Block capitals)

Part A

All sections in Part A are to be completed by the supervising officer.

Part A1: To be completed by the supervising officer before commencing preparation of work plans.

I affirm that the risk assessments (ACE & RA1*) received by me or, initiated/updated by me, have been completed in accord with all of the quality indicators which are set out in the Service Requirements section of the Standards for Risk Management. (*Delete as applicable)

If risk assessment(s) have been delayed please explain why below.

…………………………………………………………………………………………………………………
…………………………………………………………………………………………………………………
…………………………………………………………………………………………………………………

Signature of supervising Officer: ……………………………………… Date: ……………

Part A2: To be completed by the supervising officer no later than the date required by the Standards for completion of initial supervision plans.

I affirm that the initial work plan for the supervision of this case has been completed in accord with all of the quality indicators which are set out in the planning section of the Service Requirements related to the Standards relevant to the court Order which applies to this case. If the initial work plan was delayed please explain why below.

…………………………………………………………………………………………………………………
…………………………………………………………………………………………………………………
…………………………………………………………………………………………………………………

Signature of supervising Officer: ……………………………………… Date: ……………

Part A3 (i): To be completed by the supervising officer at the end of the fourth week of Supervision.

With the exception of any explanations that I have entered at Part A3(ii) – next page - I affirm that I have completed all routine requirements, in relation to this case, in accord with all relevant Standards and Service Requirements.
Part A3 (ii):  To be completed by the supervising officer concurrently with Part A3 (i). Make a separate entry for each Standard or Service Requirement which has not been met.

I affirm that it has not been possible to meet the requirements listed below for the reasons stated.  (If all requirements have been met enter ‘Not Applicable’ below)

<table>
<thead>
<tr>
<th>Requirement 1</th>
<th>Reason 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requirement 2</td>
<td>Reason 2</td>
</tr>
<tr>
<td>Requirement 3</td>
<td>Reason 3</td>
</tr>
<tr>
<td>Requirement 4</td>
<td>Reason 4</td>
</tr>
<tr>
<td>Requirement 5</td>
<td>Reason 5</td>
</tr>
<tr>
<td>Requirement 6</td>
<td>Reason 6</td>
</tr>
</tbody>
</table>

Signature of supervising Officer: .................................  Date: .................

Part A4:  To be completed by the supervising officer at intervals of 16 weeks.

First review:

I affirm that I have carried out and recorded a joint review of progress during the first period of supervision in accord with all quality measures for implementation of supervision plans and have, concurrently, prepared and agreed a work plan for the next period of supervision which takes full account of progress (or otherwise) to date and which meets with all quality indicators for supervision planning. I also affirm that all routine requirements have been completed to date.

Signature of Supervising Officer: ........................................  Date: .................

Second review:

I affirm that I have carried out and recorded a joint review of the second period of supervision in accord with all quality measures for implementation of supervision plans and have, concurrently, prepared and agreed a work plan for the next period of supervision which takes full account of progress (or otherwise) to date and which meets with all quality indicators for supervision planning. I also affirm that all routine requirements have been completed to date.

Signature of Supervising Officer: ........................................  Date: .................

If the Probation Order or probation element of the Order is for more than 12 Months use approved Review Follower Sheets as appropriate. Then when the Order is time expired, is substituted, is discharged on grounds of good progress or is revoked then complete the final review section below.

Final review:

I affirm that I have carried out and recorded a joint review of the final period of supervision in accord with all quality measures for implementation of supervision plans. The final summary includes the supervisee’s plans to maintain personal progress including efforts to remain offence free.

Signature of Supervising Officer: ........................................  Date: .................

01/02/06 -Yellow  MF/PO
Part A5: To be completed by the ‘sending officer’ in the event of supervision being transferred.

First transfer:

I affirm that the transfer of supervision to:

…………………………………………………………………………………………………………………….. (Name of new supervisor in block capitals)

was carried out in accord with all quality indicators required for the transfer of supervision. I also affirm that a complete and up to date record of supervision has been passed to the new supervising officer.

Signature of the Sending Officer: ………………………………………………… Date: …………………

I Agree/Disagree* (* delete as appropriate)

Signature of Receiving Officer: ………………………………………………… Date: …………………

NB: If subsequent transfers become necessary use an approved follower sheet and firmly attach to the monitoring document.

Part B: Area Manager Reviews

To be completed by the Area Manager on all occasions when reviewing all or part of the case. State the scope of the review together with any action required – date and sign each entry. If necessary firmly attach an approved follower sheet

………………………………………………………………………………………………………………………………………………

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Part C: To be completed by an ACO if the case is selected for senior management review.

I have reviewed this case record and have forwarded my written comments to the Area Manager in respect of my assessment of A.M. monitoring of the case together with suggestions/no suggestions required* (delete as appropriate) as to how the effectiveness of monitoring oversight of the case could be improved.

ACO Signature: .......................................................... Date: ......................

Part D: Termination

Part D(i): To be completed by the Supervising Officer and the case record submitted to the Area Manager no more than 5 days after the termination date of the Order.

During the period of supervision the supervisee has been convicted of a further offence(s)? YES/NO

If ‘YES’ please record:

<table>
<thead>
<tr>
<th>Date of Offence</th>
<th>Type of Offence</th>
<th>Date of Court</th>
<th>Sentence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I affirm that the Order is *time expired/has been substituted/has been discharged on grounds of good progress/has been revoked/subject to an arrest warrant at the time of expiry* (*delete as appropriate) and that the case record has been closed in accord with all quality requirements for termination of an Order.

Signature of Supervising Officer: ...................................................... Date: .................

Date submitted to Area Manager for verification: .........................

Part D(ii): To be completed by the Area Manager within 5 days of submission by the P.O.

I agree that this Order is amenable to closure, that the case record is complete and has been properly prepared for closure in accord with all quality requirements.

Area Manager Signature: ................................................................. Date: ......................
Follower Sheet for 16 Week Reviews of Probation Orders, CPOs and Combination Orders where the Probation element exceeds 12 months duration

(To be used for third and subsequent reviews up to but excluding the final review which should be entered in Part A4 of the main monitoring document.) (Firmly attach to main monitoring document).

Name of Supervisee: ………………………………………….. (Block capitals) Index No: …………………

………………… review: (Enter ordinal number of review. eg; Third, Fourth etc)

I affirm that I have carried out and recorded a joint review of the …………. period of supervision in accord with all quality measures for implementation of supervision plans and have, concurrently, prepared and agreed a work plan for the next period of supervision which takes full account of progress (or otherwise) to date and which meets with all quality indicators for supervision planning. I also affirm that all routine requirements have been completed to date.

Signature of Supervising Officer: ………………………………………….. Date: …………………

………………… review: (Enter ordinal number of review. eg; Third, Fourth etc)

I affirm that I have carried out and recorded a joint review of the …………. period of supervision in accord with all quality measures for implementation of supervision plans and have, concurrently, prepared and agreed a work plan for the next period of supervision which takes full account of progress (or otherwise) to date and which meets with all quality indicators for supervision planning. I also affirm that all routine requirements have been completed to date.

Signature of Supervising Officer: ………………………………………….. Date: …………………

………………… review: (Enter ordinal number of review. eg; Third, Fourth etc)

I affirm that I have carried out and recorded a joint review of the …………. period of supervision in accord with all quality measures for implementation of supervision plans and have, concurrently, prepared and agreed a work plan for the next period of supervision which takes full account of progress (or otherwise) to date and which meets with all quality indicators for supervision planning. I also affirm that all routine requirements have been completed to date.

Signature of Supervising Officer: ………………………………………….. Date: …………………
Follower Sheet for second and subsequent transfers of a Probation Order
(Continuity of supervision is important so second and subsequent transfer of supervision should only be made where absolutely unavoidable.)

Second transfer:

I affirm that the transfer of supervision to ................................. (name of new supervising officer in block capitals) was carried out in accord with all quality indicators required for the transfer of supervision. I also affirm that a complete and up to date record of supervision has been passed to the new supervising officer.

Signature of the Sending Officer: ____________________________ Date: ________________

Agree/Disagree* (*delete as appropriate)

Signature of Receiving Officer: ____________________________ Date: ________________

Third transfer:

I affirm that the transfer of supervision to ................................. (Name of new supervising officer in block capitals) was carried out in accord with all quality indicators required for the transfer of supervision. I also affirm that a complete and up to date record of supervision has been passed to the new supervising officer.

Signature of the Sending Officer: ____________________________ Date: ________________

Agree/Disagree* (*delete as appropriate)

Signature of Receiving Officer: ____________________________ Date: ________________
Follower Sheet for Area Manager Reviews of Probation Orders, CPOs and Combination Orders

(State the scope of the review together with any action required – date and sign each entry.)

Part B (continued)

(Use further Follower Sheets as necessary)
The Management and Supervision of Custody Probation Orders (CPOs)

Introduction

1. **Legislative Authority**

   Under Article 24(1) of the Criminal Justice (Northern Ireland) Order 1996 where a court has formed an opinion that a custodial sentence of 12 months or more would be justified for the offence, the court shall consider whether it would be appropriate to make a CPO.

2. **Definition**

   A CPO requires the offender to both:
   
   a) serve a custodial sentence; and
   
   b) on release from custody to be under the supervision of a probation officer for a period specified in the Order, being not less than 12 months nor more than 3 years.

3. **Strategy**

   All work with CPO prisoners should be guided by, and be in accord with, the Northern Ireland Resettlement Strategy.

4. **The Purpose**

   4.1 The purpose of working with a CPO offender during the custody phase is to contribute to a reduction in the likelihood of him/her re-offending when released. This might best be achieved through an agreed programme of work which has the objectives of:
   
   - minimising re-entry problems at the point of release into the community;
   
   - providing opportunities for the individual to improve his/her level of social competence;
   
   - actively preparing the individual for safe and successful supervision in the community.

   4.2 The fulfilment of the purpose will be enhanced if all concerned cooperate and collaborate to make practical provision which will enable the prisoner to make constructive use of his/her time whilst in custody. Provision for constructive use of time will be most effective if resettlement planning is:
   
   - tailored to, and fully reflective of, the assessed resettlement needs of the individual;
   
   - a joint exercise involving all relevant agencies, disciplines and the prisoner;
   
   - specific, relevant to purpose and achievable;
• geared to the actual length of time the offender will spend in custody between sentence and the commencement of probation supervision;
• fully implemented and the offender is encouraged, and actively supported, to sustain his/her efforts.

5. **Lead Agency During the Custody Phase**

Generally resettlement teams in each prison establishment should take the lead in resettlement planning and coordination of activities designed to help prisoner progress during the custody phase of sentence. However, in the interests of creating seamlessness between the custody phase and probation supervision in the community the lead should change hands placing lead responsibility for continued planning with the designated supervising probation officer from a point which is **three months prior to release or one month prior to any likelihood of home leave whichever be sooner**. Because of time spent in custodial remand, 20% of all persons made subject to CPOs serve less than three months in the custody phase of sentence. It is also known that very few CPO prisoners decline to participate in resettlement planning. In all of these ‘short term’ cases, where the prisoner is consenting, it makes sense for the supervising probation officer to lead resettlement planning from the point of sentence with NIPS coordinating opportunities and activities in support of the plan.

Because of time spent in custodial remand a significant minority of defendants are released immediately or within one day of sentence. It is imperative that probation managers in prisons have arrangements in place to receive the earliest possible notification of these cases so that field colleagues may be notified that Probation Order Standards apply with immediate effect.

6. **Home Leave**

PBNI staff should contribute to the home leave decision making process. The designated supervising probation officer shall play an active role in ensuring that home leave is used in ways which contribute to the eventual resettlement of the individual.

7. **Probation Supervision Phase**

Apart from arrangements for the initial post custody meeting between the supervisee and the supervising officer, the Standards to be applied are the same as those for a Probation Order and applied at a level which is consistent with the nature of the case, the assessed level of risk of harm and the assessed likelihood of re-offending in the particular case.
The Management and Supervision of Custody Probation Orders (CPOs)

Performance Standards

1. **Informed Consent**

1.1 In partnership with NIPS and the relevant voluntary agencies the Probation Board shall issue, and from time to time review, an explanatory leaflet which describes all aspects of the CPO.

1.2 *At the earliest opportunity* a copy of the relevant explanatory leaflet shall be made available to all remandees who could potentially be made subject of a CPO.

2. **Allocation**

2.1 Within 24 hours of sentence the case of each newly sentenced CPO prisoner shall be allocated to a named member of the PBNi team in the prison.

2.2 In each case where the prisoner will spend 90 days (three calendar months), or less, in the custody phase a field supervising officer shall be designated within 5 days of sentence.

2.3 In cases where the prisoner will spend more than 90 days (3 calendar months) in the custody phase a field supervising officer shall be designated in time for that officer to take an active part in the planning and management of home leave if that should be granted.

3. **Transfer of Information**

3.1 The team which provided the PSR shall forward a package of essential documents to the designated probation officer in the receiving prison to arrive within 5 days of sentence.

3.2 Subsequent to carrying out a committal interview the officer shall complete and forward the approved referral form for the attention of Prison Link.

3.3 To inform sentence planning, the prison probation officer shall provide copies of all relevant documents to the person with lead responsibility for resettlement planning in the particular case.

3.4 On completion, or termination of the Order, a copy of the final summary of supervision shall be forwarded to the governor who has responsibility for resettlement services at the prison from which the supervisee was released.

4. **The Statutory Order**

4.1 The case record shall contain a copy of the Custody Probation Order.
5. **Resettlement Planning and Implementation of Plans**

5.1 Throughout sentence all PBNI contributions to resettlement planning and the implementation of those plans shall be consistent with the quality requirements for all other types of Orders managed and supervised by PBNI staff.

5.2 During the custody phase, where the length of stay in custody requires it, resettlement plans shall be reviewed with the prisoner, and all relevant others, at 6 monthly intervals.

5.3 Where the length of time spent in sentenced custody is less than 6 months, a review shall be carried out at a time which will best inform completion of the post-custody workplan.

5.4 A specific plan should be agreed which details the resettlement activities the prisoner, and others, will engage in during any period of home leave.

5.5 The post-custody workplan shall be completed and signed by all parties at least 15 days prior to the EDR.

6. **Management of Risk**

6.1 All reviews of resettlement plans shall be preceded by a review and updating of risk assessments.

6.2 In all cases where the assessed level of risk of harm to others remains high a Risk Management Meeting shall be convened to take place one month prior to the anticipated date of home leave or, if leave is not considered, one month prior to the EDR.

7. **Frequency of Contact During the Custody Phase of Sentence**

7.1 All new committals to all prison establishments shall be invited to attend a committal interview within 2 days of remand/sentence.

7.2 The resettlement plan shall set out the frequency of face to face contacts to be made with the prisoner, during the custody phase, by all contributors including the supervising probation officer.

8. **Final Instructions**

8.1 Prior to release the prisoner shall be instructed to report to his supervising officer on the day of release or, in exceptional circumstances, the following day even though that be a Saturday.
9. **The Probation Phase of the Order**

9.1 If the supervisee fails to report for the first post custody meeting the supervising officer shall consult with the Area Manager with a view to initiating breach proceedings.

9.2 During the first post custody meeting the Custody Probation Order shall be served on the supervisee. The file copy shall be signed and dated by the supervisee and witnessed by the supervisor.

9.3 Subsequent to the first post custody meeting Probation Order Standards shall be applied at a level which is consistent with the assessed level of risk and taking account of whether the supervisee is a sex offender and/or under the age of 18 years.
The Management and Supervision of Custody Probation Orders (CPOs)

Service Requirements

1. INFORMED CONSENT

Standard 1.1

The explanatory leaflet shall be written in plain language and should stress the continuous nature of the CPO. It should describe the kind of opportunities and help which may be offered throughout the Order, the demands and obligations that the probation phase of the Order will bring to bear on the offender and, the possible consequences of failure to comply. It will be important for the leaflet to make comment about additional requirements, particularly those which encroach most on individual liberty.

Area Managers must ensure that adequate supplies of the leaflet are maintained at prisons where remand prisoners are held as well as at all probation locations in the community.

The ACO (Prisons) should ensure that the legal profession is made aware of the existence, purpose and availability of the leaflet.

At intervals of no more than 2 years the ACO (Prisons) should cause the content of the leaflet to be reviewed and, if necessary, revised.

Standard 1.2

It is essential that each defendant is enabled to arrive at an informed decision about whether to give or withhold consent if the court is of a mind to make a CPO. An informed decision can only be made by the defendant if he/she fully understands the nature of a CPO. It is for probation officers and others to discover if an individual has the ability to read and understand the leaflet or whether he/she needs to have it explained. All concerned should be aware of, and respond to, the particular needs of persons who have hearing defects or do not understand the English language. The services of an appropriate interpreter should be employed in these circumstances.

Primarily it is the responsibility of staff in the remand prisons to ensure that the explanatory leaflet is given to, and if necessary explained, to all relevant remandees. At a later stage, the PSR writer should check if this has been done and, if not done, to rectify the situation.
2. ALLOCATION

Standard 2.1

It is the responsibility of the community/court area managers to have in place an agreement with prison managers for the speedy transfer of information about each newly sentenced/transferred prisoner who has received a CPO.

Standards 2.2 and 2.3

It is incumbent on the Area Manager at the prison to have in place systems which allow allocations to be received from Area Manager colleagues in the community by making efficient use of administrative staff.

Community based Area Managers should give due priority to responding to allocation requests and when making allocations to have in mind the need for continuity of supervision.

3. TRANSFER OF INFORMATION

Standard 3.1

The package of essential documents, all relating to the current sentence, shall include the:

- Complete and up to date ACE;
- Complete and up to date RA1 and RM1 as required;
- PSR;
- Criminal record;
- Depositions; and
- Specialist reports.

Standard 3.2

It should be understood by all concerned that the family has the right to choose whether or not to accept an offer of service from Prison Link. The family’s right of choice may not be vetoed by the prisoner.

Standard 3.3

In terms of this Standard ‘relevant’ documents shall include copies of those documents detailed at 3.1 above together with a summary of any other information which is pertinent to the formulation of resettlement plans.

Standard 3.4

Responsibility for fulfilling this Standard rests with the supervising probation officer. The final summary of supervision should not be forwarded until immediately after the Area Manager has ‘signed off’ the case record and should be sent with an accompanying letter.
4. THE STATUTORY ORDER

Standard 4.1

It is essential that a copy of the Custody Probation Order is entered into the case record as soon as is possible after the Order has been issued by the sentencing court. If it has not been received by the keeper of the case record by 20 days after the date of sentence, the officer shall report this fact to the Area Manager who in turn shall make administrative arrangements for a copy of the Order to expedited.

5. RESETTLEMENT PLANNING AND IMPLEMENTATION OF PLANS

Standard 5.1

Set out at sub-section (a) below are the quality indicators which must be applied by all PBNI staff when formulating plans related to any statutory Order. Set out at sub-section (b) below are the quality measures by which progress in the implementation of plans may be demonstrated.

(a) Initial and subsequent plans shall fully reflect the outcomes of up to date risk assessments. Plans should be solution oriented, build on identified strengths of the individual and have S.M.A.R.T. objectives which are prioritised in terms of managing risk of harm as well as managing any likelihood of re-offending by:

i) resolution of practical/survival issues at the point of release and beyond;
ii) pursuit of personal resettlement needs as identified in assessments;
iii) building/strengthening family and social support networks;
iv) challenging offending behaviour.

Plans should be benchmarked for progress toward individual objectives and:

• have a specific victim awareness focus;
• detail frequency, nature and places of contact and with whom;
• spell out reasons for variation of, or maintenance of, contact arrangements;
• be written in the first person, stating what the offender will do;
• identify the levels of guidance, assistance, support or service to be provided by PBNI personnel and/or other agencies or individuals co-opted by PBNI staff;
• set out the role and contribution of the family*, and/or other significant persons in terms of actively assisting the offender’s progress;

* In the case of a young offender the active participation and contribution of parent(s) or responsible adult(s) is critical to the exercising of proper parental influence and control beyond the duration of the Order and prevention of further offending.
• set out specific objectives to secure successful completion of additional requirements where these exist;
• state the number of the review;
• include the date by which the current resettlement plan will be reviewed; and
• include the date the review and revised plan were agreed together with the signatures of all parties concerned.

(b) The vehicle for identifying and demonstrating progress is the review of plans which shall be carried out at the required intervals. Reviews of plans shall be preceded by a thorough review and updating of risk assessments, then a review of S.M.A.R.T. objectives by:

• clearly reflecting the offender’s view of progress or lack of progress toward achievement of resettlement targets;
• clearly reflecting the probation officer’s judgment of progress or lack of progress toward achievement of resettlement targets;
• taking full account of feedback reports from all other parties concerned;
• where appropriate, identifying practical problems which have been resolved or improved upon;
• where appropriate, identifying barriers to resolving practical problems together with renewed approaches;
• describing any progress or otherwise in terms of personal development;
• describing any learning/training opportunities undertaken and their impact;
• describing any regular leisure/social/spiritual activities engaged in and how these have assisted personal development;
• describing any improvement/deterioration in family and or social relationships;
• describing participation in, and impact of, offending behaviour activities including victim awareness elements;
• evaluating overall progress/deterioration against any changes in assessed levels of risk;
• directly informing the revised plan for the next period of sentence;
• (if a final review) engaging the offender, and relevant others, in setting plans for the community supervision phase which build on work completed/initiated during the custody phase.

**Standards 5.2 to 5.5**

It is sufficient to meet these Standards as they are written with the proviso that the requisite quality measures and quality indicators as set out at 5.1 above have been applied.
6. **MANAGEMENT OF RISK**

**Standard 6.1**

It is sufficient to meet this Standard as it is written with the proviso that the requisite **quality indicators** for completion of risk assessments have been applied.

**Standard 6.2**

In following through with this Standard the manager who chairs the RMM shall follow all procedures required which are set out in the Board’s Risk and Dangerousness Policy and where appropriate taking account of any MASRAM requirements.

7. **FREQUENCY OF CONTACT**

**Standard 7.1**

The purposes of the committal interview are to:

- confirm that the prisoner is clearly aware of the sentence received;
- provide the prisoner with information about PJNI services;
- advise of the advantages of participating in resettlement planning and resettlement activities. **To avoid disappointment/frustration, care should be taken at this early stage not to make commitments which may be difficult to deliver on at a later time.**
- discover what practical problems, if any, that the prisoner will face at the point of release; and
- establish whether or not the prisoner intends to participate in resettlement planning and activity prior to commencement of the probation phase

In cases where the prisoner will serve 90 days or less, and immediately after field allocation is known, the prison based probation officer shall convey relevant information arising from the committal interview to the supervising officer. The supervising officer shall make arrangements to visit the prison at the earliest opportunity to commence resettlement planning.

**Standard 7.2**

Frequency of contact will vary depending on the particular resettlement needs of the case. For the purposes of encouraging and supporting prisoner progress planned contact by the prison based probation officer should not be less than once per calendar month.

The supervising probation officer shall make a first visit to the prisoner as soon as is practicable and certainly no more than 10 days after allocation. Subsequent visits shall be arranged to complete resettlement planning (in short term cases), to agree a specific plan for home leave and later to finalise the probation workplan. The supervisor should make intermediate contacts with the prisoner either by letter and/or by using a prison based colleague as an intermediary.
8. FINAL INSTRUCTIONS

Standard 8.1

Final instructions must be given in writing and shall detail the date, time and place at which the prisoner must report to his/her supervising officer. A copy of the written instructions shall be signed by the prisoner and entered into the case record. It is essential that the prisoner is made aware of the possible consequences of failure to comply with the written instruction.

9. THE PROBATION PHASE OF THE ORDER

Standard 9.1

In the event of the offender failing to report for the first post custody interview the supervising officer shall check with the duty governor at the releasing prison to establish whether or not the prisoner was released and, if release took place, at what time that happened. If the prisoner was released then the Area Manager should be consulted with a view to deciding whether to seek an arrest warrant at the earliest opportunity. If the decision is to seek an arrest warrant that should be done as soon as is practicable.

Standard 9.2

If the offender was released from custody before the Custody Probation Order was issued by the sentencing court the supervising officer shall seek to expedite issue of the Order. If it has not been received within 15 days of sentence that should be reported to the Area Manager who should take appropriate action. In any event the Order shall be served at the first meeting with the supervisee following receipt of the Order. The approved stamp should be used to record the signatures of the supervisee and supervisor and the date of service.
Monitoring Form – Custody Phase of CPOs

Name of Prisoner: ................................. (Block capitals)  Index No: ........................

Name of prison P.O. ................................................................. (Block capitals)

PART A  
All sections in Part A are to be completed by the prison P.O.

Part A1:  To be completed by the prison P.O. before preparing the PBNI contribution to the resettlement plans or when the prisoner has stated that’s/he does not intend to participate in resettlement planning.

I affirm that the risk assessments (ACE & RA1*) received by me or, initiated/updated by me, have been completed in accord with all of the quality indicators which are set out in the Service Requirements section of the Standards for Risk management. (*Delete as appropriate) If risk assessment(s) have been delayed please explain why.

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Signature of Prison P.O. ............................................................... Date: ..............................

Part A2:  To be completed by the prison P.O. no later than the date agreed for completion of resettlement plans.

The prisoner intends to participate in resettlement planning  YES/NO

(If a participating prisoner) I affirm that the PBNI contribution to resettlement plans is in accord with all quality requirements set out in CPO Service Requirements.

Signature of Prison P.O. ............................................................... Date: ..............................

Part A3 (i):  To be completed by the prison P.O. by the end of the fourth week of sentence.

With the exception of any explanations that I have entered at Part A3 (ii) below, I affirm that I have completed all routine requirements, in relation to this case in accord with all relevant Standards and Service Requirements.

Part A3 (ii):  To be completed by the Prison P.O. concurrently with Part A3(i), making a separate entry for each Standard or Service Requirement which has not been met.

I affirm that it has not been possible to meet the requirements entered below for the reasons stated.  (If all requirements have been met enter N/A below)

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Signature of Prison P.O. ............................................................... Date: ..............................
Part A4: To be completed by the Prison P.O. at intervals of 6 months and/or one month prior to the prisoner’s EDR.

First review:

I affirm that I have carried out a joint review of progress during the first period of the resettlement plan in accord with all quality measures which are set out in Service Requirements for CPOs and have, concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date, which also meets with all quality requirements. I also affirm that all routine requirements have been completed to date, in accord with Standards or, explanations why not entered below.

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Signature of Prison P.O. .................................................. Date: ....................

Second review:

I affirm that I have carried out a joint review of progress during the second period of the resettlement plan in accord with all quality measures which are set out in Service Requirements and have, concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date and which also meets with all quality requirements. I also affirm that all routine requirements have been completed to date, in accord with Standards or, explanations why not entered below.

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Signature of Prison P.O. .................................................. Date: ....................

If the period of custody is for more than 12 months use approved Review Follower Sheets as appropriate. Then when a point one month prior to release is reached complete the final review section below.

Final Review:

I affirm that I have carried out a joint review of progress during the final period of the resettlement plan in accord with all quality measures which are set out in Service Requirements. The final summary includes the prisoner’s aims and objectives to be included in the probation supervision plan. I also affirm that all routine requirements have been completed to date in accord with Standards or, explanations why not entered below.

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Signature of Prison P.O. .................................................. Date: ....................
Part A5: To be completed by the “sending officer” in the event of responsibility for management of the case being transferred.

First transfer:

I affirm that the transfer of responsibility for management of this case to:

……………………………………………………………………………… (Name of receiving officer or prison)

was carried out in accord with all quality indicators required for transfer of a Probation Order (see Service Requirement for Standard 3.5 {Probation Orders} on Page 48 of the manual). I also affirm that a complete and up to date record of the management of the Order has been passed to the new responsible officer/prison.

Signature of sending officer: ............................................................... Date: .....................

Agree/Disagree* (*delete as appropriate)

Signature of receiving officer: ............................................................. Date: .....................

NB: If subsequent transfers of responsibility become necessary use an approved follower sheet and firmly attach to the monitoring document.

Part A6: To be completed by the prison P.O. prior to any home leave application being heard by the Home Leave Board. If there is no home leave application this section should be completed prior to preparation of the Probation Supervision Plan.

I affirm that risk assessments in this case have been reviewed and updated in readiness for Home leave Board/ preparation of Probation Supervision Plan* (*delete as appropriate).

(In the event of home leave being granted) I affirm that a Home Leave Plan has been agreed with the prisoner and the supervising P.O. (copy on file).

Signature of prison P.O. ................................................................. Date: .....................

Part B: Area Manager Reviews

To be completed by the Area Manager on all occasions when reviewing all or part of the case. State the scope of the review together with any action required-date and sign each entry. If necessary firmly attach an approved follower sheet.

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Part B:  cont

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Part C: To be completed by an ACO if the case is selected for senior management review.

I have reviewed the management of this case and have forwarded my written comments to the Area Manager in respect of my assessment of Area Manager monitoring of the case together with suggestions/no suggestions required* (*delete as appropriate) as to how the effectiveness of monitoring oversight of the case may be improved.

ACO signature: ................................................................. Date: ....................... 

Part D: - Termination: To be completed by the prison P.O. no later than the prisoner’s day of release.

I affirm that, prior to release, the prisoner was given written instructions (copy on file) detailing when and where to meet his/her supervising officer following release. I also affirm that the case record has been updated and forwarded to the supervising P.O.

Signature of prison P.O.: ................................................................. Date: .......................
Follower Sheet for 6 monthly reviews of CPOs during the Custody Phase

To be used for third and subsequent reviews up to but excluding the final review which should be entered in Part A4 of the main monitoring document. Firmly attach the follower to the main document.

Name of prisoner; .................................................................................................................. (Block Capitals)

Review: ......................................................... (Enter ordinal number of review. eg; Third, Fourth etc)

I affirm that I have carried out a joint review of progress during the ........ period of the resettlement plan in accord with all quality measures which are set out in Service Requirements for CPOs and have, concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date, which also meets with all quality requirements. I also affirm that all routine requirements have been completed to date, in accord with Standards or, explanations why not entered below.

Signature of Prison P.O. .......................................................... Date: ........................................

Review: ......................................................... (Enter ordinal number of review)

I affirm that I have carried out a joint review of progress during the ........ period of the resettlement plan in accord with all quality measures which are set out in Service Requirements for CPOs and have, concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date, which also meets with all quality requirements. I also affirm that all routine requirements have been completed to date, in accord with Standards or, explanations why not entered below.

Signature of Prison P.O. .......................................................... Date: ........................................

Review: ......................................................... (Enter ordinal number of review)

I affirm that I have carried out a joint review of progress during the ........ period of the resettlement plan in accord with all quality measures which are set out in Service Requirements for CPOs and have, concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date, which also meets with all quality requirements. I also affirm that all routine requirements have been completed to date, in accord with Standards or, explanations why not entered below.

Signature of Prison P.O. .......................................................... Date: ........................................
Follower Sheet for second and subsequent transfers of CPOs during Custody Phase

(Continuity of supervision is important so transfer of management responsibility for the case should be only made where absolutely unavoidable)

Second transfer:

I affirm that the transfer of management responsibility for this case to:

........................................................................................................ (Name of receiving officer/prison in block capitals)

was carried out in accord with all quality indicators required for transfer of a Probation Order (See Service Requirement for Standard 3.5 [Probation Orders] on Page 48 of the manual). I also affirm that a complete and up to date record of management of the case has been forwarded to the new responsible officer/prison.

Signature of Prison P.O. ................................................................. Date: .................................

Agree/Disagree* (*delete as appropriate)

Signature of the receiving officer: .................................................. Date: .................................

Third transfer:

I affirm that the transfer of management responsibility for this case to

........................................................................................................ (Name of receiving officer/prison in block capitals)

was carried out in accord with all quality indicators required for transfer of a Probation Order (See Service Requirement for Standard 3.5 [Probation Orders] on Page 48 of the manual). I also affirm that a complete and up to date record of the management of the case has been forwarded to the new responsible officer/prison.

Signature of Prison PO: ................................................................. Date: .................................

Agree/Disagree* (*delete as appropriate)

Signature of receiving officer: .................................................... Date: .................................
Follower Sheet for Area Manager Reviews of Probation Orders, CPOs and Combination Orders

(State the scope of the review together with any action required – date and sign each entry.)

Part B (continued)

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(Use further Follower Sheets as necessary)
Community Service Orders (CSOs)

Introduction

1. **Legislative Authority**

   Under Article 13 of the Criminal Justice (Northern Ireland) Order 1996 where a person of, or over, 16 years of age is convicted of an offence punishable by imprisonment, the court may make a CSO requiring him to perform unpaid work of:

   - not less than 40 hours; and
   - not more than 240 hours.

2. **Purpose and Objectives**

   The purpose of a CSO is to prevent further offending by re-integrating the offender into the community through:

   - successful completion of positive and demanding unpaid work;
   - keeping to disciplined requirements; and
   - reparation to the community by undertaking socially useful work.

3. **Suitability**

   A court shall not make a CSO unless:

   - the offender consents and the court is satisfied after hearing from a probation officer that:
     - the offender is suitable; and
     - there is work to be done.

4. **Consultation**

   Before submitting a PSR to the court, where a CSO is a possible outcome, the Probation Officer must establish the suitability of the offender and should consult with the Community Service Officer to confirm that suitable work is available. Staff should ensure that all defendants, regardless of ethnicity, disability, etc, are given equal consideration for community service.
Community Service Orders (CSOs)

Performance Standards

1. Community Service Placements

1.1 The Community Service Scheme shall provide a sufficient number and range of placements to enable offenders to complete the required number of hours of work to a satisfactory standard within the time limits set by law.

1.2 A Risk Assessment shall be made of each potential work placement.

1.3 All placements shall adhere to health and safety regulations.

2. Induction

2.1 An induction interview shall take place within 5 days of sentence and recorded on the approved documents. In the case of a young offender the parents/guardians shall be encouraged to attend.

2.2 A copy of the Community Service Worker’s Handbook shall be given to the offender along with an explanation of the health and safety arrangements and the responsibilities these arrangements place on the offender.

3. Serving the Order

3.1 The Order shall be served on and signed and dated by the offender within 5 days of it being received from the Court.

4. Placing the Offender in Work

4.1 A Risk Assessment in relation to each offender shall be completed.

4.2 Arrangements shall be made for all offenders to commence work no later than 10 days from the day of sentence.

4.3 Each offender shall be issued with work instructions.

4.4 The offender shall be notified in writing of all changes to work instructions.

4.5 The offender shall sign and date the original work instructions and all subsequent changes to these instructions.

4.6 The average work rate shall be at least 5 hours per week and shall always be sufficient to complete the Order within 12 months.
5. **Working Arrangements**

5.1 The supervisor of the placement shall complete the offender’s Time and Performance Sheet, share it with and have it signed by the offender, and return it to the Community Service Unit at weekly intervals.

5.2 When an offender reports for work as instructed but work cannot commence and a suitable alternative cannot be found, the offender shall be credited with his/her actual travel time.

5.3 If an offender reports for work as instructed, work commences but cannot continue and suitable alternative work cannot be found, the offender shall be credited with travelling time plus any hours worked.

6. **Enforcement**

6.1 On each and every occasion that an offender apparently fails to comply with the requirements of the Order, the apparent failure shall be entered into the Record of Enforcement.

6.2 When the offender apparently fails to comply with the reporting requirements of the Order, the supervising officer shall respond within 2 working days of notification by:
(a) a home visit; or
(b) a telephone call; or
(c) by sending a letter by first class post.

The purpose of this action is to secure an explanation for his/her apparent failure.

The reason for the apparent failure shall be recorded as acceptable or unacceptable.

6.3 If the supervising officer deems that an explanation for failure to comply is unacceptable or when no explanation is forthcoming by the date required the following action shall be taken:

6.3.1 First unacceptable failure – formal warning in writing with appropriate entry in the Record of Contact.
6.3.2 Second unacceptable failure – final warning in writing with appropriate entry in the Record of Contact.
6.3.3 Third unacceptable failure – breach proceedings shall be initiated within 10 working days and an appropriate entry made in the Record of Contact.

6.4 The offender shall be notified by recorded delivery letter that breach proceedings have been initiated and that reporting instructions have been suspended pending renegotiation of the contract.
6.5 If a failure to comply could result in danger to the public or the offender, breach proceedings shall be initiated without prior warning. Reasons relating to a decision not to issue prior warnings must be entered in the Record of Contact.

6.6 When either a warrant or summons has been issued the responsible officer shall prepare a breach report, immediately, in readiness for the court hearing.

6.7 If at any stage of an Order it proves to be unworkable then an application shall be made for revocation of the Order.

7. **Record Keeping**

7.1 The case record shall contain a full set of documents consistent with the stage of the Order.

7.2 The record shall be kept up to date, ie, entries shall be made no later than 5 working days after an occurrence.

7.3 Approved colour coding of documents and approved colour coding and tabbing of file covers shall be maintained.

7.4 If supervisory responsibility for the Order is transferred, a transfer summary shall be entered in the record of supervision prior to the transfer taking place.

8. **Closure of Case Records**

When an order is hours expired or has been revoked for any reason the case record shall be closed in accord with PBNI Retention and Disposal Schedule.
Community Service Orders (CSOs)

Service Requirements

Service Requirements for ensuring that in working to Community Service Standards a scheme is maintained which has the confidence of the Courts and of the Public.

Standards 1.1, 1.2 and 1.3

It is the responsibility of the Area Manager to ensure that a sufficiency of suitable work placements is available to support the throughput of Community Service Orders being managed in the area.

Before approving its use the Area Manager shall be satisfied that a placement meets the following criteria. All placements should:

- be designed to demonstrate to the public that work undertaken by community service workers is purposeful, demanding and where possible reparative;
- encourage, in offenders, a sense of personal responsibility and discipline;
- be assessed for risk to individuals and property and meet the requirements of health and safety legislation;
- provide close supervision and adherence to Community Service Standards; and
- involve work which the beneficiary confirms would not, at that time, otherwise be completed by paid employees.

Each placement shall be re-assessed at annual intervals. A record of each assessment and re-assessment shall be kept on file and a copy sent to the Health and Safety Officer.

Only those agencies which meet Health and Safety Regulations shall be approved to provide work placements and issued with an indemnity.

A suitability assessment shall be carried out in respect of all known new expectant mothers before they engage in community service work.

Only those organisations which are prepared to comply with Service Requirements related to Community Service and sign an agreement to that effect shall be approved for the purpose. Normally approval shall be for the supervision of one offender on any one day.

Organisations which are approved by the Area Manager shall receive random visits to work sites at least at monthly intervals when in use. Any deviation from Service Requirements including Health and Safety Standards discovered during a site visit shall be recorded together with any remedial action required. A copy of the recording shall be sent to the host organisation and a follow-up visit made to the site.

Every quarter a Health and Safety Report related to each work site shall be forwarded to the Health and Safety Officer.
At work sites which are supervised by employees of the Probation Board the supervisor/offender ratio shall not normally exceed 1:4. Any deviation upward from this ratio shall require the approval of the Area Manager. In the interest of economy the supervisor/offender ratio should not normally be planned to be less than 1:3.

**AT COURT**

Where practicable the Probation Officer or Probation Service Officer at the Sentencing Court shall provide the offender with a written instruction informing him/her when, where and to whom to report. If it has not been possible to see the offender before he/she leaves court then the relevant field office shall be advised by telephone that same day of the need to contact the offender to arrange an induction interview.

**Standard 2.1**

At the initial interview with the offender the Community Service Officer shall provide the offender with a clear explanation of the following aspects of the Order.

- the conditions of the Order as they apply to the offender;
- what constitutes, and the consequences of unacceptable behaviour including the possibility of breach proceedings;
- choices of work available;
- what happens if work cannot take place or continue once started;
- health and safety responsibilities;
- what the offender can expect from the Probation Service during the Order in relation to fair and just treatment, confidentiality of information, rights under data protection, assistance with travel where appropriate, etc; and
- complaints procedures with regard to service delivery by PBNI employees.

At this meeting the offender shall be issued with:

- a copy of the complaints procedure;
- initial work instructions; and
- a copy of the Community Service Worker’s Handbook.

*Unacceptable behaviour includes:

- violent or aggressive behaviour including threats of violence
- conduct or language that may give offence to members of the public, to other offenders under supervision or to Probation staff
- language of a racist, sexist or sectarian nature
- wilful or persistent non-cooperation
- behaviour intended to undermine the supervision of the offender or the supervision of others
- non-attendance and/or poor time keeping
- arriving at work site under the influence of drugs, alcohol or other substance.

Before the interview is terminated the offender shall be asked to confirm that he/she has been provided with the information and documents required and that he/she has understood the same by signing and dating:
- the Record of Induction Interview (CS);
- the Statement of Joint Responsibilities; and
- Initial work instructions.

If the offender declines to provide the signatures requested the Community Service Officer shall endorse the documents to this effect and date them.

**Standard 3.1**

When serving the Order the Community Service Officer shall issue a copy to the offender and require the offender to sign and date the file copy of the Order as evidence that the offender:

- understands the conditions and requirements of the Order; and
- has received a copy of the Order.

If the offender declines to sign as requested the officer serving the Order shall write a declaration to this effect on the file copy of the Order.

*If the Order has not been received from the Court within 10 working days of sentence the Community Service Officer shall draw this to the attention of the Area Manager who shall take action to expedite the issuing of the Order.*

**Standard 4.1**

A Risk Assessment in relation to each offender shall be on file.

**Standards 4.2, 4.3, 4.4 and 4.5**

It is sufficient to meet these Standards as they are written.

**Standard 4.6**

The Community Service Officer shall calculate and enter the target date for completion of the Order on the Management of Order Form. The target date shall be calculated by dividing the number of hours in the Order by 5 and adding 2 which will give the number of weeks after sentence by when the Order should be completed given the compliance of the offender.

For example:

- an 80 hour Order is made on Thursday 3 March 2006.
- 80 hours divided by 5 = 16.
- Add 2
- The projected period for completing the Order is 18 weeks giving a target completion date in this case of Wednesday 6 July 2006.

Progress of each and every Order shall be reviewed at the half way point by date (not hours worked) and, if necessary, and in consultation with the Area Manager, a
decision taken to increase the work rate or in exceptional circumstances amend the target date.

Standards 5.1, 5.2 and 5.3

It is sufficient to meet these Standards as they are written.

6. ENFORCEMENT - GENERAL GUIDANCE

The overall purposes of enforcement are to:

- ensure that the offender complies with the requirements of the Order so that courts and the public may have confidence in PBN1 management of Community Sentences;
- set clear, fair and consistent boundaries which the offender understands; and
- secure and maintain the cooperation of the offender in order to ensure successful completion of the Order.

Grounds for enforcement action to be considered are:

- failure to report as instructed;
- failure to notify change of address;
- reporting whilst under the influence of alcohol, drugs or other substance;
- failure to cooperate with the agreed management plan;
- serious misconduct in relation to the public, staff and/or other community service workers. This may include verbal abuse, sexual harassment, threats of, or actual, violence, sexism, racism or sectarianism;
- persistent low level effort at the work site;
- persistent low level misconduct such as unacceptable language; and
- persistent lateness at the work site or at the pick up point.

NB. Issues of sexism, racism or sectarianism must be addressed whether, or not, people are present who may find such behaviour objectionable.

Failure to Inform Change of Address:

If a supervising officer has reason to believe an offender has changed address without notifying this, all efforts should be made to discover his/her present whereabouts. If knowledge of the offender’s current whereabouts are not established within twenty four hours a recorded delivery letter shall be sent to the offender’s last known address giving instructions for him/her to make contact immediately on receipt of the letter. If the offender’s whereabouts are still unknown on the fifth day (24 hours in the case of an offender who is assessed as having a high likelihood of re-offending and/or is likely to cause harm to others) then breach action shall follow forthwith. If and when the postal service returns the letter as “unknown at this address”, the return letter together with its envelope shall be entered into the breach papers in readiness for the court hearing. A subsequent report to the court shall include any additional
supporting information such as evidence of attempted home visiting, contact with relatives, etc.

**Standard 6.1**

An apparent failure to report is where the responsible officer does not have prior knowledge why the offender has failed to respond to a work instruction.

Change of work instructions requested by the offender should normally only be agreed to enable the offender to attend important family occasions such as weddings, funerals of close relatives, religious events, to deal with a family crisis or because of unforeseen employment commitments.

Where the responsible officer agrees to a changed appointment at the request of the offender and, the changed arrangement still enables the required work rate to be maintained no entry need be made in the Enforcement record at all. However, if a changed appointment is agreed and this prevents the required work rate being maintained then this shall be entered into the Enforcement Record as an acceptable absence.

Whilst reasons related to individual failures may be deemed to be acceptable staff must be alert to a pattern of ‘acceptable reasons’ emerging. Such a pattern must generally be regarded as unacceptable in itself. In these circumstances the offender must be challenged and strongly urged to improve his/her pattern of attendance.

**Standard 6.2**

If an offender has failed to report for work or for any other official appointment in connection with the Order, wherever practicable direct contact should be made with the offender by either home visit or by telephone. Contact by letter is a less desirable option because completion of the enforcement process is delayed. It is important to avoid delays in the enforcement process in all cases, but particularly in cases which are assessed as high risk.

**Standard 6.3**

Absences that do not have prior permission should only be deemed to be acceptable if the reasons given meet one or both of two criteria, which are that the reasons were urgent and/or unpredictable. The onus shall be on the offender to substantiate the explanation proffered. If an offender claims to be under paramilitary threat, and this is substantiated, arrangements should be made for the offender to complete his/her Order at an alternative placement in a ‘safe area’.

There are occasions such as severe weather conditions, public transport strikes or periods of civil unrest when it may not be possible for some offenders to respond to instructions. In such circumstances the Area Manager should make an assessment as to whether, or not, acceptable absence may be recorded in particular cases or, alternatively whether the individuals affected should be required to attend alternative placements. In those cases approved by the Area Manager as acceptable absence this shall be recorded in the usual manner and the decision kept under review.
Absences by reason of an individual being in custody shall not be classified as acceptable or entered into the Enforcement Record. In these circumstances it should be noted on the contact sheet that the individual is in custody and that new instructions will be issued immediately following release from custody. Alternatively, where appropriate, a decision shall be taken in consultation with the Area Manager as to whether an application should be made to revoke the Order. It is for the responsible officer to make arrangements whereby he/she is notified of the offender’s release or further imprisonment.

**Standard 6.4**

With any form of enforcement consideration and/or action the responsible officer should be aware of the importance of being able to justify his/her decisions or actions in court at a future date. The rationale for enforcement decisions and actions should be capable of being readily verified by reference to the case record.

Any failure or misconduct which leads to enforcement actions being considered must be clearly recorded setting out the context, failure and/or misconduct and the reasons why the behaviour of the offender was deemed to be unacceptable. The record should show that the offender was invited to give an explanation and, if given, what that explanation was.

If the community service hours are part of a Combination Order it is essential that any unacceptable failures are communicated without delay to the supervising probation officer so that enforcement action may be aggregated and be applied across the whole Order.

**BREACH PROCEEDINGS – GENERAL GUIDANCE**

Staff shall make every effort to achieve compliance of the offender to the requirements of the Order. However, there is no legal requirement to give an offender warnings for poor cooperation and/or unacceptable conduct before taking breach action. Whether prior warnings are given and the speed with which action is taken will depend on the assessed risk of harm to others and/or the likelihood of re-offending.

Among the grounds for considering breach action by warrant are if:

- the offender’s behaviour causes concern for the safety of others;
- gross misconduct occurs;
- contact with the offender is lost and it is unlikely that contact will be renewed quickly;
- a high risk offender fails to attend a first appointment; and
- a high risk offender, at any time, fails to report and then does not respond to a request for an explanation.
In other circumstances, among the grounds for considering breach action by summons are if the offender:

- fails to comply for a third time and the reasons are judged to be unacceptable, having received two previous warnings;
- persistently avoids working to a satisfactory standard; and
- persistent low level of co-operation and/or persistent poor conduct.

**Standard 6.5**

The letter informing the offender that breach proceedings have been initiated shall also advise him/her that willingness to adhere to the requirements of a renewed contract may help when he/she returns to court but that any decision about sentence for breach is a matter for the court. He/she should be offered one further opportunity to adhere to work instructions and/or otherwise amend his/her conduct.

If he/she fails to attend, attends and misbehaves or fails to provide a satisfactory explanation a further letter should be sent stating that no further work instructions will be offered unless he/she renews contact on his/her own initiative.

If the offender re-establishes contact and again fails to comply with any of the requirements of the Order on one occasion then the Order shall be suspended until after the court appearance. The offender should be notified in writing and a copy of the letter included with other breach evidence.

Once a summons or warrant has been issued, the fact that the offender renews compliance with the requirements of the Order shall not be considered grounds for withdrawing breach proceedings but the renewed cooperation of the offender shall be made known to the court at the time of the breach hearing.

**Standard 6.6**

The provisions of Standards 6.1 through to 6.4 shall be circumvented if the Community Service Officer or the Area Manager have reason to believe that public safety, the safety of the offender or probation staff may be endangered. If concerned about safety issues the Community Service Officer shall consult with the Area Manager without delay or with an ACO in the absence of the Area Manager.

If a decision to breach without prior warning is taken that decision shall normally be accompanied by a decision to seek a warrant for the immediate apprehension of the offender. In these circumstances the Area Manager shall record the decision in the case record and advise the relevant ACO of the action taken.

**Standard 6.7**

The breach report shall contain the:

- name, date of birth and address of the offender;
- name of the court which made the Order;
- total number of hours to be worked and the date the Order was made;
• offence for which the Order was made;
• reasons for breach action;
• date the breach was initiated;
• an up to date account of hours worked, levels of cooperation including attendances planned against turn up rate, offender efforts to complete work to a satisfactory standard and general conduct;
• details of circumstances leading up to the breach and actions taken by the supervising officer and/or others;
• any known circumstances which may have contributed to the offender’s non-compliance; and
• a proposal to the court for an immediate sentence or an adjournment to allow a full PSR to be prepared before re-sentencing.

The breach report shall be accompanied by the file copy of the original Order, copies of appropriate correspondence with the offender, relevant extracts from the case record and any other evidence pertinent to the allegation of breach.

The breach ‘package’ should be stored in a separate section of the case record and kept up to date with evidence of occurrences which post date the issue of the warrant/summons. The updated breach package shall be made available to the court at least two days prior to the court hearing in the case of a summons or held in readiness for immediate submission as and when a warrant is executed.

**BREACH PROCEEDINGS AT COURT – GENERAL GUIDANCE**

The purpose of breach action is to return the offender to court for the alleged breach to be heard and, if proven, to be properly sentenced. The Probation Officer prosecuting the breach should make a proposal for the breach to be marked by imposition of a specific sentence such as a fine, additional hours or re-sentencing. For a Probation Officer to propose an adjournment as a means of dealing with a breach is not acceptable practice except where circumstances suggest that a short adjournment to test the offender’s motivation may be reasonable before the court decides on sentence for the breach.

Following proof of a breach, an offender should not be regarded as suitable for continuation of a Community Service Order unless he/she has demonstrated willingness to cooperate in future. Assessment of willingness should always involve an interview with a Probation Officer.

Where an offender has been sentenced for a breach and a Community Service Order has been allowed to continue, work instructions should cease immediately and further breach action initiated if the offender fails to comply again without acceptable reason. A second breach should invariably result in an application for revocation of the Order and re-sentencing.
Standard 6.8

Very occasionally, for unforeseen reasons, an offender’s situation changes to such an extent that he/she is unable, rather than unwilling, to comply with the requirements of the Order over an extended period of time. Examples of this may be that the offender:

- has unexpectedly had to undertake **sole responsibility** for the care of a **severely incapacitated** close relative, or other highly dependent person, which would render attending for work on a regular basis impossible;*
- has been certified sick by a **doctor** and is unable to respond to work instructions for an extended period of time; or
- is admitted to hospital as an in-patient and the recovery period is forecast by **doctors** to be a lengthy one.

*A proposal for a Community Service Order should only be made in these circumstances if it certain that arrangements can be made on a regular basis to relieve the defendant of the limiting responsibilities to allow a proper response to be made to the requirements of the Order.

If such, or like, circumstances extend beyond a continuous period of 6 weeks or, are repeated intermittently over a period of 8 weeks and there is no indication of the situation easing, then the Order should be returned to court with a view to revocation. Revocation in such circumstances should be sought on the grounds that the Order has become unworkable and the court should be invited to deal with the case on a “no fault” basis.

In the course of making enquiries PSR writers should be alert to any possibility that a defendant’s personal circumstances may render him/her incapable of responding fully to the requirements of a Community Service Order and should make the court aware of the potential for such an Order to become unworkable.

Standard 7.1

It is the responsibility of the Community Service Officer to ensure that the case record contains a full set of documents and that each of those documents is up to date in keeping with the stage of the Order. Documents shall only be considered complete/up to date if they bear the signatures required and that all entries and signatures are dated.

Standard 7.2

A case record can only be considered to be up to date if the documents together with ‘C’ Sheet entries reflect progress or lack of progress toward completion of the Order.

To facilitate easy access to information the Community Service Officer and any other persons who have reason to make entries in the case record shall take care to make all entries legible and understandable to the reader and contain only relevant information. All entries must be dated and initialled by the person making the entry.
Standard 7.3

For ease of recognition it is important to maintain the approved colour coding of all documents. It is the responsibility of Area Managers to ensure that administrative systems are in place to ensure that the approved recognition coding can be maintained at all times.

It is essential, in every case, that the current assessed level of risk of harm is recognisable at a glance. This can be achieved by adhering to the following colour recognition code and tabbing system.

- **Listed cases** = Yellow file cover
  
  *(To include sex offenders who have been listed. Apply a white tab to the top right hand corner of the yellow file cover marked Schedule 1 as appropriate)*

- **All other sex offenders** = Red file cover
  
  *(Apply a white tab marked Schedule 1 to the top right hand corner of the red file cover if appropriate)*

- **All other cases** = Blue file cover

If a risk assessment review results in a change of risk level (up or down) it is the responsibility of the record keeper to give clear instructions to administrative staff to re-house the case record in the correct colour cover, together with correct tabbing, consistent with the nature of the case and the revised level of assessed risk.

Having “signed off” a closed case the Area Manager shall give specific instructions to administrative staff to package the closed record in a plain cover with appropriate coloured tabs.

Standard 7.4

Continuity of supervision is essential. Unless properly managed, transfer of an Order has the potential to disrupt continuity and cause any gains made in terms of offender progress to be undermined or lost altogether.

All transfers should be well informed, properly planned and have the prior authority of the managers at both the sending and receiving locations. Transfers shall be informed by:

- thorough explanation of (and recording of) the reasons for transfer with the offender;
- consultation with the (sending) Area Manager;
- exploratory discussions/correspondence with the receiving location;
- a transfer summary in the form of a review and updating of the Management Plan;
- where practicable, a meeting of all relevant parties; and
- transfer of a complete and up to date case record.
Standard 8

It is essential that, when an Order is hours expired or has been terminated early, the case record is properly closed.

It is the responsibility of the record keeper to:

- establish that the required number of hours have indeed been completed or the case is otherwise amenable to closure;
- update RAS/PIMS;
- ensure that the case record contains a full set of relevant documents;
- strip the record of duplicated and non-essential materials; and
- submit the completed record to the Area Manager (or delegate) within 5 days of the Order terminating.

Within a further 5 days it is the responsibility of the Area Manager (or delegate) to:

- concur that the required number of hours have been completed;
- agree that the case record has been properly completed and prepared for closure;
- require any remedial actions by the record keeper if that is necessary;
- "sign off" and date the record;
- give instructions for administrative action re packaging, tabbing and storage of the record in keeping with the approved recognition code; and
- ensure that the appropriate occurrence form is completed and forwarded without delay to the PBNI Information and Research Office.
Monitoring Form – Community Service Orders

Name of offender: ................................................................. Index number: ..............

Name of Probation Officer: ..............................................................

Name of CS Officer: ..............................................................

Section 1 – to be completed by the Probation Officer before arranging to place the offender in work

I affirm that the risk assessments (ACE and RA1*) received by me, or initiated/updated by me, have been completed in accord with all of the required quality indicators which are set out in the Service Requirements section of Standards for Risk Management. ( *Delete as appropriate)

Signature of Probation Officer: ........................................ Date: ..............

Section 2 – To be completed by the CS Officer no later than 4 weeks from commencement of the Order

<table>
<thead>
<tr>
<th>I affirm the following have taken place</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Induction interview arranged to take place within 5 days?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Induction interview took place within five days?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. CS worker handbook issued</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Health &amp; Safety conditions explained?</td>
<td></td>
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<td></td>
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<tr>
<td>5. Initial work instructions issued?</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>6. Order served within 5 days of receipt?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Offender commenced work within 10 days of sentence?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Record of Enforcement correct and up to date?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Appropriate enforcement action taken in all instances required?</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>10. Case record contains a full set of documents consistent with stage of Order?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Recording is up to date within 5 days of last occurrence?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* No but acceptable reason is recorded on contact sheet.

Signature of CS Officer: ........................................ Date: ..............
### Section 3 – To be completed by CS Officer at mid point of the Order by date

<table>
<thead>
<tr>
<th>I affirm the following have taken place</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Progress review completed at mid point to target date for completion?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Average work rate at least 5 hours per week?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Order on target for planned completion date?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Offender notified in writing of changes to work instructions?</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>5. Completed time sheets returned at weekly intervals?</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>6. As appropriate offender was credited with travel time and/or hours worked?</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>7. Record of Enforcement is correct and up to date?</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>8. Appropriate enforcement action taken in all instances required?</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>9. Case record contains a full set of documents consistent with stage of Order?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Recording is up to date within 5 days of last occurrence?</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

*No but an acceptable reason is recorded on the contact sheet

Signature of CS Officer: ………………………………………………..……….. Date: …………………..

### Section 4 – To be completed by the CS Officer for Orders in excess of 80 hours which have not been completed by the targeted completion date

<table>
<thead>
<tr>
<th>I affirm the following have taken place</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Average work rate at least 5 hours per week?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Order is on target for planned/revised target date?</td>
<td></td>
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</tr>
<tr>
<td>3. Offender notified in writing of changes in work instructions?</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>4. Completed time sheets returned at weekly intervals?</td>
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<tr>
<td>5. As appropriate the offender was credited with travel time and/or hours worked?</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>6. Record of Enforcement correct and up to date?</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>7. Appropriate disciplinary action taken in all instances required?</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>8. Case record contains a full set of documents consistent with stage of the Order?</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Recording is up to date within 5 days of last occurrence?</td>
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<td></td>
</tr>
</tbody>
</table>

*No but an acceptable reason is recorded on the contact sheet

Signature of CS Officer: ………………………………………………..……….. Date: …………………..
Section 5 – To be completed by the CS Officer in the event of management of the Order being transferred

First transfer

I affirm that the transfer of this Order to:

………………………………………………………………………………………………… (Name of receiving CS Officer)
was carried out in accord with all required quality indicators. I also affirm that a complete and up to date record of the management of the Order has been passed to the receiving CS Officer.

Signature of Sending CS Officer: ……………………………………… Date: …………………

Agree/Disagree * (Delete as appropriate)

Signature of Receiving CS Officer: ……………………………………… Date: …………………

If a second or subsequent transfer is unavoidable use the appropriate Follower Sheet

Section 6 – Area Manager Reviews

To be completed by the Area Manager on all occasions when reviewing all or part of the case.
(State the scope of the review together with any action required. Sign and date each entry. If necessary use an approved Follower Sheet.)

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Section 7 – To be completed by an ACO if the case is selected for Senior Management Review

I have reviewed this case and have forwarded my written comments to the Area Manager giving my assessment of Area Manager monitoring of the case together with suggestions/ no suggestions required* (*delete as appropriate) as to how effectiveness of monitoring of the case maybe improved.

Signature of ACO: ................................................................. Date: .................................

Section 8 - Termination of the Order

Section 8.1 – To be completed by the Probation Officer and the case record submitted to the Area Manager no later than 5 days after the termination date of the Order

During the currency of the Order the CS worker has been convicted of a further offence(s)? YES/NO

If ‘YES’ please record the following:

<table>
<thead>
<tr>
<th>Date of Offence</th>
<th>Type of Offence</th>
<th>Date of Court</th>
<th>Sentence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
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<td></td>
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<tr>
<td>3</td>
<td></td>
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</tr>
</tbody>
</table>

I affirm that the Order is: hours completed/has been revoked/subject to an arrest warrant at the 12 month expiry point* (*delete as appropriate) and that the case record has been closed in accord with all quality indicators required for termination of an Order (CS Standards, Service Requirement for Standard 8)

Signature of Probation Officer: ................................................................. Date: .................................

Date case record submitted to Area Manager for verification: .................................

Section 8.2 – To be completed by the Area Manager within 5 days of submission by the CS Officer

I agree that this Order is amenable to closure, that the case record is complete and has been properly prepared for closure in accord with all quality requirements.

Area Manager Signature: ................................................................. Date: .................................
Follower Sheet – Area Manager Reviews

Name of offender: ……………………………………………………………………………………………………………………………………………………………………………………………

Name of CS Officer: ………………………………………………………………………………………………………………………………………………………………………………

Area Manager comments continued (Attach securely to main monitoring document)

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(Use further follower sheets as necessary)
Follower Sheet for second and subsequent transfers of a CS Order
(Continuity of management of the Order is important so second and subsequent transfers should be avoided wherever possible)

*Attach securely to main monitoring document*

Name of offender: ………………………………………………………………………………………………………………………………..

Name of CS Officer: ………………………………………………………………………………………………………………………………..

Second transfer

I affirm that the transfer of this CS Order to:

……………………………………………………………………. (Name of receiving CS Officer in block capitals)

was carried out in accord with all quality indicators required for the transfer of supervision of all Orders. I also affirm that a complete and up to date record of management of the Order has been passed to the receiving CS Officer.

Signature of the sending officer: ……………………………………………….. Date: …………..

Agree/Disagree* (delete as appropriate)

Signature of the receiving officer: ……………………………………………….. Date: …………..

Third transfer

I affirm that the transfer of this CS Order to:

……………………………………………………………………. (Name of receiving CS Officer in block capitals)

was carried out in accord with all quality indicators required for the transfer of supervision of all Orders. I also affirm that a complete and up to date record of management of the Order has been passed to the receiving CS Officer.

Signature of the sending officer: ……………………………………………….. Date: …………..

Agree/Disagree* (delete as appropriate)

Signature of the receiving officer: ……………………………………………….. Date: …………..
Combination Orders

Introduction

1. Legislative Authority

1.1 Under the powers of Section 15 of the Criminal Justice (Northern Ireland) Order 1996 a court may make a Combination Order. Such an Order combines probation supervision of a period no less than 12 months nor no longer than 3 years, with community service of no less than 40 hours nor more than 100 hours. The court may attach one or more additional requirements to the probation element of the Order.

1.2 The Combination Order is available in a case where the offender is at least 16 years old and where the offence is punishable by imprisonment or detention in a Young Offender Centre.

1.3 The Combination Order is a single and integrated Order of the Court. As such its operation requires close liaison between the probation and community service officers involved. The Probation Order Standards shall be applied to the operation of the probation element and the Community Service Standards shall apply to the operation of the community service element.

2. Purpose

2.1 Section 15(2) of the 1996 Order defines the purpose of the Combination Order as to:
   • secure the rehabilitation of the offender;
   • protect the public from harm by the offender; or
   • prevent the offender from committing further offences.

2.2 In accordance with the main purpose of a Community Service Order the Combination Order is also intended to achieve re-integration of the offender into the community through:
   • successful completion of positive and demanding unpaid work;
   • keeping to disciplined requirements; and
   • reparation to the community by undertaking socially useful work.

3. Assessment for Suitability

In considering suitability of a Combination Order the PSR writer shall have regard to the demands of such an Order and, consider if there is a realistic prospect of the particular offender having the capacity to successfully complete the whole Order.
4. **Supervisory Responsibility**

4.1 One officer shall be identified to take responsibility for the management of the whole Order. This shall be the Probation Officer who is designated to supervise the probation element of the Order.

4.2 The supervising Probation Officer shall have responsibility for formulating the overall workplan in consultation with the Community Service Officer and the provider(s) of accredited placements and/or programme(s) where that is appropriate.

4.3 The workplan shall take account of the quality criteria laid down for planning the supervision of Probation Orders and Community Service Orders. In addition the workplan shall specify the agreed liaison arrangements between all staff members involved.

4.4 Officers supervising the probation and community service elements of Combination Orders carry the same responsibilities as when supervising separate Probation Orders and Community Service Orders. The Community Service Officer has the added responsibility to keep the supervising probation officer informed of the offender’s progress and level of compliance within an agreed programme of regular contact which shall be set out, by the Probation Officer, in the supervision plan. Planned contact and communication between the two officers shall be sustained until the community service element of the Order has been completed.

4.5 The approval of the Area Manager is required before the commencement of any element of the Order can be delayed. If such a delay is approved, the Area Manager shall make a signed and dated entry in the case record setting out the reasons for the decision to delay.

5. **Enforcement**

5.1 Under the 1996 Order breach proceedings shall be instituted at any stage of the Order (regardless of the length of the Order remaining) and without prior warning if failure to comply is considered serious and the potential for harm to others is present. In terms of enforcement a Combination Order shall be managed as a single Order. **This means that on aggregate, across the two elements of the Order, no more than two formal warnings may be issued before breach proceedings are instituted.**

5.2 If breach action is taken, the breach report shall describe, and provide evidence of, the breach and, also describe the offender’s progress under all elements of the Order.
5.4 If a breach is proved and the court wishes to re-sentence the offender to either a Probation Order or a Community Service Order, it must revoke the Combination Order as a whole.

6. **Recording**

Separate case records shall be maintained for the two elements of the Order. On completion of the community service element the Community Service Officer shall close the record as if it were a Community Service Order and pass the completed file to the Supervising Probation Officer for it to be incorporated with the record of the probation element of the Order.

7. **General**

In addition to the foregoing, all Standards, Service Requirements, quality indicators and quality measures which apply to Probation Orders and Community Service Orders shall be applied equally to the probation and community service elements of a Combination Order with the exception of enforcement procedures. Enforcement of a Combination Order is the same as any other single Order in that a maximum of two warnings may be given, during any 12 month period of supervision before breach proceedings are initiated.
The Uses Made of Hostel Placements Approved and Funded by the Probation Board

Introduction

1. Legislative Authority

Under Schedule 1 of the Criminal Justice (Northern Ireland) Order 1996 a court may include, in a Probation Order, an additional requirement which requires the offender:

“... to reside at any place, the period of which he is so to reside shall be specified in the Order.”

Under Schedule 2 of the 1996 Order, on application by the offender or the responsible officer, a court may (at any time during the Order) amend a Probation Order by:

“... inserting into the Order a condition of residence as if it were then making the Order.”

Together with core Standards, Service Requirements and Quality Measures these Standards and Service Requirements are intended to provide a framework for good practice by probation officers who refer offenders for placement in any hostel which has been approved by the Probation Board. The Standards also set out what is required of residential staff with regard to the selection and effective supervision of offenders who are admitted into residency.

The Standards and Service Requirements shall be consistently applied by all concerned in their daily practice. **If in exceptional circumstances a member of staff of either agency is unable to meet a Standard or Service Requirement then that member of staff shall enter the reasons for that inability in the appropriate record.**

2. Introduction

2.1 Some of the more serious offenders for whom the Probation Board has statutory responsibilities and others for whom the Board assumes responsibility in the interests of public safety require an additional measure of supervision and support which can best be provided in a specialised residential setting.

2.2 The purpose of hostels approved and funded by the Board is to provide daily supervision and services through a hostel placement which contribute to, support and enhance the planned work of the supervising probation officer of each offender who is admitted into residency. Residency must be considered as a necessary additional component from either a rehabilitative or protection of public (or both) point of view. This requires a strong cooperative and collaborative working relationship between the supervising probation officer and residential staff in both the formulation and implementation of supervision plans and
2.3 Referral for residency in an approved hostel should not be considered by a probation officer unless the offender is subject to one of the following:

- a Probation Order;
- a Custody/Probation Order;
- a Combination Order;
- a Statutory Licence;
- temporary release;
- a bail condition to reside at a named hostel; or
- has been designated as an inescapable voluntary case by Pdni.

In addition to at least one of the foregoing being applicable the primary reason for the referral shall be because a period of close supervision and support in a residential setting has been identified as a crucial component of the supervision plan.

Where the offender is subject of an Order which includes a period of probation supervision or statutory licence due consideration shall be given to an additional requirement of residency being included or inserted into the Order or Licence.

2.4 If it has been verified that the personal safety of an offender is threatened then an emergency referral may be made for hostel residency as a short term refuge allowing for suitable alternative accommodation to be arranged. An extended stay in these circumstances shall only be agreed if the offender meets at least one of the criteria set out at paragraph 2.3 above.

2.5 Homelessness in itself shall not be considered a valid reason for a probation officer to make a referral for a hostel placement which is approved by the Probation Board. In the circumstances of homelessness the probation officer shall provide the necessary advice and assistance to enable the offender to make a self-referral for residency in the generic housing sector as a stepping stone to securing a permanent home. To ensure appropriate funding such referrals should normally be made via the Housing Executive or routes approved by the Housing Executive.

2.6 One of the main objectives of any approved hostel placement should be to assist the offender to acquire the basic living skills to enable him/her to progress to more independent living when assessment and the management plan deem this to be appropriate. In any event a hostel placement funded by the Probation Board shall normally be for a period of up to 12 months.

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1 Further guidelines are included within the application format.
However if assessment indicates a need for an offender to remain in residence for a period longer than 12 months, a further period of residence may be agreed in the context of any of the following.

(i) On application of the supervising officer a court orders an extension to the existing additional requirement of a statutory Order.

(ii) On application of the supervising officer the relevant authority orders an extension to the existing residential requirement attached to a Statutory Licence.

(iii) The relevant ACO has given written authorisation for an extension of the placement where a formal requirement to reside does not exist.
The Uses Made of Hostel Placements Approved and Funded by the Probation Board

Performance Standards

1. **Applications for Residential Placement**

1.1 All applications made by probation officers for offenders to be considered for a residential placement shall be made using the standard PBNI application form/referral form.

1.2 Hostel managers shall ensure that arrangements are in place for each application to be considered and responded to as soon as is practicable but in any event no later than 7 days after an application/referral form is received at the hostel.

2. **Information to Prospective Residents**

2.1 Each hostel shall have available an up to date written package which is designed to inform and assist the offender to prepare for entry into hostel life.

2.2 At the same time as notifying an ‘acceptance’ the hostel manager shall arrange for a copy of the written package to be forwarded to the offender.

3. **Assessment of Risk**

3.1 The referring probation officer shall include with the application a complete and up to date assessment including the offender’s propensity to cause harm to others or to self.

3.2 The hostel manager shall ensure that the risk assessment is continuously updated by communicating to the supervising probation officer all new and relevant information/observations/insights gained subsequent to an offender being admitted into residency.

3.3 The supervising probation officer shall cause a joint review of the likelihood of re-offending and risk of harm to be completed at no more than 16 week intervals and for any agreed adjustments to be made to the supervision plan.

3.4 If when updating or reviewing the risk assessment in the case of a bailee the consensus view is that the current level of risk of harm has become unacceptable, the police investigating officer shall be informed by the supervising officer/hostel manager.
4. **Selection and Admission**

4.1 Each hostel management shall agree a written selection and admissions policy with the specialist ACO. A copy of the policy shall be made available to each PBN1 area manager and probation officer.

4.2 All applications shall be considered strictly within the terms of the agreed selection and admissions policy.

4.3 The hostel manager shall ensure that full reasons are recorded where a decision is taken to reject an application. A copy of that recording shall be forwarded to the referring probation officer and the original retained for future inspection.

5. **Induction of Residents**

5.1 Other than in exceptional circumstances the offender shall be accompanied to the hostel by the supervising probation officer and/or a nominated substitute on the day of admission and where necessary an interpreter.

5.2 The induction interview shall be carried out as soon after the arrival of the new resident as is practicable and in the presence of the supervising officer or nominated substitute.

6. **Supervision Planning**

6.1 The supervising probation officer shall arrive at a contractual agreement with the hostel manager and the offender in relation to the detail of the residential component of the supervision plan as well as the level of direct involvement the supervising probation officer will have with the hostel and the offender.

6.2 A joint review of the supervision plan and contractual agreement shall be conducted at 16 week intervals or sooner if residence is planned to terminate in less than 16 weeks since the previous review.

7. **Residential Requirements**

7.1 Each hostel shall formulate a set of house rules which shall be explained to, and a copy issued to, each resident on the day of admission.

7.2 Each hostel management shall have in place a clear and transparent written policy, (agreed with PBN1) in respect of the enforcement of house rules which includes the range of sanctions to be applied when house rules are contravened.
8. **Probation Officer Contact**

8.1 The supervising officer shall meet with the offender at intervals and venues agreed as part of the contractual agreement and the supervision plan and not less than the frequency prescribed in other PJNI standards.

8.2 If the conduct of a resident causes undue concern the supervising officer shall respond to a request to visit the hostel within two days or sooner if the urgency of the situation demands it.

8.3 During each month of residency a tripartite review of the offender’s progress shall take place at the hostel.

9. **Enforcement of the Requirements of Court Orders**

9.1 Residential staff shall assist the supervising probation officer to apply PJNI enforcement procedures by reporting forthwith:

(i) any failure to reside;

(ii) any conduct which could be construed as harmful or threatening to members of the public, other residents or hostel staff.

10. **Premature Termination of Residency**

10.1 Each hostel management shall agree a document with the specialist ACO which details policy related to premature termination of residency. A copy of the policy shall be made available to each PJNI area manager and probation officer.

10.2 In line with 10.1 above, if the unacceptable conduct of a resident causes residential staff to consider premature termination of his/her residency the supervising probation officer shall normally be consulted before termination is effected.

10.3 If the well-being of a resident is under threat from a source outside the hostel residential staff shall, in consultation with the supervising probation officer, consider negotiating an alternative hostel placement.

11. **Recording of Information**

11.1 The member of residential staff who conducts the induction interview shall complete the standard induction form before the interview is terminated and provide the supervising probation officer with a copy.

11.2 A residential key worker shall be assigned within 5 working days. The key worker will arrange a meeting within 5 working days of admission. The residential key worker shall record any subsequent changes to the information recorded at
induction within two days of a change occurring and notify the supervising probation officer of such changes at the next available opportunity.

11.3 The residential key worker shall record progress (or otherwise) of the offender in terms of the residential supervision plan at intervals of no longer than 10 days and forward a copy of these recordings to the supervising probation officer at four weekly intervals. This action shall be reciprocated by the supervising probation officer.

11.4 Duty residential staff shall, on the day of the occurrence, enter into the individual’s record of supervision any significant events related to the offender including failure to comply with house rules, any complaint made by the offender or any complaint made by others about the conduct of the offender.

11.5 In addition to entries made in individual records of supervision, the hostel manager shall ensure that a daily log is maintained in which shall be entered on a daily basis:
- reported/observed breaches of the house rules and how these have been dealt with.
- complaints made by residents and how they have/will be responded to.
- complaints about/observations of unacceptable conduct by residents and how these have/will be investigated.
- untoward or violent incidents and the outcomes of these. (a copy of the record of such incidents shall be forwarded to the specialist ACO for discussion at a future hostels forum.)
- any other significant events in the life of the hostel.

11.6 The daily logbook shall be made available for inspection on request.

12. **Health and Safety**

12.1 Each hostel shall have in place a Health and Safety policy which meets the legal requirements for a house of multi occupancy.

12.2 Each hostel shall have a designated safety officer.

12.3 All residential staff and residents shall be familiarised with health and safety policy and procedures and made aware of their individual responsibilities in this respect.

12.4 The hostel manager shall cause periodic fire drills to take place and for a separate register of these to be kept for future inspection.

13. **Failure to Reside**

13.1 If a resident fails to reside the supervising officer shall be notified by telephone at the earliest opportunity and a written confirmation forwarded.
13.2 If a resident who has been “listed” under PBNI Risk and Dangerousness Policy fails to reside the duty residential worker shall notify the police forthwith and at the next opportunity advise the supervising probation officer of what has happened.

13.3 If a bailee who is subject to a residential bail condition fails to reside the police shall be informed forthwith and at the next opportunity the supervising probation officer informed. The Hostel Manager (or a deputy) will also contribute to MASRAM Meetings where a resident is being reviewed.

14. **Complaints**

14.1 All approved hostels shall have in place a complaints procedure which is agreed with PBNI and is capable of properly investigating/resolving complaints made by resident offenders and also properly investigating/resolving complaints made about the conduct of a resident(s) by a member of the public.

15. **Monitoring for Adherence to Standards**

15.1 Residential workers are accountable to the hostel manager for ensuring that they have fulfilled all of their responsibilities in line with the performance Standards.

15.2 The hostel manager shall satisfy him/herself that each member of staff is familiar with the requirements of the Standards and that staff are applying them consistently.

15.3 Where staff fall short of meeting performance Standards the hostel manager shall require remedial action to be taken and ensure that it has been taken.

15.4 The hostel manager shall complete and forward a monthly monitoring return to the specialist ACO by the 5th day of the following month.

15.5 Designated Area Managers shall complete and forward a monthly monitoring return to the specialist ACO by the 5th day of the following month.


17. The Management Committee of the Hostel shall make arrangements for establishment and adherence to Equality Policies.
The Uses Made of Hostel Placements Approved and Funded by the Probation Board

Service Requirements

These Service Requirements are intended to reinforce the Approved Hostels Standards and contribute to providing a service which has the confidence of the courts and the public.

**Standard 1.1**

An application/referral form can only be considered to be satisfactory if all sections have been fully completed and that the information contained in the application is up to date and accurate.

**Standard 1.2**

It is sufficient to meet this Standard as it is written.

**Standard 2.1**

The offender information package shall be agreed with the specialist ACO, reviewed annually and updated if necessary.

**Standard 2.2**

The mobility of some offenders is such that it may be difficult for residential staff to send information direct to the offender. In these circumstances the information package should be addressed to the offender and forwarded via the referring probation officer.

**Standard 3.1**

It is essential that a complete and up to date* copy of the ACE (or any subsequent assessment instrument agreed by PBNI) document together with a recently completed RA1 be included in the application papers. If the referring probation officer has any doubts with regard to risk factors those doubts shall be clearly stated in writing at the time of the referral.

* up to date means that risk assessments have been either initiated or updated at the same time as making the application for residency.

**Standard 3.2**

The hostel manager should ensure that all residential staff receive coaching in the recognition of risk indicators, for these to be recorded and brought to the attention of the key worker responsible for causing the risk assessment information to be updated in each case.

**Standard 3.3**
The periodic joint review of risk shall take the form of an assessment making use of the ACE and RA1 documents (approved PBNI instruments). Where relevant the review shall be minuted in accord with the format required by the MASRAM manual.

**Standard 3.4**

In these circumstances it shall be the responsibility of the supervising probation officer to bring any information before the remand court.

**Standards 4.1, 4.2 and 4.3**

It is sufficient to meet these Standards as they are written.

**Standards 5.1 and 5.2**

For an induction interview to be considered complete and satisfactory it should be attended by the:

- Hostel key worker or a named substitute;
- Offender;
- Supervising probation officer or named substitute.

The interview should be recorded on the approved Record of Induction and should provide the offender with clear information which includes the topics outlined below:

- conditions of stay;
- contractual agreements/expectation of constructive activities;
- review procedure;
- explanation of roles including that of Key worker;
- services on offer;
- financial arrangements/benefits;
- legal status;
- two homes issues;
- health/ GP registration/ medication;
- house rules/ duties (i.e., smoking policy, drink/drugs policy, restrictions imposed etc);
- health and safety (i.e., evacuation procedures, first aid facilities, reporting procedures for accidents/incidents of violence etc);
- complaints/ grievance procedures; and
- welcome pack including local information.

The relevant parties should sign and date the following documents:
i) Contractual agreements; and

ii) Record of Induction proforma indicating that all required issues have been explained to and understood by the offender.

NB: If an offender is not accompanied to the hostel by the supervising probation officer or a named substitute a tripartite meeting shall be arranged to take place at the hostel no more than 5 days after commencement of residency to complete/confirm the induction process.

**Standard 6.1**

The contractual agreement should be viewed as an integral part of the overall supervision plan and shall include:

- the purpose and intended outcomes of the contract;
- clearly stated supervision targets;
- who is responsible for what in terms of activating and achieving each supervision target;
- consideration of child protection issues together with appropriate safeguards;
- any restrictions to be placed on the offender’s movements;
- who or what is at risk of harm from the offender;
- the circumstances under which risk of harm may be increased;
- the steps that will be taken to minimise risk of harm;
- programmes to be attended by the offender – where and with whom;
- an exit strategy; and
- arrangements for direct contact and involvement of the supervising probation officer with the offender and the hostel.

NB: Whilst the supervision plan and contractual agreement in the case of a bailee cannot legitimately address the current/alleged offences, the bailee should be strongly encouraged to make a commitment to a programme of constructive activities.

**Standard 6.2**

The review of the contractual agreement shall coincide with the review of the overall supervision plan and the revisiting of the risk assessment.

Each periodic review should result in a renewed/revised contractual agreement which uses similar criteria to those set out at 6.1 above.

When the offender’s period of residence comes to an end it shall be the key worker’s responsibility to provide a summary of what has been achieved during the period of residence and of what still needs to be done.

In the event of a condition of residence being inserted by a court at any time after the commencement of a Probation Order, a review of risk assessments and supervision plans shall be carried out by the supervising officer immediately prior to making application for a hostel placement. A 16 week cycle of reviews shall commence from the point of entry into residence. Each review shall consider continued residence or, reach agreement about an exit plan or, a combination of both.
Unless the resident has exited the hostel at an earlier stage, the 48 week review shall determine an exit plan, or alternatively, take a decision as to whether an application should be made to the court to extend the condition of residence.

**Standards 7.1 and 7.2**

It is important that house rules are clear, unambiguous and that they are framed in positive language. They should state what ‘is to be done’ and specifically what ‘is not to be done’.

It is important that residents are made clearly aware of how house rules are to be enforced, by whom and what sanctions apply. Enforcement must be seen to be consistent.

**Standard 8.1**

Contact and involvement of the supervising probation officer should be clearly stated in the contractual agreement.

**Standard 8.2**

To prevent the need for additional staff cover monthly tripartite reviews of progress should be arranged at the hostel on dates and at times which take account of the hostel key worker’s shift pattern.

**Standard 8.3**

Wherever possible residential staff should manage the offender’s behaviour/conduct within agreed parameters involving the supervising probation officer when necessary during planned visits. It is however important for the supervising officer to respond as quickly as other duties allow when residential staff signal an urgent need for additional contact with hostel staff and/or the offender.

**Standard 9.1**

It is sufficient to meet this Standard as it is written.

**Standard 10.1**

It is sufficient to meet this Standard as it is written.
Standard 10.2

It is recognised that the supervising probation officer will not always be available for consultation. If the supervising probation officer is not available during PBNI office hours then the Area Manager shall be consulted. Outside PBNI office hours the responsible member of hostel staff shall telephone the PBNI out of hours telephone number and consult with the manager who responds to that call.

Standard 10.3

It is sufficient to meet this Standard as it is written.

Standard 11.1

It is sufficient to meet this Standard as it is written.

Standard 11.2

It is sufficient to meet this Standard as it is written.

Standards 11.3 and 11.4

The record of supervision is a valuable working tool and cannot be considered complete unless it contains all of the documents required and that an up to date record of events and progress is maintained. With the exception of restricted third party information the case record shall be made accessible to the offender at each monthly tripartite meeting.

Standard 11.5

It is good practice to ensure that the daily log is completed immediately before every staff changeover and that entries are dated, signed and legibly entered.

A copy of the record of each and every untoward and/or violent incident and premature termination shall be forwarded to the specialist ACO. Other than taking any necessary and immediate action the ACO shall include these matters as a recurring item on the agenda of meetings of the Hostels Forum as appropriate.

Standard 11.6

The daily log shall be made available in response to a request from:

- a member of the Management Committee;
- the specialist ACO;
- a Social Services Inspector, a Criminal Justice Inspector; or a court.
Standards 12.1, 12.2, 12.3 and 12.4

The hostel safety officer should be provided with opportunities to update his/her knowledge and practice in respect of health and safety at regular intervals.

The Safety Officer shall ensure statutory inspections are carried out on premises, plant and equipment by a competent person, where required.

Investigate all accidents/incidents to ensure cause is identified and appropriate action taken to prevent re-occurrence.

Ensure reporting procedures are in place for all accidents/incidents. Provide first aid facilities to include personnel trained in first aid.

Standards 13.1, 13.2 and 13.3

Failure to reside is defined as an offender failing to return to the hostel at the required/agreed time. In applying discretion as to how much leeway to give before reporting the absence of the offender residential staff should take full account of the assessed risk the particular offender poses for public harm or harm to self and can seek up to date information from PBNI for this purpose.

Standard 14.1

The complaints procedure shall be explained in plain language to each resident offender on the day of his/her arrival and a copy of the procedure shall be made readily accessible to any resident offender on request.

Standards 15.1, 15.2, 15.3 and 15.4

PBNI and hostel staff who have responsibilities related to each resident offender shall accurately complete the relevant sections of the standard monitoring documents at the time intervals required.
**MONITORING FORM**

**APPROVED HOSTEL PLACE**

Name of Resident .............................................. Name of Hostel ..............................................

Name of Hostel Key Worker ...........................................................

SECTION 1 – To be completed by Key Worker no later than 5 weeks from commencement of the hostel placement

<table>
<thead>
<tr>
<th>Affirm the following has taken place:</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Was the hostel application responded to within 7 days of receipt?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Information package given to the offender prior to or on day of arrival.</td>
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<td></td>
<td></td>
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<tr>
<td>3. Was the hostel Key Worker allocated within 5 days?</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>4. Meeting with resident arranged within 5 days of commencement of tenancy.</td>
<td></td>
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</tr>
<tr>
<td>5. Resident issued with a set of house rules on day of admission.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Induction Interview took place on day of admission.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. If Induction Interview did not take place on day of admission did it take place within 7 days of commencement of residence.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>8. Induction Form completed on day of interview and copy given to Probation Officer.</td>
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<td></td>
<td></td>
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<tr>
<td>9. Supervision plan drawn up, agreed and signed by all parties.</td>
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<td></td>
</tr>
<tr>
<td>10. Progress of offender on supervision plan recorded at intervals (no longer than 10 days) and sent to the Probation Officer within 4 weeks.</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>11. First monthly tripartite has taken place and copy of plan given to Probation Officer.</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>12. Hostel staff have communicated to Probation Officer all instances of conduct construed as harmful and threatening to members of public, other residents and hostel staff.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>13. Where risk of harm has become unacceptable the investigating police officer has been informed (bailees only).</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>14. If a bailee with a condition of residence failed to reside the police were notified forthwith and Probation Officer informed at first opportunity.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>15. If PBN I listed residents failed to reside police were notified forthwith and Probation Officer informed at first opportunity.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>16. Where premature termination of residency has been considered Probation Officer has been consulted.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>17. Significant events have been entered into the individual’s record of supervision on day of occurrence.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* No but an acceptable reason has been recorded in case record. If 7, 12, 13, 14, 15 and 16 are not applicable please circle N/A.

Hostel Key Worker ................................................................. Date .................................
MONITORING BY HOSTEL MANAGER

I agree/disagree that the Key Worker has fulfilled all of the requirements in relation to the first period of residence.

If disagree, please record what action is required, time scale to be completed.

........................................................................................................................................
........................................................................................................................................
........................................................................................................................................
........................................................................................................................................

Signature ............................................. Date ......................................................
Hostel Manager

SENIOR MANAGER

I have reviewed this case record and have forwarded my comments in writing to the Hostel Manager

Signature ............................................. Date ......................................................
### MONITORING FORM

#### APPROVED HOSTEL PLACE

Name of Resident .................................................. Name of Hostel ..............................................

Name of Hostel Key Worker .......................................................... ..............................................

#### SECTION 2 – To be completed by the Key Worker within one week of each 16 week review.

16 week reviews 1st 2nd 3rd 4th 5th

<table>
<thead>
<tr>
<th>Affirm the following has taken place:</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Four weekly tripartite reviews completed.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Four weekly summary forwarded to Probation Officer.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Joint supervision plan review has taken place, relevant documentation exchanged and updated and signed by review date.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>4. Revised contractual agreement/supervision plan in place.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>5. Progress of offender on supervision plan recorded at intervals (no longer than 10 days) and sent to the Probation Officer at the end of each four week period.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Hostel staff have communicated to Probation Officer all instances of conduct construed as harmful and threatening to members of the public, other residents and hostel staff.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>7. Where risk of harm has become unacceptable the investigating police officer has been informed (bailees only).</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>8. If PBNI listed residents failed to reside police were notified forthwith and Probation Officer informed at first opportunity.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>9. If a bailee with a condition of residence failed to reside the police were notified forthwith and Probation Officer informed at first opportunity.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>10. Where premature termination of residency has been considered Probation Officer has been consulted.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>11. Significant events have been entered into the individual’s record of supervision on day of occurrence.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>12. Case record is up to date to within 5 days of contact.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* No but an acceptable reason has been recorded in case record. If 3, 4, 6, 7, 8, 9, 10 and 11 are not applicable please circle N/A.

Key Worker Signature .......................................................... Date .........................................

01/02/06 - Yellow  MF/HSTL/KW
MONITORING BY HOSTEL MANAGER

I agree/disagree that the Key Worker has fulfilled all of the requirements in relation to the first 4 months of residence.

If disagree, please record what action is required, time scale to be completed.


Signature ……………………………………… Date …………………………………………
Hostel Manager

SENIOR MANAGER

I have reviewed this case record and have forwarded my comments in writing to the Hostel Manager.

Signature ……………………………………… Date …………………………………………

NB: If residency has terminated since initial monitoring Sections 2 and 4 must be completed.
# MONITORING FORM

## APPROVED HOSTEL PLACE

**Name of Resident** …………………………………… **Name of Hostel** …………………………………

**Name of Hostel Key Worker** ………………………………………………………………………………

### SECTION 3 – To be completed by the Key Worker within 4 weeks of the 48 review.

<table>
<thead>
<tr>
<th>Affirm the following has taken place:</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. All four weekly tripartite reviews completed and summary forwarded to Probation Officer.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Joint supervision plan review has taken place and relevant documentation exchanged and updated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Final summary forwarded to Probation Officer.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Probation Officer notified of enforcement issues.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>5. Probation Officer notified of conduct construed as harmful and threatening to members of the public, other residents and hostel staff.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>6. Probation Officer notified of action taken when offender failed to reside.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>7. Case record contains all relevant documentation.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Case record is up to date to within 5 days of contact.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. If tenancy has reached 12 months evidence that review of continuing stay took place and extension agreed.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

* No but an acceptable reason has been recorded in case record. If 4, 5, 6, and 9 are not applicable please circle N/A.

**Key Worker Signature** ………………………………………………… **Date** ……………………

## MONITORING BY HOSTEL MANAGER

I agree/disagree that the Key Worker has fulfilled all of the requirements in relation to the second 4 month review.

If disagree, please record what action is required, time scale to be completed.

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**Signature** ………………………………………………… **Date** …………………………………………
**Hostel Manager**
SENIOR MANAGER

I have reviewed this case record and have forwarded my comments in writing to the Hostel Manager.

Signature ………………………………………………………. Date ……………………………………………………. 

Hostel Manager

The period of residence terminated -

- Normally ☐
- Early by Agreement ☐
- Prematurely because of poor conduct ☐
- Prematurely for reasons recorded in file ☐

NB: If residency was terminated since previous monitoring Sections 1 – 4 must be completed.
# MONITORING FORM

## APPROVED HOSTEL PLACE

Name of Resident ...........................................  Name of Hostel ...........................................

Name of Supervising Officer ..............................................................

**SECTION 1** – To be completed by Probation Officer no later than 5 weeks from commencement of hostel residency.

<table>
<thead>
<tr>
<th>Affirm the following has taken place:</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Application completed on standard form and accompanied by a complete and up to date assessment.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. The offender was accompanied to the hostel by the supervising Probation Officer or nominated substitute on the day of admission.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Induction interview took place on day of admission to hostel.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. If induction interview did not take place on the day of admission did it occur no more than 7 days after commencement of residency?</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>5. Copy of completed induction form received.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Contact with resident and hostel agreed in line with PBNI requirements.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Joint supervision plan/contractual agreement drawn up, agreed and signed by all parties.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. All critical incidents or emergencies where hostel requested visit responded to within 2 days or sooner.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>9. Written record of progress report forwarded to Key Worker at 4 weeks and shared with resident.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. First 4 week tripartite has taken place.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Probation Officer has recorded action taken when informed of enforcement issue.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>12. Probation Officer has recorded action taken when offenders failed to reside.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>13. Probation Officer has recorded action taken when informed that premature termination was considered.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>14. Case records contain a full set of documents.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15. Case record is up to date to within 5 days of contact.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* No but an acceptable reason has been recorded in case record.  If 4, 8, 11 and 12,13 are not applicable please circle N/A.

**Probation Officer Signature** .................................................................  **Date** .................................
MONITORING BY AREA MANAGER

I agree/disagree that the supervising officer has fulfilled all of the requirements in relation to the first period of residence.

If disagree, please record what action is required, time scale to be completed.

.................................................................
.................................................................
.................................................................
.................................................................

Signature .................................................. Date ..................................................
Area Manager

ASSISTANT CHIEF OFFICER

I have reviewed this case record and have forwarded my comments in writing to the Area Manager.

Signature .................................................. Date ..................................................

NB: If residency terminated within first 5 weeks of residency Sections 1 – 4 must be completed.
**MONITORING FORM**

**APPROVED HOSTEL PLACE**

Name of Resident ........................................... Name of Hostel ...........................................

Name of Supervising Officer .................................................................

**SECTION 2 – To be completed by Probation Officer within 1 week of each 16 week review.**

<table>
<thead>
<tr>
<th>16 week reviews</th>
<th>1&lt;sup&gt;st&lt;/sup&gt;</th>
<th>2&lt;sup&gt;nd&lt;/sup&gt;</th>
<th>3&lt;sup&gt;rd&lt;/sup&gt;</th>
<th>4&lt;sup&gt;th&lt;/sup&gt;</th>
<th>5&lt;sup&gt;th&lt;/sup&gt;</th>
<th>6&lt;sup&gt;th&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affirm the following has taken place:</td>
<td>YES</td>
<td>NO</td>
<td>NO*</td>
<td>COMMENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Contact with resident and hostel maintained in line with PBNI requirements.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. All four weekly tripartites have taken place and relevant information updated and exchanged.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. All joint supervision plan reviews (including ACE/RA1) have taken place and relevant information updated, signed and exchanged.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Revised contractual agreement/supervision plan in place and signed by review date.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Critical incidents or emergencies where hostel requested visit responded to within 2 days or sooner.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Appropriate enforcement action taken where necessary and key worker notified.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Probation Officer recorded action taken when notified of harmful conduct.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Probation Officer recorded action taken when resident failed to reside.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Probation Officer recorded action taken when notified of consideration of premature termination.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Probation Officer has shared information and relevant documentation with Key Worker.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Case records contain a full set of documents.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. At 48 months review of continuing stay took place and extension agreed.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* No but an acceptable reason has been recorded in case record. If 5, 6, and 8 are not applicable please circle N/A.

**Probation Officer Signature ......................................................... Date .................................**

**MONITORING BY AREA MANAGER**

I agree/disagree that the supervising officer has fulfilled all of the requirements in relation to the first 4 months of residence.

If disagree, please record what action is required, time scale to be completed.

........................................................................................................................................................................
........................................................................................................................................................................
........................................................................................................................................................................

**Signature ................................................................. Date .................................**

**Area Manager**

**NB:** If residency has terminated since initial monitoring Sections 1 – 4 must be completed.
MONITORING FORM

APPROVED HOSTEL PLACE

Name of Resident ……………………………………  Name of Hostel …………………………………

Name of Supervising Officer ………………………………………………………………………………

SECTION 3 – To be completed by Probation Officer within 1 week of 48 week review taking place.

<table>
<thead>
<tr>
<th>Affirm the following has taken place:</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Contact with resident and hostel maintained in line with PBNI requirements.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. All four weekly tripartites have taken place and relevant information updated and exchanged.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Joint supervision plan review (including ACE/RA1) has taken place and relevant information updated, signed and exchanged.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Revised contractual agreement/supervision plan in place and signed by review date.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Critical incidents where hostel requests visit responded to within 2 days or sooner.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Appropriate enforcement action taken where necessary and key worker notified.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Probation Officer has recorded action taken when informed of enforcement issue.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Probation Officer has recorded action taken when offenders failed to reside.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Probation Officer recorded action when notified that termination of the residency has been considered.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Probation Officer has shared information and relevant documents with hostel Key Worker.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Case record contains a full set of documents.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. Case record is up to date within 5 days of contact.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* No but an acceptable reason has been recorded in case record. If 5, 6 and 9 are not applicable please circle N/A.

Probation Officer Signature ………………………………………………… Date ……………………

MONITORING BY AREA MANAGER

I agree/disagree that the Supervising Officer has fulfilled all of the requirements in relation to the supervision of the third 4 month review.

If disagree, please record what action is required, time scale to be completed.

................................................................. .................................................................

Signature ………………………………………………… Date ………………………………………

Area Manager

01/02/06 - Yellow
ASSISTANT CHIEF OFFICER

I have reviewed this case record and have forwarded my comments in writing to the Area Manager.

Signature ................................................... Date .............................................................

NB: If residency has terminated since previous monitoring Sections 1 – 4 must be completed.
The Management and Supervision of Persons Made Subject to or Released from Indeterminate\textsuperscript{1} Sentences

\textbf{Introduction}

1. \textbf{Legislative Authority}

The relevant references which give authority for the involvement of a Probation Officer in the release and subsequent supervision of persons sentenced to life imprisonment are as follows:

a) Schedule 1 Part B 4 (Page 14) of the Life Sentence Review Commissioners Rules 2001 sets out the framework for:

\textit{“An up to date report prepared for the Commissioners by a Probation Officer.”}

b) Article 8(2) of the Life Sentences (Northern Ireland) Order 2001 states:

\textit{“A life sentence prisoner subject to a licence shall comply with such conditions (which may include on his/her release conditions as to his/her supervision by a probation officer) as may for the time being be specified in the licence; and the Secretary of State may make rules for regulating the supervision of any descriptions of such persons.”}

2. \textbf{Application}

These Standards and Service Requirements shall be applied in all new cases where a person has:

\begin{itemize}
  \item been remanded in custody having been charged with an offence of murder;
  \item received an indeterminate sentence; or
  \item been released on supervised license having served an indeterminate sentence.
\end{itemize}

The Standards and Service requirements shall also be applied from the effective date of their introduction to all such existing cases.

3. \textbf{Co-Working}

The safe and effective management of these cases will be best achieved through sound interdisciplinary communication, cooperation and collaboration and interagency decision making.

\textsuperscript{1} Indeterminate sentence means either a life sentence or a sentence at the pleasure of the S of S but does not include a person sentenced under mental health legislation to a hospital order.
4. **Primary Tasks**

As with all other serious offenders the primary task in these cases is to manage the risk of harm to others and/or self as well as the prevention of re-offending and the securing of the rehabilitation of the offender.

Supervising probation officers and co-workers must be constantly aware of areas of concern in the supervision plan and remain alert to any signs that the licensee’s conduct may constitute a risk to others or him/herself. Supervisors must have regard to factors and circumstances relating to the index offence(s) and to the public protection, recidivist and rehabilitative references in the Life Sentence Order (LSO).

At all times, due regard must be had to the Secretary of State’s responsibilities under the LSO in relation to licensing of the individual, to the importance of ensuring the licensee’s adherence to the conditions attaching to the license; to the requirements of Article 8 of the LSO to variation or cancellation; or to Article 9 concerning revocation of the license and the recall to prison of the licensee.

5. **The Custody Phase**

With the aim of minimising future risk the focus of PBNI work during imprisonment shall be to:

- be always vigilant, updating risk assessments at regular intervals;
- assist the prisoner to face up to the offence(s) committed. This process will have a strong victim focus;
- assist the prisoner to come to terms with the uncertainty and stresses of the indeterminacy of sentence;
- encourage the prisoner to make constructive use of time through his/her agreement to a sentence plan which reflects his/her willingness to participate in offending behaviour programmes and the full range of other purposeful activities made available to him/her;
- assist the prisoner to plan and actively prepare for his/her future in terms of family and community connections; and
- support the prisoner’s family (where relevant) to develop strategies for coping with the effects of sentence as experienced by family members.

6. **The Supervision Phase**

After release on license the focus of PBNI work shall be to:

- guide and influence the licensee’s activities, behaviour and conduct toward a satisfying and socially acceptable lifestyle in the community;
• be alert to any situations, conduct or attitudinal signals which indicate the possibility that the licensee may be becoming an increased threat to the safety of others and/or him/herself; and
• to act promptly, in accordance with the law and licensing requirements and within agreed protocols, to safeguard the well being of others, including PBNI staff, and/or the licensee if such a need is judged to be necessary.

7. **Varying Conditions of Licence**

Given satisfactory resettlement of the licensee over time (not usually less than 4² years) the requirement for PBNI supervision may be discontinued by the Secretary of State in consultation with the LSRC. The license itself remains in place, with the possibility of recall to prison, for the rest of the licensee’s life.

Secretary of State/LSRC approval is required before any significant changes may be made to conditions of a license.

\[2\] Or in the case of a person who received an indeterminate sentence for commission of a sex offence(s) the minimum period of supervision shall normally be 10 years.
The Management and Supervision of Persons Made Subject to or Released from Indeterminate\textsuperscript{1} Sentences

Performance Standards

1. \textbf{Competence and Control}

1.1 Oversight and regulation of all work carried out by PBNI Staff working with prisoners/licensees during all phases of sentence or release shall rest with the ACO (Prisons). Management of day to day practice rests with the PBNI Lifer Manager in collaboration with the relevant Area Manager.

1.2 The ACO (Prisons) shall satisfy himself/herself that suitably equipped and competent staff are allocated to all functions in this area of work.

1.3 The ACO (Prisons) shall review the need for training updates for all staff involved in this area of work at annual intervals and cause any identified training needs to be met without undue delay.

1.4 All supervising officers and their co-workers shall be fully conversant with the relevant Legislation, Legislative Guidance, Standards, Service Requirements and inter-agency protocols.

2. \textbf{Pre-Trial/Pre-Sentence Contact}

2.1 The remand prisoner shall be offered an interview within two working days of being received into prison custody.

2.2 Contact with PBNI staff shall be offered at least every two months during the whole period of remand.

2.3 A record of all transactions with the prisoner shall be kept. In the event of the prisoner being found not guilty at a later date, a decision shall be taken as to whether the case record is retained or destroyed.

2.4 Within 2 working days of the first remand date the prison based probation officer shall refer the prisoner’s family to the relevant community based probation team. The designated member of that team shall make an offer of service to the family within a further 5 working days.

2.5 Where the victim(s) of the offence(s) is/was a close relative of the prisoner, the family shall be offered the option of referral to Victim Support Northern Ireland.

\textsuperscript{1} Indeterminate sentence means either a life sentence or a sentence at the pleasure of the Secretary of State but does not include a person sentenced under mental health legislation to a hospital order.
2.6 Where the victim is/was a child or young person, PBNI Child Protection Procedures shall be invoked as well as PBNI responsibilities under DHSS&PS Circular 3/96 or any such subsequent circular or legislative instruction.

3. **Post-Sentence Assessment**

3.1 Within 5 working days of sentence a probation officer shall be designated to carry out the post-sentence assessment. The need for continued involvement of community based staff shall be reviewed immediately after the Post Sentence Report has been completed.

3.2 No later than the end of the sixth month of sentence, but after the police protocol information has been received, designated PBNI personnel shall attend the initial multi-disciplinary sentence planning meeting with a view to:
   - sharing information;
   - making an accurate assessment of the risk of harm; and
   - ensuring that all key personnel are identified and informed.

3.3 Within two weeks of the first meeting of the multi-disciplinary panel the designated probation officer shall complete and submit the “Post Sentence Report.

3.4 The Post Sentence Report shall be submitted to the ACO (Prisons) who in turn shall copy it to the Governor with responsibility for lifer management.

4. **Sentence Planning**

4.1 The designated probation officer shall contribute to a sentence plan which is based on inter-disciplinary assessment and participation of the prisoner.

4.2 The PBNI contribution to the sentence plan shall be completed in time to meet the deadline set by the NIPS Lifer Manager (or Governor), then agreed by the multi-disciplinary panel, and signed and dated by all parties including the prisoner.

4.3 Planned work between the probation officer and the prisoner shall be reviewed and updated annually or more frequently if required by the multi-disciplinary panel.

4.4 Each review shall be preceded by an update of the risk assessments.

4.5 All PBNI reviews and updated plans shall be signed and dated by all parties including the prisoner. If the prisoner declines to sign, that fact shall be recorded and witnessed.

4.6 The PBNI case record shall set out the nature and frequency of planned contact between prisoner and probation officer, programmes to be attended and specific progress targets for each review period.
5. **Case Recording**

5.1 All planned and other contacts with the prisoner shall be recorded in summary form. Each summary shall be shown to the prisoner at the commencement of the next contact, then signed and dated by the prisoner signifying that he/she agrees that it represents a true record of the previous meeting.

5.2 The case record shall contain appropriate extracts, related to the case, from all multi-disciplinary panel meetings which shall be kept in the closed section of the record.

5.3 The case record shall be kept up to date. All contacts and transactions with, or about, the prisoner must be recorded within five days of the occurrence.

5.4 Reports from programme providers detailing the prisoner’s attendance, conduct, participation levels and progress made shall be entered into the record. These should be signed and dated by the prisoner in the presence of the programme provider before they are sent to the record holder.

5.5 Information/documents provided by third parties shall be entered into the closed section of the record.

5.6 Approved colour coding of documents and colour coding and tabbing of file covers shall be maintained at all times.

6. **Probation Officer Reports for Inclusion in the Secretary Of State’s Dossier to the Life Sentence Review Commissioners (LSRC)**

6.1 As a prerequisite to preparing a report for the LSRC the probation officer responsible for producing the report shall ensure that assessments of the likelihood of re-offending and the propensity to cause harm to others have been updated no more than sixteen weeks prior to the request for the report being received.

6.2 If the prisoner was convicted of, or alleged to have committed, a sex offence(s) the report writer shall access and take full account of any up to date action plans agreed, in relation to that case, by the Area Sex Offender Management Committee.

6.3 All probation officer reports for use by the LSRC shall make use of approved section headings.

6.4 To ensure relevant content and to achieve acceptable quality the report writer shall be cognisant of PBNI guidance (see Service Requirements) and to the information requirements of the LSRC Rules 2001.
6.5 All probation officer reports to the LSRC shall be subject to the PBNI approved gatekeeping process.

6.6 No less than five working days before the submission date specified by the ACO (Prisons) the report writer shall provide a final draft report to the gatekeeper. The draft report shall be accompanied by a Gatekeeping Record Form with Part 1 already completed by the report writer.

6.7 The gatekeeper shall be responsible for checking the degree to which the draft report:
   - adheres to the approved structure;
   - follows content and quality guidance;
   - distinguishes between verified fact and opinion;
   - provides a balanced and objective view;
   - is free from excess material, irrelevancies, jargon and presentational flaws;
   - meets the information requirements of the LSRC Rules 2001 and complies with data protection and freedom of information legislation.

6.8 Within two working days of receiving the draft report the gatekeeper shall provide written feedback to the report writer and, where necessary, indicate how specific parts of the report would benefit from amendment or redrafting. Gatekeepers shall complete all sections of Part 2 of the Gatekeeping Record Form when providing feedback.

6.9 No later than the date specified by the ACO (Prisons) and, having made any amendments/changes arising out of the gatekeeping process, the report writer shall submit his/her completed report together with the original copy of the Gatekeeping Record Form, having completed Part 3.

6.10 The ACO (Prisons) shall be the final arbiter in determining whether a report meets service requirements.

6.11 In the event of the prisoner declining to participate in the preparation of a probation officer report a letter to this effect shall be submitted in lieu of the report requested.

6.12 If required to do so the author of the report shall attend as a witness at the LSRC hearing.

7. **Preparation for Release**

7.1 Four years prior to expiry of the tariff the PBNI Lifer Manager shall arrange for a probation officer to be designated to the case.
7.2 Having regard to the timing of the LSRC review which will take place 3 years prior to the expiry of the tariff, the designated probation officer shall prepare an updated risk management plan which also sets out views about pre and post release arrangements specific to the case for consideration by the LSRC.

7.3 In a case where the tariff has been set at four years or less the designated officer shall receive specific instructions from the PBNI Lifer Manager.

7.4 The designated probation officer shall communicate and cooperate with other disciplines involved in the planning and implementation of arrangements/programmes designed to test the prisoner out in the community.

7.5 If the prisoner is a Schedule 1 offender the supervising probation officer shall carry out all statutory notifications and requirements prior to the prisoner’s temporary, and/or final, release (HSS and PS Circular 3/96) or any subsequent statutory instruction.

7.6 The initial post-release supervision plan shall be prepared in readiness for agreement and signatures of all concerned as and when an LSRC decision to release is communicated.

8. **Post Release Supervision – Frequency Of Contact**

8.1 The ACO shall appoint/confirm the supervising officer and appoint a competent co-worker immediately after notification of the LSRC direction to release.

8.2 The supervising officer shall make arrangements (pre-release) to meet with the licensee at his/her place of residence as immediately as is practicable after release and normally within twenty four hours of release.

8.3 During the first sixteen weeks following release contact shall be maintained at a **minimum** of once per week including at least one pre-arranged meeting each four weeks at the licensee’s place of residence.

8.4 In addition to requirements set out at 8.3 the supervising probation officer shall make at least one **unannounced visit** to the licensee’s place of residence during each 16 week period.

8.5 An ACO led review, which includes psychological input, shall take place 16 weeks after release. This review shall assess progress, determine future frequency of contact and determine other specific requirements of future supervision.

8.6 A further ACO led review shall take place twelve months after release and at annual intervals thereafter.
9. **Post Release Supervision Planning**

9.1 The initial post release supervision plan shall be jointly reviewed with the licensee and all other relevant parties no more than sixteen weeks after release.

9.2 A comprehensive update of risk assessments shall be a pre-requisite to each review and revision of supervision plans.

9.3 Subsequent joint reviews shall take place at 16 week intervals until the end of the first year of license.

9.4 The timing of joint reviews after the first year of license shall be determined in consultation with the appropriate inter-agency forum or resulting from an ACO led review.

9.5 Each review shall result in a revised supervision plan being formulated with immediate effect.

9.6 All reviews and revised plans shall be signed and dated by all parties to the supervision process.

9.7 If supervisory responsibility is transferred to another probation officer or another jurisdiction an approved transfer summary shall be entered into the record before transfer takes place.

9.8 If transfer of supervision to another probation officer becomes necessary consideration shall be given to re-designating the co-worker as supervising officer and the appointment of a new co-worker.

9.9 In the circumstances of each case the supervising officer shall agree with the PBNI Lifer Manager whether or not to make disclosures to an employer or prospective employer. The supervising officer shall consult the PBNI Lifer Manager each time a licensee indicates that he/she intends changing employment.

9.10 In the circumstances of each case the supervising officer shall agree with the PBNI Lifer Manager whether or not to make disclosures to a landlord. The supervising officer shall consult the PBNI Lifer Manager (or MASRAM Panel, if appropriate) each time a licensee indicates that he/she intends changing accommodation.

10. **Enforcement of Licence Conditions and Supervision Plan Requirements**

10.1 The supervising officer shall make use of the approved Enforcement Record to keep an accurate record of all actions taken in relation to apparent failures by the licensee to fulfil either the conditions of license and/or the requirements of the supervision plan.
10.2 In the event of the licensee apparently failing to comply with the requirements of supervision the supervising officer shall respond within twenty four hours by making direct contact with the licensee by either:

- a home visit; or
- a telephone call.

10.3 The licensee’s explanation together with a summary of the supervising officer’s judgment of the explanation (whether it is acceptable or not) shall be entered on the record of contact sheet.

10.4 If the supervising officer deems an explanation to be unacceptable this judgment shall be given to the licensee in the form of a warning letter indicating that further failure to comply will result in the licensee’s behaviour being reported to the PBNLifer Manager.

10.5 A second failure which has been deemed unacceptable shall be reported without delay to the PBNLifer Manager by telephone and followed up in writing. The PBNLifer Manager shall provide advice/direction about what action is to be taken.

10.6 Should the supervising officer consider that failure of the licensee to comply at any time could result in danger to the public or the licensee, the PBNLifer Manager or the ACO Prisons shall be consulted immediately.

11. Reports to Life Sentence Unit

11.1 As a matter of routine, progress reports on prisoners released on license shall together with updated ACE and RA1 be submitted by the supervising probation officer to the LSU/LMU via the PBNLifer Manager:

- one month after release;
- 16 weeks after release;
- thereafter at 16 week intervals until such time as LSU/LMU agrees a different pattern of reporting; or exceptionally
- if requested by LSU/LMU at any other time.

11.2 All progress reports shall, together with ACE and RA1, be submitted to the PBNLifer Manager for endorsement no less than five days prior to the due submission date.

11.3 Each report shall evidence that the licensee has had the opportunity to comment on the report and that he/she has understood the content of it.
12. **Recall**

A license may be revoked at any time and the licensee recalled to prison by the Secretary of State under the provisions of the LSO. Revocation and recall does not necessarily depend on prosecution and conviction for a fresh offence but more on the level of risk of harm a licensee is considered to present to the public. Action can be taken either on the recommendation of the LSRC or without if considered expedient in the public interest. The Secretary of State would normally act in such cases on the foot of a recommendation from the PSNI and/or PBNI.

12.1 In the appropriate circumstances, the supervising probation officer, or other authorised PBNI personnel, shall convey such a recommendation together with all relevant details to LSU/LMU without delay. *(If out of normal working hours this shall be done through the NIO Duty Officer at 028 90520700 who is able to make contact with LSU/LMU staff through the NIPS Duty Director.)*

In the event of a licensee being recalled to prison the Secretary of State’s decision to revoke his/her license will be referred to the LSRC for review. Acting under LSRC Rules 2001, and on behalf of the Secretary of State, the LSU/LMU will provide the LSRC with a dossier of relevant information. This may include an up to date report from the supervising probation officer.

12.2 If requested by LSU/LMU, the supervising probation officer shall provide an up to date report within the deadline requested. Such a report shall cover:

- the events leading to recall;
- subsequent developments;
- the current nature and level of perceived risks;
- a summary of the licensee’s general responses to supervision and license conditions;
- a fresh release plan including the proposed levels of supervision should re-release be directed; and
- suggested changes to license conditions if appropriate.

12.3 All recall reports shall be endorsed by the ACO (Prisons) or the person acting in his/her absence.

13. **Temporary Absence from Northern Ireland**

13.1 Permission for a licensee to travel outside the jurisdiction for short periods, including holidays, shall not be granted by the supervising probation officer unless given prior approval by the PBNI Lifer Manager.
13.2 If in doubt about approving a request from a licensee for temporary travel outside of the jurisdiction the PBNI Lifer Manager shall consult with LSU/LMU staff.

14. **Permanent Absence from Northern Ireland**

14.1 Any request by a licensee to reside permanently outside the jurisdiction shall be referred immediately by the supervising probation officer to the PBNI Lifer Manager who shall cause appropriate enquiries to be made and then consult with the ACO (Prisons).

14.2 If the ACO (Prisons) is satisfied that satisfactory living arrangements can be made for the licensee and for the licensee to be properly supervised in the other jurisdiction LSU/LMU approval for formal transfer shall be requested.

15. **Retention of Case Records**

15.1 PBNI case records related to each licensee shall be retained indefinitely.

16. **Media Attention**

16.1 If and when becoming aware of a licensee’s intention to seek publicity or to respond to solicitations from any form of public media, the supervising officer shall notify the ACO (Prisons) and LSU/LMU forthwith.

17. **Discontinuation of Supervision**

17.1 Normally where a licensee has led a settled and trouble free life for at least 4 years (10 years in the case of a sex offender) the ACO (Prisons) shall consider whether, or not, an application should be made for Secretary of State’s authority to discontinue supervision (See Service Requirements for Guidance).

17.2 If and when the Secretary of State issues authority for supervision to be discontinued the official notification shall be served on the licensee by the ACO (Prisons).

17.3 When discontinuation of supervision has been authorised the case record shall be closed in accord with all quality requirements.
The Management and Supervision of Persons Made Subject to or Released from Indeterminate Sentences

Service Requirements

Set out below are the Service Requirements related to PBNI Standards for the management of pre and post sentence activities related to persons who have been, or are likely to be, sentenced to indeterminate periods of imprisonment and the supervision of such persons who have been, or are in the process of being, released on licence.

Standard 1.1

Whilst the day to day management of this important area of statutory work rests with the PBNI Lifer Manager, he/she shall be accountable for ensuring that the ACO (Prisons) is properly informed/consulted in all instances where issues of safety are involved and/or in exceptional circumstances where decisions are required about any matters which are not clearly covered by the Standards.

Standard 1.2

As a minimum all staff employed in this work shall have undertaken relevant in-service training and be well informed about current information/trends/approaches. Officers so involved will usually have at least three years post qualifying experience and have demonstrated their competence in the management of high risk cases.

If an officer’s performance falls below the standard required, the ACO (Prisons) shall reconsider the competence of that officer to continue in this work until such time as the officer’s competence can be assured.

Standard 1.3

At annual intervals the ACO (Prisons), in consultation with the PBNI Lifer Manager and Training Manager, shall consider any needs for training by the whole body of staff involved. Such training to take account of learning from practice development, research and national and/or international developments.

At any time, the ACO (Prisons) shall consider any need for specific coaching that may be required to ensure the required levels of performance of any individual officer.

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1 Indeterminate sentence means either a life sentence or a sentence at the pleasure of the S of S but does not include a person sentenced under mental health legislation to a hospital order.
**Standard 1.4**

It shall be the responsibility of all individuals employed in this work to be conversant and current in their knowledge and understanding of the relevant legislation, legislative guidance, Standards, Service Requirements and relevant internal/external protocols. It shall be the responsibility of the PBNi Lifer Manager to identify any gaps, shortfall or deficiencies in the capacity of each practitioner to meet all practice requirements and to formally report these to the ACO (Prisons).

In such circumstances the ACO (Prisons) shall agree with the PBNi Lifer Manager what decisions/measures are required, by whom and by when these should be achieved.

**Standard 2.1**

The purpose of the committal interview is to explain to the prisoner the roles of PBNi staff in prisons and the community, to advise of services available and how the prisoner may access them. This first interview should also be used to identify any immediate problems the prisoner and/or family may have and to commence the process of helping the prisoner and/or family find solutions.

**Standard 2.2**

Offers of bi-monthly contact with the remand prisoner shall be considered the minimum to be offered. Circumstances of the particular case shall determine whether more frequent contact is required.

**Standard 2.3**

The record of contact with the prisoner shall include the date of each contact, who initiated the contact, a clear but concise description of the business transacted together with a statement of who will do what as a result of the contact. At the outset of each meeting the prisoner shall be invited to sign the recording of the previous meeting signifying agreement that the record is a true reflection of business transacted. In the event of the defendant being acquitted, entries in the case record covering the remand period, which are related to the charges of which the defendant has been found not guilty, shall be expunged from the record.

**Standard 2.4**

The family of a prisoner shall have the right to decide whether to accept an offer of service; a right which cannot be vetoed by the prisoner. The purposes of PBNi contact with the family of a prisoner are to assist the family to:

- find solutions to practical problems and to ameliorate emotional problems which arise out of separation by imprisonment;
- maintain contact with the prisoner should they so wish;
understand the legal and prison processes;
access the support and services of other relevant agencies;

Standard 2.5

It is sufficient to meet this Standard as it is written.

Standard 2.6

The requirement here is for the probation officer to faithfully follow all of the actions required by the inter-agency protocol as well as DHSS&PS Circular 3/96 or any subsequent circular or legislative instruction. All written communications with the other agencies involved shall be clearly marked “Restricted” on all documents.

Standard 3.1

The role of the designated probation officer is important but should be viewed as a time limited commitment related to the production of the Post Sentence Report. Ongoing family needs and contacts with victim/victim’s family will usually be the responsibility of designated field based specialists.

The ACO (Prisons) shall review the need for continued involvement of community based staff once the Post Sentence Report has been agreed with the multi-disciplinary panel. The ACO’s decision shall be informed by the assessed needs of the case.

Standard 3.2

The PBNI Lifer Manager and/or the Manager of the prison based team shall determine which member(s) of PBNI staff shall attend the initial multi-disciplinary panel meeting. Each probation nominee shall be required to carry out specified preparatory work in readiness for the meeting. In some cases the ACO (Prisons) may require a pre meeting of probation nominees.

Standard 3.3

The report writer shall apply the same quality rules to the Post Sentence Report as those set out for Probation Officer Reports to the LSRC and shall include:

- all sources of information contained in the report;
- an analysis of the offence(s) based on depositions and outcomes of the multi-disciplinary panel meeting;
- an analysis of any previous offences/patterns of offending;
- an assessment of the risk of harm to others and/or self including any relevant information from the PSNI Domestic Violence Officer;
- details of relevant triggers in the offending pattern;
- relevant domestic and health data;
• a summary of significant relationships;
• a summary of consequences flowing from the offences. eg, Murder of a spouse-how children are being cared for;
• the nature and level of local community reaction to the offence(s);
• relevant medical and/or psychiatric history;
• any relevant special needs of the offender related to gender, age or ethnic origins;
• any relevant victim issues (set out in a separate annex to the report); and
• a summary of previous supervision by, or contacts with, PBNI

Having completed a first draft of the Post Sentence Report the report writer shall arrange to discuss the draft with the PBNI Lifer Manager and make any necessary amendments in the light of the Lifer Manager’s evaluation of the report.

Standard 3.4

The completed Post Sentence Report shall be submitted to the ACO (Prisons) with a copy to the PBNI Lifer manager no later than the date specified. The ACO(Prisons) as the final arbiter shall copy the report to the Governor who has responsibility for lifer management.

Standards 4.1, 4.2, 4.3, 4.4, 4.5 and 4.6

Essentially the sentence plan is a strategy for managing assessed risks. It is therefore critical that each revision of the Sentence Plan is preceded by a comprehensive review of risk assessments using approved processes and documents.

Sentence planning is a prison service led exercise to which PBNI makes an important contribution. The PBNI contribution to the sentence plan shall be guided by the same considerations and criteria as those employed in planning the supervision of any other high risk offender and shall take account of the views of all relevant parties and the participation of the prisoner. If the prisoner declines to participate in the planning process that fact shall be entered in the case record and witnessed by a colleague. The prisoner shall be offered further opportunities to engage at regular intervals.

Standards 5.1, 5.2, 5.3 and 5.4

A complete and up to date record is an essential working tool providing continuity over many years and possibly many generations of probation officers. At the point of review for release or in the event of recall the case record will be the main source of evidence to support the content and thrust of Probation Officer Reports to the LSRC. An incomplete case record has the potential to undermine the veracity of a Probation Officer report and create difficulty in justifying otherwise well founded information presented to an LSRC hearing. To guard against disputes over information recorded it is essential to have either:

• prisoner signatures agreeing the content of all significant entries, or
• the signature of a colleague witnessing that the prisoner declined to sign.

**Standard 5.5**

The officer(s) who has/have responsibility for maintaining the PBNI case record has an obligation to provide prisoner access to the ‘open’ case record. The same officer(s) is/are the custodian of restricted information originated by other disciplines or agencies which are contained in the closed section of the record.

**Standard 5.6**

For ease of recognition it is important to maintain the approved colour coding of all documents. It is the responsibility of Area Managers to ensure that administrative systems are in place to ensure that the approved colour coding can be maintained at all times.

It is essential, in every case, that the current assessed level of risk of harm is recognisable at a glance. This can be achieved by adhering to the following colour recognition code and tabbing system.

- **Listed cases** = **Yellow file cover**
  
  *(To include sex offenders who have been listed. Apply white tab to top right hand corner of yellow file cover marked Schedule 1 if appropriate)*

- **All other sex offenders** = **Red file cover**
  
  *(Apply white tab to top right hand corner of red file cover marked Schedule 1 if appropriate)*

- **All other cases** = **Blue file cover**

If a risk assessment review results in a change of risk level (up or down) it is the responsibility of the record keeper to give clear and immediate instructions to administrative staff to re-house the case record in the correct colour cover, and tabbing, consistent with the revised level of assessed risk of harm and the nature of the case.

When “signing off” a closed case the Area Manager shall give specific instructions to administrative staff to package the closed case record in a plain cover with appropriate coloured tabs.

**GENERAL GUIDANCE – REPORTS TO THE LSRC**

These Standards apply equally to both “three year pre tariff” reports and LSRC referred case reports. It is important that report writers understand that all reports prepared for the Commissioners will be disclosed in full to the prisoner and his/her representative. This should not result in any salient facts and/or opinions being omitted from the report.
but care should be taken in verifying facts and supporting all opinion with reasoned argument.

Should the report writer and/or the PBNI Lifer Manager consider that there is important information which should be included in the report but which should not be disclosed to the prisoner/representative the reasons must be clearly stated with direct reference to Rule 14 and/or Rule 15 of the Life Sentence Review Commissioner’s Rules 2001. In the event of such circumstances arising the Lifer Management Unit shall be consulted, the areas of concern discussed and a decision taken as to whether a case should be made to the Secretary of State for the issue of a certificate under Rule 14(2) or Rule 15(3)*.

* NB: It is essential that report writers understand the provisions of Rules 14 & 15 - LSRC Rules 2001. Rules 14 & 15 cover the withholding of information and/or sources of information. The power to withhold information rests with the Secretary of State and in practice would only be exercised exceptionally.

Standard 6.1

It is essential that the report writer has up to date risk assessments to hand. The report writer should satisfy himself/herself that assessments reflect the current position by speaking with, or seeking written input from, all key players.

Standard 6.2

It is sufficient to meet this Standard as it is written.

Standard 6.3

The approved section headings are set out at 6.4 below together with content and quality guidance.

Standard 6.4

The purpose of the Probation Officer Report is to assist the LSRC in its deliberations and to arrive at well informed decisions. The Probation Officer Report provides one important dimension to the totality of information/reports which the LSRC will consider in arriving at their decisions.

Reports shall be written in plain English and be free from excess material, irrelevancies and jargon. It is the responsibility of the report writer to ensure, before submission, that the final report is free from typing errors, misspellings or any other presentational flaws.

The report writer must distinguish between fact and opinion. As a general rule facts must be verified. If verification has not been possible then this shall be made clear. Opinion must be supported by reasoned evaluation of information at the disposal of the report writer.
The guidance which follows should not preclude the inclusion of other material in any particular section providing that it is of relevance to the case and pertinent to the purpose of the report.

**Sources of information contained in this report:** This section should demonstrate the breadth and depth of the report writer’s enquiry and should refer to:

- the nature and extent of past and current PBNI contact with the prisoner in general;
- the degree of contact with the prisoner specifically in relation to this report;
- contacts with other individuals and/or agencies in relation to this report which might include: family, friends, victims, relatives of victims, elected representative from the prisoner’s home area, minister of religion, potential employer, hostel manager etc;
- case records/other documentation/correspondence; and
- NIPS records in relation to conduct and adjudications.

**Home, family and community ties:** This section should describe the strength or otherwise of the prisoner’s personal and social support network and should make particular reference to:

- the nature and frequency of contact with family members and other significant persons during sentence;
- attitudes of family toward the prisoner and levels of post-release support envisaged;
- practicalities of where the prisoner will live, and with whom, following release;
- any other social, religious or community supports available to the prisoner; and
- options for alternative living accommodation if appropriate.

**Community attitudes toward the prisoner:** As far as they are known, this section should provide an evaluation of:

- local community attitudes toward the prisoner, his possible release and return to that community; and
- the attitude and concerns of victim(s) of the original offence(s) or their relatives.

**NB:** Great care is needed to ensure the safeguarding of information relating to victim(s) and/or their families. Such information shall be stored separately from the PBNI offender case record. Similarly personal details about the prisoner’s location or precise release details shall not be disclosed to victim(s), their families or any unauthorised person.

**Employment prospects:** Where appropriate this section should describe and evaluate:

- the efforts made by the prisoner during sentence to increase his/her employment prospects on release;
- any firm offers of employment received by the prisoner together with written verification if that is possible;
- training options and likelihood of the prisoner gaining entry; and
- self-employment opportunities in which the prisoner is interested.
Responses to PBNI interventions: This section should describe and evaluate:

- the prisoner’s attitude toward/cooperation with/uses made of supervision in the context of any statutory Orders prior to sentence;
- the prisoner’s participation in planned ways of making constructive use of time during sentence;
- participation in, and use made of, PBNI led/PBNI arranged programmes during sentence;
- his/her specific efforts to prepare for release; and
- the prisoner’s reactions/responses to individual counselling, advice and guidance.

Attitudes toward post release supervision: Based on the content of the section above, the report writer should provide an objective evaluation of the prisoner’s expressed attitudes toward post-release supervision and the levels of cooperation which might be expected.

Risk assessments: Based on up to date risk assessments, and where relevant any minuted comments of the Area Sex Offender Risk Management Committee, indicate:

- the likelihood of re-offending;
- the propensity of the prisoner to cause harm to others and/or self together with supporting comment about who might be at risk and in what circumstances; and
- what measures could be introduced to reduce the assessed risks.

The report writer is required to expressly state whether or not, if released immediately, the prisoner would be likely to pose a risk of serious harm to the public. If it is considered that such a risk exists the report writer shall:

(a) clearly cite reasons for arriving at this view;
(b) set out, in general terms, the nature of further action required to reduce the risk(s) cited; and
(c) provide an estimate of the period of time that would be needed to complete any necessary work taking into account the availability of appropriate professional expertise and intervention.

NB: Reports which are submitted without a clear view about suitability for release on life licence may be considered incomplete and returned to the author for amendment.

Programme of post-release supervision: This should specify:

- intended outcomes of supervision – both long and short term;
- frequency and locations of planned contact between supervisor and licensee;
- frequency and nature of planned contacts between the licensee and any other contributors to the supervision process;
- range and anticipated frequency of the licensee’s intended involvement in social/spiritual/educational/leisure and community pursuits;
• intended relapse strategy; and
• specific measures to reduce assessed risks.

**Recommendations in relation to release:** This section should provide a balanced summary which objectively evaluates the extent to which present attitudes and functioning of the prisoner together with known social support networks, confirmed development opportunities and responses to assessed risks can combine to either support or inhibit successful reintegration into the community.

If, on balance, a positive recommendation for release is suggested the report writer should consider and comment on:

• any specific license conditions which may be appropriate to the circumstances of the release of the particular individual concerned.

**Standards 6.5, 6.6, 6.7, 6.8 and 6.9**

The gatekeeper role is critical to assuring high quality reports which fulfil the purpose of assisting the LSRC in its deliberations and to arrive at well informed decisions.

It is essential that only officers who have relevant experience and proven ability to fulfil the role adequately are assigned as gatekeepers.

In undertaking the task of evaluating and commenting on the draft report the gatekeeper automatically accepts responsibility for fulfilling the task within the guidance provided, using approved gatekeeping documentation and completing the task within the deadlines set.

The gatekeeping function shall normally be carried out by the PBNI Lifer Manager or a designated substitute manager.

**Standard 6.10**

Although the report has been subjected to the approved gatekeeping process, as the final arbiter the ACO (Prisons) may require further amendments to be carried out at very short notice to enable the submission deadline to be met. If the ACO finds it necessary to intervene at this late stage he/she shall, after the event, discuss the shortcomings of the report with both the report writer and the gatekeeper with a view to improving future performance in both roles.

**Standard 6.11**

The principle of consent applies here. If the prisoner withholds consent he/she should be advised that a letter to this effect will be forwarded to the LSRC. The prisoner should be given as many further opportunities to participate in the process as time allows. Only when time is too short for a report to be submitted on time shall a letter in lieu be
forwarded. All contacts with the prisoner about this issue shall be recorded and countersigned by the prisoner. If the prisoner declines to provide a signature this fact shall be recorded and witnessed.

**Standard 6.12**

The report writer should be prepared to be questioned about his/her report and to orally amplify or clarify any specific part of the report. If called as a witness the report writer should take with him/her the up to date case record and any other documentation which has been drawn upon in the course of preparing the report or in evidencing any particular statements included in the report.

**Standard 7.1**

It is sufficient to meet this Standard as it is written.

**Standard 7.2**

This report shall be structured under the same headings as any other report to the LSRC and shall be subject to the same gatekeeping process and practice.

**Standard 7.3**

Very occasionally the tariff may be set as low as four years or even lower. In these exceptional circumstances the PBNI Lifer Manager shall designate an officer, and give instructions to that officer, which ensure that all essential PBNI responsibilities are completed on time and to the standards required.

**Standard 7.4**

Designated PBNI staff have an important role to play in the preparation of prisoners for release. The arrangements for testing individuals out in the community may vary from one case to another. It is important that probation staff make themselves, and all relevant information, available to the planning of arrangements for the preparation of each prisoner, to cooperate with the prison grades involved and to play an active part in the preparation process where that is appropriate.

**Standard 7.5**

The requirement here is for the designated probation officer to faithfully carry out all actions required by the inter-agency child protection protocol as well as the requirements set out in DHSS&PS Circular 3/96 or any subsequent circular or legislative instruction.
**Standard 7.6**

Supervision plans shall reflect the outcomes of initial and subsequent assessments and shall:

- be solution oriented;
- build on the identified strengths of the individual;

Plans should have S.M.A.R.T. objectives which are prioritised in terms of managing risk of harm; and managing the likelihood of re-offending by:

i) resolution of practical/survival issues;
ii) pursuit of personal development needs;
iii) building/strengthening social support networks;
iv) challenging offending behaviour and anti-social attitudes; and

- have identified stages marking progress toward individual objectives;
- have a specific victim awareness focus;
- detail frequency, nature and places of planned contact with the offender;
- spell out reasons for variation/maintenance of contact arrangements;
- be written in the first person, stating what the offender agrees to do;
- identify the nature and level of guidance, assistance, support and/or service to be provided by the supervising officer, other PBNI personnel, and/or persons who have been co-opted by the supervising officer;
- set out the role and contributions of family or other significant person(s) in terms of actively assisting the offender’s progress;
- set out specific objectives to secure the successful completion of additional requirements where these exist;
- include feedback arrangements for receiving progress reports from all agencies/persons concerned including the offender;
- state the number of the review;
- include the date by which the supervision plan will be reviewed;
- detail a relapse strategy; and
- include the date the current review and revised plan were agreed together with the signatures of all parties concerned.

**Standard 8.1**

Here the same competence and fitness requirements as set out for Standard 1.2 apply. A competent co-worker will only be used to full effect if:

- he/she is fully involved in supervision planning which should spell out doubling arrangements to cover all absences of the supervising officer;
- the two officers communicate effectively;
- the co-worker is a full participant in reviews and further plans; and
• the co-worker has shared responsibility for maintenance of case records.

**Standard 8.2**

Whenever practicable the first post release meeting shall take place on the day of final release. Only in very exceptional circumstances should it be delayed beyond the second day of release when the reasons shall be fully recorded. The purpose of this meeting is to reinforce the conditions of license and the requirements of supervision.

**Standard 8.3**

This is the minimum level of contact required. Increased levels of contact shall be determined for each case related to the assessed levels of risk. The planned frequency and places of contact shall be clearly detailed in the Supervision Plan. A minimum of weekly contact shall be maintained until the initial ACO led review determines the future frequency and pattern of contact to be applied.

**Standard 8.4**

Unannounced visits to the licensee’s place of residence are an essential part of managing risk. Such visits should be planned at times when the supervising officer is most likely to make face to face contact with the licensee but the pattern of these visits should be varied. Failed visits shall be followed up until contact is made. The Standard of 1:16 weeks is a minimum and should be increased if the supervising officer has any concerns about what is observed (or suspected) when visiting. On no account shall a licensee be permitted to determine whether, or when, he/she will receive visits from the supervising officer at his/her place of residence.

**Standard 8.5**

Together with the licensee and relevant others, the supervising probation officer shall carry out a comprehensive review of risk and a review of the first period of supervision. These documents shall be submitted to the PBNI Lifer Manager at least five working days prior to the date set for the ACO led review. As soon as possible after receipt of these documents the Lifer Manager should arrange for all persons attending the review to receive copies under confidential cover. The PBNI Lifer Manager shall send a letter, via the supervising officer, inviting the licensee to attend the review.

It would be unusual for frequency of contact to be reduced at this early stage but in exceptional cases may be reduced to bi-weekly contact from a time determined by the ACO led review. By the same token frequency of contact may be increased at this stage if circumstances require that.

Notwithstanding the determinations of ACO led reviews, the ACO or PBNI Lifer Manager may require frequency of contact to be increased and/or the pattern and/or location of contact to be varied at any time.
**Standard 8.6**

Successive ACO Annual Reviews require the supervising officer and the PBNI Lifer Manager to carry out similar preparatory work as for the initial 16 week review. The PBNI Lifer Manager shall forward a letter to the licensee inviting him/her to attend each review.

Throughout the period of supervised licence frequency of contact shall be determined at ACO reviews, and between reviews, in consultation with the PBNI Lifer Manager. Subject to increased risk, more frequent contact may be required by the ACO (Prisons) or PBNI Lifer Manager at any time.

**Standards 9.1, 9.2, 9.3, 9.4, 9.5 and 9.6**

All quality requirements as for the planning and reviewing of high risk Probation Orders shall be applied.

**Standard 9.7**

Continuity of supervision is important. Unless properly managed, transfer of supervision has the potential to disrupt continuity and cause any gains made in terms of offender progress to be undermined or lost altogether.

All transfers of supervision should be well informed, properly planned and have the prior written authority of the managers at both the sending and receiving locations. Transfers shall be informed by:

- thorough exploration of (and recording of) the reasons for transfer with the offender,
- consultation with the (sending) Area Manager;
- exploratory discussions/correspondence with the receiving location;
- thorough review and updating of risk assessments;
- a transfer summary in the form of a review and updating of current supervision plans; and
- where practicable, a meeting of all relevant parties;

**Standard 9.8**

Primarily this is a matter of agreement between the PBNI Lifer Manager and the ACO (Prisons) but as a matter of courtesy the Area Manager of the co-worker should be included in the deliberations before a final decision is reached.

**Standard 9.9**

The supervising officer should encourage the licensee to consider the merits of self-disclosure to the prospective employer and the possible consequences of not disclosing.
Consideration should be given to involving resettlement staff from NIACRO in coaching the licensee in the best ways of handling disclosure. In the event of the licensee resisting disclosure he/she shall be advised that the supervising officer may have to approach the employer and shall also be given an explanation as to why. The final decision is a matter of balancing any risks to public inherent in the licensee working in a particular environment against the possibility of the licensee losing an employment opportunity. Risk of harm to others is paramount when considering the action to be taken. Where a decision to contact and inform an employer is taken then this shall be done by providing the minimum of information necessary. **Before approaching an employer** in these circumstances the supervising officer shall consult with the PBNI Lifer Manager or the ACO (Prisons)

**Standards 10.1, 10.2, 10.3, 10.4 and 10.5**

The Enforcement Record for Life License cases is of different design to other cases and is of a distinctive red colour. It is important that the correct Enforcement Record is used.

Non-compliance is the unexplained failure of the licensee to fulfil any one of the conditions of license, or requirements of supervision, at any time. Supervising officers should understand that conditions of license are generally inviolate and non-compliance could not normally be acceptably explained. Requirements of supervision are very important but by nature may be difficult to comply with in some circumstances. The onus for demonstrating good reason for non-compliance must rest with the licensee. To be judged acceptable explanations given by the licensee must meet one or both of two criteria; that something urgent and/or unpredictable prevented compliance.

If the supervising officer gives prior permission for the licensee to attend to urgent family matters or other urgent business instead of keeping a pre-arranged commitment to supervision, this **shall not be entered on the Enforcement Record**. An appropriate entry should be made on the record of contact sheet instead. Supervising officers should be alert to, and guard against, a pattern of pre-arranged absence developing which in itself could be deemed to be unacceptable.

It should be noted that a second or subsequent unacceptable failure to comply with supervision requirements by the licensee requires the facts and circumstances of the failure to be reported forthwith to the PBNI Lifer Manager who shall provide advice/direction about what action(s) must follow. Alternative actions may include: **no action to be taken, licensee to attend a disciplinary meeting, an immediate final written warning or activate recall proceedings**. A disciplinary meeting may result in: **a written agreement signed by the licensee and attached to the supervision plan, a final written warning or activate recall proceedings**. Breach of a written agreement made in these circumstances would invariably result in a final written warning or recall proceedings.

When a decision is taken to hold a disciplinary meeting this should be convened as soon as possible, normally within two days of the decision.
**Standard 10.6**

The supervising officer and/or co-worker should always err on the side of caution in matters of safety. Remember public safety is the paramount consideration. The maxim is, “If in doubt, consult”. If the ACO (Prisons), or PBNI Lifer Manager, considers that risk to the public or the licensee exists, Standard 12.1 (related to recall) shall be activated.

**Standards 11.1, 11.2 and 11.3**

These reports shall take the form of a review of the immediately previous Supervision Plan. Reports should provide a balance of progress and achievement together with any areas of doubt or concern.

Each report should be countersigned by the licensee to the effect that he/she understands the content of the report and agrees or disagrees with all or part of the report. Where the licensee disagrees with all or any part of the report he/she shall be provided the opportunity to attach his/her comments before the report is submitted to the PBNI Lifer Manager.

**Standard 12**

Different arrangements apply to “restricted transfer” cases. Contact PBNI Lifer Manager for details.

**Standard 12.1**

If and when the occasion arises for the supervising officer/co-worker, or any other authorised person, to recommend recall a succinct and verifiable account of the licensee’s misconduct, failure to comply with conditions of license and/or concerns about risk to the public shall be submitted to LSU/LMU. The officer concerned should not delay submitting a report to the LSU/LMU in these circumstances but if time and circumstances allow should consult by telephone with the PBNI Lifer Manager or in his/her absence with the ACO (Prisons).

**Standard 12.2**

If requested by LSU/LMU, recall reports should be constructed under the headings provided at the six bullet points set out in **Standard 12.2** (Page 110) and shall be subjected to the same quality criteria and controls as all other reports to the LSRC.

The LSRC deadline for this kind of report may be relatively short. To facilitate this the ACO (Prisons) shall put in place suitable internal deadlines which must be adhered to by the report writer.
Standard 12.3

It is sufficient to meet this Standard as it is written.

Standards 13.1 and 13.2

It is for the PBNI Lifer Manager to exercise sound judgment in these matters. On no account shall a supervising officer or co-worker give permission for a licensee to absent himself/herself from the jurisdiction for even short periods without first seeking the advice and approval of the PBNI Lifer Manager.

Standards 14.1 and 14.2

When learning of a licensee’s wish to reside permanently outside of the jurisdiction the supervising officer shall inform the licensee that this is a matter for the LSU/LMU to seek approval. Furthermore that if permission is granted, that permission will be dependent upon satisfactory arrangements/agreements being made for the transfer of license and of ongoing supervision by the appropriate authority in the jurisdiction in which the licensee wishes to reside. On no account shall the licensee be given permission to leave the jurisdiction in these circumstances until:

- written acceptance of transfer is received by the ACO (Prisons) from, or on behalf of, the Chief Officer in the other jurisdiction;
- proper authority to transfer supervision has been received from LSU/LMU; and
- a full and proper transfer process has been completed.

Standard 15.1

In the event of the licensee dying during the period of supervision, or the cancellation of the supervision requirement by the Secretary of State, a final review and summary shall be entered into the case record by the supervising officer and the case record forwarded to the PBNI Lifer Manager for safe storage.

Standard 16.1

In these circumstances the supervising officer or co-worker shall advise the licensee that seeking, or responding to others who wish to involve him/her in, publicity may contravene the conditions of his/her license. The licensee should be instructed to refrain from furthering any contacts with media sources until advice from LSU/LMU has been secured. The supervising officer/co-worker should seek advice and guidance from the PBNI Lifer Manager who may seek advice from LSU/LMU.
Standard 17.1

Authority to discontinue supervision of a licensee rests with the Secretary of State in consultation with the LSRC.

An application shall not be made for authority to discontinue supervision unless it can be demonstrated that the licensee presents a reduced and acceptably low level of risk of harm to others. Such opinion should be determined by the ACO, together with all relevant staff, reviewing the whole period of supervision. The focus of the review should be to assess the licensee’s general progress and resettlement as reflected in the case recording and the raft of periodic reports submitted to LSU/LMU. More specifically to assess the licensee’s pathway to present in terms of:

- emotional and psychological state;
- levels of social competence and performance;
- strength of social support network;
- involvement in social, spiritual, community and leisure activities;
- security of accommodation and employment;
- competence to manage personal finances;
- use/abuse of alcohol, drugs or other substance; and
- level of reliance on supervision versus personal competence.

If the outcome of the review is a decision to recommend discontinuation of supervision the supervising officer shall consult with appropriate others in drafting a report in support of such a recommendation. The report shall be submitted to the PBNI Lifer Manager for countersigning and a covering letter from the ACO (Prisons).

In the event of the review resulting in a decision not to recommend discontinuation of supervision the question shall be revisited at each subsequent ACO led review.

Standard 17.2

The ACO meeting with the licensee should be attended by those persons who have had a significant role in supervising the licensee. The main purposes of the meeting are to:

- recognise the licensee’s progress and achievement;
- formally serve the Secretary of State’s notification of authority to cease formal supervision;
- ensure that the licensee understands that all other conditions of license remain in force; and
- convey that the “door remains open” for the licensee to seek advice and/or assistance from PBNI at any time.
**Standard 17.3**

If and when Secretary of State authority to discontinue supervision has been received the case record shall be closed in accord with the following requirements:

- ensure that written authority to discontinue supervision is on the record;
- carry out a final review of the case and enter a final summary into the planning section of the case record. The final summary shall include the licensee’s plans for sustaining personal development, general progress and remaining offence free;
- update RAS/PIMS;
- ensure that the case record contains a full set of relevant documents;
- strip the record of all duplicated and non-essential materials;
- submit the completed case record to the PBNI Lifer Manager within 5 days of supervision being discontinued;

Within a further 5 days it is the responsibility of the PBNI Lifer Manager to:

- check that authority to discontinue is on file;
- agree that the case record has been properly completed and prepared for closure;
- require any remedial actions by the supervising officer if that is appropriate;
- “sign off” and date the final section of the Monitoring Record;
- give instructions for administrative action regarding packaging, tabbing and storage of the case record in keeping with the approved colour recognition code; and
- ensure that the appropriate occurrence form is completed and forwarded without delay to the PBNI Information and Research Office.
### Record of Enforcement

Name of licensee: __________________________ Date Licence commenced: / / 

**Have you read and understood Standards and Service Requirements relating to enforcement of life licenses?**

<table>
<thead>
<tr>
<th>Date of apparent failure</th>
<th>Explanation* sought by home visit or telephone</th>
<th>*Explanation deemed to be acceptable or unacceptable</th>
<th>Action taken</th>
<th>Enter dates of all actions taken</th>
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<td>No action required</td>
<td>Activate recall</td>
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* Do not enter licensee’s explanation or supervisors judgments of those explanations on this document.

A summary of these shall be entered on the record of contact sheet together with corresponding dates.

Open fresh record sheets as required / Number each sheet / Retain all record sheets on file.

01/02/06 - Red

REC/ENF/LFR
Monitoring

Lifer or SOSP cases whilst in prison or under supervised licence in the community

Responsible officers should remember that the purpose of monitoring is to secure and develop the highest possible quality of practice and, by doing so, minimising the likelihood of re-offending and fulfilling the aim of protecting the public from harm.

When completing and signing any or all sections of the monitoring documents in Lifer/SOSP cases the responsible officer is making a written affirmation that all routine requirements have been carried out in line with the relevant Standards and Service Requirements. Furthermore the responsible officer, when completing risk assessments, risk assessment reviews, resettlement plans/supervision plans, reviews and renewal of plans, transfer of supervision and/or termination of supervision is making a written affirmation that these crucial tasks have been completed in accord with all quality indicators and measures required when managing and supervising any other type or Order for which PBNI staff have management and supervisory responsibility.
Monitoring Form – Persons remanded in custody on murder charge(s)

Name of remandee: ……………………………..        Index Number: ……………

Name of probation officer: ……………………………Date of first remand: …………

Section 1: To be completed by the Prison PO no more than 14 days after first remand date.

<table>
<thead>
<tr>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
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</thead>
<tbody>
<tr>
<td>1 Initial interview took place within 2 days of first remand</td>
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<td>2 Family referred within 2 days of first remand</td>
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<td>3 Checked that family offered service within further 5 days</td>
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<td>N/A</td>
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<td>4 Where victim is close relative checked that family have been offered the option of referral to VSNI</td>
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<td>N/A</td>
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<td>5 Where victim was a child or young person the case record file has been ‘tabbed’ for future action</td>
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<td>6 Case record contains a full set of documents consistent with the needs of the case</td>
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<td>7 Case record is up to date within 5 days of last occurrence</td>
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<td>8 All recorded transactions have been countersigned and dated by the remandee</td>
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PO signature: …………………………   Date: ………………..

Section 2: To be completed by the prison PO no more than 16 weeks after first remand and at 16 week intervals thereafter.

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<tr>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
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<tbody>
<tr>
<td>1 Contacts with the remandee have been at intervals of no more than 2 months</td>
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<td>2 Record contains a full set of documents consistent with the needs of the case</td>
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<td>3 Case record is up to date within 5 days of last occurrence</td>
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<td>4 Remandee has signed and dated all recorded transactions</td>
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PO Signature: …………………………   Date: ………………..

NO* means :- NO but an acceptable reason has been recorded on the record of contact sheet (PTO)
I affirm that the following have been completed in line with Standards and Service Requirements

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<tr>
<th></th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
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</tr>
</tbody>
</table>

**PO Signature:** …………………          **Date:** ……………

**Prison probation unit manager monitoring.** Where a remandee has been charged with murder the unit manager should review the case record after 3 weeks, after 16 weeks, at 16 week intervals thereafter and finally when the remandee is sentenced, acquitted or released without trial. Please initial and date each separate entry. Attach follower as necessary.

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**Section 3: Final review.** To be completed by PO within 2 days of sentence/acquittal

<table>
<thead>
<tr>
<th>Remandee was:</th>
<th>Sentenced</th>
<th>Acquitted</th>
<th>Released without trial</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>I affirm that the following have been completed in line with Standards and Service Requirements</td>
<td>YES</td>
<td>NO</td>
<td>NO*</td>
<td>COMMENTS</td>
</tr>
</tbody>
</table>
1 |     |    |     |          |
2 |     |    |     |          |

**PO Signature:** …………………          **Date:** ……………

Agreed all work including case record satisfactorily completed ……………………………U/Mgr

**Date:** …………………
Monitoring Form: Lifer or SOSP throughout custodial part of sentence

Name of prisoner: ……………………….. Index number: ………………..

Name of prison PO …………………………. Date of sentence: …………

Section 1: To be completed by the prison PO immediately after the inter-disciplinary sentence plan being completed.

<table>
<thead>
<tr>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 PO designated to complete post sentence assessment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Designated PBNI staff attended initial inter-disciplinary sentence planning meeting</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Designated PO submitted “Post Sentence Report”</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Designated PO has met all initial sentence planning responsibilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Case record has been maintained up to date within 5 days of last occurrence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Case record contains all required documents consistent with the stage of case management</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Initial sentence plan has been completed and initiated</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 All recorded contacts between PBNI and prisoner have been countersigned and dated by the prisoner</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 All confidential information provided by third parties has been secured in the closed section of the record</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Prison PO signature: ……………………………. Date: ………………….

Section 2: To be completed by the prison PO on the anniversary of the initial sentence plan being implemented and at annual intervals thereafter until the prisoner is licensed.

<table>
<thead>
<tr>
<th>I affirm that all of the following have been completed in line with Standards &amp; Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Risk assessments have been updated</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Annual review of work between PBNI staff and prisoner has been completed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Designated PBNI staff have contributed to review and update of inter-disciplinary sentence plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 PBNI review &amp; updated work plan has been contributed to by all parties and signed and dated by all</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Updated work plan sets out frequency of contact, progs. to be attended and specific targets for the next period</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 All reports due from programme providers have been received, read, understood and entered in the record</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 The case record contains all appropriate extracts from multi-disciplinary panel meetings</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 All contacts between PBNI staff and prisoner have been countersigned and dated by the prisoner</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Confidential information provided by third parties have been secured in the closed section of the case record</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 The case record has been maintained up to date within 5 days of the most recent occurrence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Prison PO signature: ……………………………. Date: ………………….

NO* means:- NO but an acceptable explanation has been entered on the record of contact sheet

01/02/06 - Yellow

MF/LFR
### Section 2: Second annual review. To be completed by the prison PO

<table>
<thead>
<tr>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Risk assessments have been updated</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Annual review of work between PBNI staff and prisoner has been completed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Designated PBNI staff have contributed to review and update of inter-disciplinary sentence plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 PBNI review &amp; updated work plan has been contributed to by all parties and signed and dated by all</td>
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<td></td>
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</tr>
<tr>
<td>5 Updated work plan sets out frequency of contact, progs. to be attended and specific targets for the next period</td>
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<td>6 All reports due from programme providers have been received, read, understood and entered in the record</td>
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<tr>
<td>7 The case record contains all appropriate extracts from multi-disciplinary panel meetings</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 All recorded contacts between PBNI staff and prisoner have been countersigned and dated by the prisoner</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Confidential information from third parties has been secured in the closed section of the case record</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 The case record has been maintained up to date within 5 days of the most recent occurrence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Prison PO Signature:** …………………………….. **Date:** ………………

### Section 2: Third annual review. To be completed by prison PO

<table>
<thead>
<tr>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Risk assessments have been updated</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Annual review of work between PBNI staff and prisoner has been completed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Designated PBNI staff have contributed to review and update of inter-disciplinary sentence plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
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<td></td>
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<td></td>
</tr>
<tr>
<td>5 Updated work plan sets out frequency of contact, progs. to be attended and specific targets for the next period</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 All reports due from programme providers have been received, read, understood and entered in the record</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 The case record contains all appropriate extracts from multi-disciplinary panel meetings</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 All recorded contacts between PBNI staff and prisoner have been countersigned and dated by the prisoner</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Confidential information from third parties has been secured in the closed section of the record</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 The case record has been maintained up to date within 5 days of the most recent occurrence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Prison PO Signature:** …………………………….. **Date:** ………………

**** The prison PO should use “Section 2 repeater sheets” to complete monitoring for the 4th annual review and every year thereafter until the prisoner is licensed ****

**NO* means:-** NO but an acceptable explanation has been entered on the record of contact sheet
Section 3: To be completed by the designated officer 3 years prior to expiry of the tariff.

<table>
<thead>
<tr>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 PO was designated 4 yrs before expiry of tariff</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Where tariff was 4 years or less, designated officer received specific instructions from PBNI Lifer Manager</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>3 Designated officer cooperated with other disciplines in forecasting preparation for release plans</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Updated risk assessment plan submitted to the LSRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Designated officer signature: ………………………….. Date: ……………..

Section 4: To be completed by designated officer immediately before the LSRC reviews the prisoner for release on the first occasion. This should be repeated at a similar stage before any subsequent LSRC reviews. *If required use Section 4 repeater sheet.*

<table>
<thead>
<tr>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 The designated officer cooperated with prison grades in planning of, and played an active part in implementing the prisoner preparation for release plan</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>2 Designated officer’s report submitted to LSRC, or letter in lieu where prisoner withheld consent</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Designated officer’s report to LSRC was based on up to date risk assessments</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Where the prisoner was convicted of, or alleged to have committed, a sex offence(s) the designated officer’s report took full account of any up to date action plans agreed by the Area Sex Offender Management Committee</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>5 Where child protection issues exist the designated PO has carried out all requirements of PBNI CP Procedures and the requirements of HSS&amp;PS Circular 3/96</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>6 The designated PO has prepared him/herself to attend as a witness at the LSRC hearing</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
</tbody>
</table>

Designated PO signature: ………………………….. Date: ……………..

Section 5: Prison probation unit manager monitoring. During the custody phase the unit manager should review each lifer/SOSP case twice each year. *Please initial and date each separate entry. Attach follower sheets as necessary.*

………………………………………………………………………………………………………
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………………………………………………………………………………………………………
………………………………………………………………………………………………………
………………………………………………………………………………………………………

01/02/06 - Yellow MF/LFR
Section 6: Final review. To be completed by the officer currently responsible for maintaining the case record.

<table>
<thead>
<tr>
<th></th>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>If child protection issues exist all required actions under PBNI CP Procedures and HSS&amp;PS Circular 3/96 have been carried out</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>2</td>
<td>Final summary pointing to any unfinished business completed and case record passed to Unit Manager for disposal</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

P O Signature: ........................................ Date: ..................

Agreed that the case record is up to date and that all required work, in the circumstances of the case, has been satisfactorily carried out.

Prison/Unit Manager Signature: .......................... Date: .................
Section 2: .............. annual review. To be completed by the prison PO.

<table>
<thead>
<tr>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Risk assessments have been updated</td>
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<td></td>
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</tr>
<tr>
<td>2 Annual review of work between PBNI staff and prisoner has been completed</td>
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<td>5 Updated work plan sets out frequency of contact, progs. to be attended and specific targets for the next period</td>
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<td>6 All reports due from programme providers have been received, read, understood and entered in the case record</td>
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<tr>
<td>10 The case record has been maintained up to date within 5 days of the most recent occurrence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Prison PO Signature: ........................................ Date: ..................

Section 2. .............. annual review. To be completed by the prison PO.

<table>
<thead>
<tr>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Risk assessments have been updated</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Prison PO Signature: ........................................ Date: ..................

*NO* means: NO but acceptable explanation entered on the record of contact sheet
Lifer and SOSP monitoring  
Section 4 repeater sheet (custody phase)

To be completed by the designated officer immediately before the prisoner is reviewed for release by the LSRC on the second, and any subsequent, occasion.

Second LSRC review

<table>
<thead>
<tr>
<th></th>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The designated officer cooperated with prison grades in planning of, and played an active part in implementing the prisoner preparation for release plan</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>2</td>
<td>Designated officer’s report submitted to the LSRC, or letter in lieu where prisoner withheld consent</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Designated officer’s report to the LSRC was based on up to date risk assessments</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Where the prisoner was convicted of, or alleged to have committed a sex offence(s) the designated officer’s report took full account of any up to date action plans agreed by the Area Sex Offender management Committee</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>5</td>
<td>Where child protection issues exist the designated PO has carried out all requirements of PBNCP Procedures and the requirements of HSS&amp;PS Circular 3/96</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>6</td>
<td>The designated PO has prepared him/herself to attend as a witness at the LSCR hearing</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
</tbody>
</table>

Designated PO Signature: ..........................  Date: ..................

Third LSRC Review

<table>
<thead>
<tr>
<th></th>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The designated officer cooperated with prison grades in planning of, and played an active part in implementing the prisoner preparation for release plan</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>2</td>
<td>Designated officer’s report submitted to LSRC, or letter in lieu where prisoner withheld consent</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Designated officer’s report was based on up to date risk assessments</td>
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</tr>
<tr>
<td>4</td>
<td>Where the prisoner was convicted of, or alleged to have committed, a sex offence(s) the designated officer’s report took full account of any up to date action plans agreed by the Area Sex Offender Management Committee.</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>5</td>
<td>Where child protection issues exist the designated PO has carried out all requirements of PBNCLP Procedures and the requirements of HSS&amp;PS Circular 3/96</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>6</td>
<td>The designated PO has prepared him/herself to attend as a witness at the LSRC hearing</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
</tbody>
</table>

Designated PO Signature: ..........................  Date: ..................
Monitoring Form: Lifer or SOSP – Supervised license

Name of licensee: ………………………. Index number: …………….

Name of supervising PO: ………………………….. Date of License: ……/…/……

Replacement sup. PO: …………………………….. Date of change: …../…./……

Name of co-worker: ………………………………….

Replacement co-worker: ……………………………… Date of change: …./…./……

Section 1: To be completed by the supervising PO or co-worker during week 17 of the license and then at 16 week intervals until an ACO led review determines a changed review pattern or, if the licensee is recalled to prison.

Week 17 monitoring review

<table>
<thead>
<tr>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Initial supervision plan agreed and signed before release</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 First visit to licensee’s place of residence made within 24 hours of release on license</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 A minimum of weekly contact maintained including home visits every four weeks</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 At least one unannounced home visit made during first 16 weeks</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 First ACO led review has taken place</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Initial supervision plan reviewed with licensee and all relevant others – signed and dated by all</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Risk assessment thoroughly reviewed and updated</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Revised supervision plan formulated, signed &amp; dated by all relevant parties</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Any relevant disclosure(s) made to employer(s) following consultation with Lifer Manager</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 All recording and required follow up actions carried out in relation to approved Enforcement Procedures</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 All routine reports to LSU shared with, signed and dated by, licensee before submission via Lifer Mgr</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 All recorded contacts with licensee have been countersigned and dated by the licensee</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 All expected reports from programme/service providers received, read, understood and entered in case record</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 All confidential information received from third parties is secured in the closed section of the case record</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 If licensee is a sex offender all appropriate extracts from Area Sex Offender Committee entered in record</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 The case record has been maintained up to date within 5 days of the most recent occurrence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Supervising PO Signature: ………………………….. Date: ………………..

NO* means:- NO but an acceptable explanation has been entered on the record of contact sheet
### Section 2: Week 33 monitoring review

<table>
<thead>
<tr>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Planned frequency of contact maintained including required number of home visits</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. At least one unannounced home visit made during the period under review</td>
<td></td>
<td></td>
<td>NO*</td>
<td></td>
</tr>
<tr>
<td>3. ACO led review has taken place</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>4. Initial supervision plan reviewed with licensee and all relevant others-signed and dated by all</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>5. Risk assessments thoroughly reviewed and updated</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>6. Revised supervision plan formulated, signed &amp; dated by all relevant parties</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>7. Any relevant disclosure(s) made to employer(s) following consultation with Lifer Manager</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>8. All recording and required follow up actions have been carried out in relation to Enforcement Procedures</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>9. All routine reports to LSU shared with, signed and dated by, licensee before submission via Lifer Manager</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>10. All recorded contacts with the licensee have been countersigned and dated by the licensee</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>11. All expected reports from programme/service providers received, read, understood and entered into the case record</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>12. All confidential information received from third parties is secured in the closed section of the record</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>13. If licensee is a sex offender all appropriate extracts from Area Sex Offender Committee entered in case record</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>14. The case record has been maintained up to date within 5 days of the most recent occurrence</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

Supervising PO Signature: …………………………….. Date: …………………..

Supervising PO/Co-worker should make use of ‘Section 2 repeater sheet’ for all subsequent (routine) monitoring reviews.

NO* means: NO but an acceptable explanation has been entered on the record of contact sheet
Section 3: First internal transfer approved by PBNI Lifer Manager

*Where possible and practicable primary responsibility for supervision should pass to the co-worker*

<table>
<thead>
<tr>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Approved transfer process took place, including tripartite meeting and transfer summary entered into the case record</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Up to date case record forwarded to new supervising PO</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Supervising PO Signature: ……………………………… Date: …………………

Section 3: Second internal transfer approved by PBNI Lifer Manager

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Approved transfer process took place, including tripartite meeting and transfer summary entered into the case record</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Up to date case record forwarded to new supervising PO</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Supervising PO Signature: ……………………………… Date: …………………

Section 4: Recall of Licensee to prison

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Licensee’s behaviour deemed to be of concern in terms of public safety. PO/other authorised person notified LSU by telephone followed up with appropriate report to LSU</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Licensee recalled to prison custody</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Further PO report requested by LSU for LSRC dossier - report approved by ACO and submitted via Lifer manager</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

Supervising PO Signature: ……………………………… Date: …………………

*In the event of the licensee being re-released under supervised license a fresh set of monitoring documents shall be commenced as if this were the initial release.*

Section 5: Approval for licensee to reside permanently in another jurisdiction

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Licensee requested permission to reside permanently in another jurisdiction. Instructed by PO to await S of S decision subject to satisfactory arrangements being possible</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>ACO satisfied that safe and proper arrangements can be made - formal request to transfer made to LSU</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Approval for transfer received from LSU</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Transfer process completed. Permission given to licensee and practical arrangements made to transfer him/her including first contact arrangement with new supervisor</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Section 7 monitoring completed</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Up to date case record forwarded to Lifer Manager for disposal</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

Supervising PO Signature: ……………………………… Date: …………………
Section 6: Lifer Manager monitoring. The Lifer Manager should establish a pattern of monitoring which takes account of the need for safe supervision in the circumstances of the particular case. Please initial and date each individual entry. Attach yellow follower sheets as necessary.

………………………………………………………………………………………………………
………………………………………………………………………………………………………
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………………………………………………………………………………………………………
………………………………………………………………………………………………………
………………………………………………………………………………………………………

Section 7: Cessation of statutory supervision (in this jurisdiction).

To be completed by the supervising PO in the event of the:

- supervision of licensee being transferred to another jurisdiction
- licensee being recalled to prison custody
- S of S giving authority to terminate supervision of license
- death of the licensee

I affirm that the following have been completed in line with Standards and Service Requirements

<table>
<thead>
<tr>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 The licensee reminded that conditions of license remain in force for the rest of his/her life</td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>2 A review of the most recent period of supervision has been completed and a closing summary entered in the case record</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Up to date case record forwarded to Lifer Manager for disposal</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Supervising PO Signature: ……………………………… Date: ………………..

Agreed all work satisfactorily completed. Case record forwarded to:

………………………………………………………………………………………………………

Lifer Manager Signature: ……………………………… Date: ………………..
**Monitoring: Lifer or SOSP – Supervised License**  
**Section 2 Repeater sheet**

**Week ………….. monitoring review**

<table>
<thead>
<tr>
<th></th>
<th>I affirm that the following have been completed in line with Standards and Service Requirements</th>
<th>YES</th>
<th>NO</th>
<th>NO*</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Planned frequency of contact maintained including required number of home visits</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>At least one unannounced home visit made during the period under review</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>ACO review has taken place</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Most recent supervision plan reviewed with licensee and all relevant others-signed and dated by all</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Risk assessments thoroughly reviewed and updated</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Revised supervision plan formulated, signed and dated by all relevant parties</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Any relevant disclosure(s) made to employer(s) following consultation with Lifer Manager</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>All recording and required follow up actions carried out in relation to Enforcement Procedures</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>All routine reports to LSU shared with, signed and dated by, licensee before submission via Lifer Manager</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>All contacts with licensee have been recorded, countersigned and dated by the licensee</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>All reports from programme/service providers received, read, understood and entered in the case record</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>All confidential information received from third parties is secured in the closed section of the case record</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>If licensee is a sex offender all appropriate extracts from Area Sex Offender Management Committee entered in the record</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>The case record has been maintained up to date within 5 days of the most recent occurrence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Supervising PO Signature:** ………………………………..  
**Date:** ………………..

NO* means: NO but an acceptable explanation has been entered on the record of contact sheet
A Probation Officer Report to the Life Sentence Review Commissioners

GATEKEEPING RECORD

Part 1  (to be completed by the report writer)

Full Name of prisoner  ................................................................. (Block Capitals)

Full name of report writer ......................................................... (Block Capitals)

Date of Allocation  .............................. Required Submission Date  ....................

Date Draft Report and supporting documents to Gatekeeper  .........................

As the person with primary responsibility for providing this report to the LSRC, I affirm that I have ensured that the following have been completed in accordance with the relevant Standards and Service Requirements

a)  The prisoner has received from me a full explanation of, and has understood, the purpose of a Probation Officer Report to the LSRC.  YES/NO

b)  Assessment of the likelihood of re-offending has been updated and shared with the prisoner.  YES/NO

c)  Assessment of causing harm to others or self has been updated and shared with the prisoner.  YES/NO

d)  Evidence of all consultations/meetings/correspondence with other contributors is in place.  YES/NO

e)  The prisoner was interviewed by me on .......... occasions for the purposes of this report.

f)  I have taken all reasonable steps to obtain and verify all information relevant to this report.  YES/NO

g)  This report has been drafted in accordance with the guidance provided in the relevant Standards and Service Requirements.  YES/NO

h)  The draft report, together with copies of all supporting evidence and documentation, was passed to the gatekeeper by the due date.  YES/NO

Signature of report writer  ........................................... Date  ....................

01/02/06 - Pink  GK/LFR
Part 2  (to be completed by the designated gatekeeper)

a) All documentation indicated in Part 1 has been received by me and has been completed in accordance with Standards and Service Requirements.  

YES/NO

Identify what is deficient/incomplete/missing

……………………………………………………………………………………………..
……………………………………………………………………………………………..
……………………………………………………………………………………………..
……………………………………………………………………………………………..
……………………………………………………………………………………………..

b) The draft report uses the approved structure throughout.  

YES/NO

Explain how the structure of the report needs to be amended.

……………………………………………………………………………………………..
……………………………………………………………………………………………..
……………………………………………………………………………………………..
……………………………………………………………………………………………..
……………………………………………………………………………………………..


c) All 9 sections of the report take full account of both content and quality requirements.  

YES/NO

Identify which section(s) fail to meet requirements and suggest remedies.

……………………………………………………………………………………………..
……………………………………………………………………………………………..
……………………………………………………………………………………………..
……………………………………………………………………………………………..
……………………………………………………………………………………………..
……………………………………………………………………………………………..

01/02/06 - Pink

GK/LFR
d) All facts have either been verified or, alternatively, the report writer identifies particular statements which it has not been possible to verify.

YES/NO

Identify which particular facts/statements have not been properly addressed.

…………………………………………………………………………………………..….
…………………………………………………………………………………………..
…………………………………………………………………………………………..
…………………………………………………………………………………………..
…………………………………………………………………………………………..

e) Opinions expressed by the report writer are supported by reasoned evaluative comment.

YES/NO

Identify any instances where report writer opinion has not been supported as required and suggest improvements.

…………………………………………………………………………………………..….
…………………………………………………………………………………………..
…………………………………………………………………………………………..
…………………………………………………………………………………………..
…………………………………………………………………………………………..

f) The draft report is free from irrelevancies, jargon, typographical error, spelling mistakes and other presentational flaws?

YES/NO

Identify any presentational flaws and suggest improvements.

…………………………………………………………………………………………..….
…………………………………………………………………………………………..
…………………………………………………………………………………………..
…………………………………………………………………………………………..
…………………………………………………………………………………………..
g) Regardless of comments in the previous sections, it is my opinion that the report has presented an impartial and balanced information. 

YES/NO

Explain in what respects the report is partial or lacks balance and suggest what improvements might be made.

…………………………………………………………………………………………..….
…………………………………………………………………………………………..….
…………………………………………………………………………………………..….
…………………………………………………………………………………………..….

h) General Comment (please provide any additional information in support of a job well done or about particular complexities faced by the report writer.

…………………………………………………………………………………………..….
…………………………………………………………………………………………..….
…………………………………………………………………………………………..….
…………………………………………………………………………………………..….

i) The draft report, all other documents received by me, together with the completed gatekeeping record, were returned to the report writer on …………………… (date).

In my view the amendments recommended should be completed before the report is submitted to the LSRC /* I do not recommend any changes to this report. (* delete as appropriate).

Name of gatekeeper …………………………………………………………………… (Block Capitals)

Signature of gatekeeper …………………………………………………………………

Part 3 (To be completed by the report writer)

I have noted the comments from the gatekeeper and have amended my report accordingly / * not applicable to this report. (* delete as appropriate).

I submitted my finalised report for comment by the ACO (Prisons) on …………………… (date)

Signature of report writer …………………………………………………………………

Date …………………………………
PROTOCOL FOR PREPARATION, GATEKEEPING AND SUBMISSION OF
LSRC REPORTS PREPARED BY PROBATION OFFICERS

Introduction

- LSRC Reports may be prepared by prison probation officers or designated field probation officers.

- The Reports will normally be allocated either by the Prison Probation Manager or the Lifer Manager.

- Normally 6 weeks will be allowed from notification to submission of reports.

Notification

The LMU will notify both the PBNI Prison Probation Manager and the Lifer Manager immediately the notice of referral is issued.

Allocation

The LSRC Report will be allocated by the appropriate manager within 3 working days of notification.

The appropriate manager will notify the LMU to whom the report has been allocated (copy ACO Prisons and Prison Probation Manager/Lifer Manager).

Preparation and Gatekeeping

The LSRC Report writer will complete a draft report no more than 15 working days after allocation and submit to the appropriate manager (with updated ACE, RA1 and a gatekeeping record form).

The draft report will be gatekept by the relevant manager and returned to the report writer with feedback no later than 2 working days after receipt with completed gatekeeping record.

The ACO Prisons will also review the report and return to the appropriate manager with any recommended changes within 2 working days of receipt.

Submission/Authorisation

The final completed report will be returned to the ACO Prisons by the appropriate manager within 5 working days for approval.

The approved report will be sent to the LMU Maghaberry by the ACO Prisons by the submission date with a letter confirming authorisation.
Note

- Draft and final reports will be sent by secure means at all stages of the process.

- It is the report author’s responsibility to ensure the report is shared with the prisoner.

- Reports should not be submitted without authorisation from ACO Prisons or another ACO.

- Any contact from the LMU in relation to the reports should be notified immediately to the appropriate Lifer Manager.

- Report writers should refer to PBNI “Standards for the Management and Supervision of Persons made subject to or released from Indeterminate Sentences” Standard 6 (and accompanying Service Requirements) and the Life Sentences Review Commissioners Rules 2001 Rules, 4 and 14 for guidance.
Release on Licence of Sexual Offenders (Article 26)

Introduction

1. Legislative authority

All probation officers, who supervise sex offender licensees, and their managers, must be conversant with Articles 26, 27, 28 and 29 of the Criminal Justice (Northern Ireland) Order 1996.

1.1 Article 26 (1) provides that:

“Where in the case of an offender who has been sentenced to imprisonment or ordered to be detained in a young offenders centre-

a) the whole or part of his sentence or order for detention was imposed for a sexual offence, and

b) the court by which he was sentenced or ordered to be detained for that offence, having regard to-

i) the need to protect the public from serious harm from him, and

ii) the desirability of preventing the commission by him of further offences and securing his rehabilitation,

ordered that this Article shall apply, instead of being granted remission of his sentence or order for detention under prison rules, the offender shall, on the day on which he might have been discharged if the remission had been granted, be released on licence under the provisions of this Article.”

Article 26 (2) provides that:

“An offender released on licence under this Article shall be placed under the supervision of a probation officer ………………………..”

Article 26 (3) provides that:

“An offender released on licence under this Article shall comply with such conditions as determined by the Secretary of State………………….”. (See specimen licence at Appendix A)

Article 26 (4) advises about alteration to conditions of licence.

Article 26 (5) gives powers to the Secretary of State to make rules regulating supervision of licences.
1.2 Breach of licence conditions

Article 27 sets out the process for bringing a licensee before a court of summary jurisdiction when in breach of the conditions of licence together with the sentencing powers of a court in these circumstances.

1.3 Convictions during the currency of licence

Article 28 provides guidance to courts on dealing with a licensee who is convicted of new offences during the period of supervised licence.

1.4 Fines

If, under Article 27, a court deals with a licensee by way of a fine for breach of licence conditions the provisions of Article 29 apply.

2. Use of Article 26 by the courts

Courts are likely to impose a sentence of imprisonment or order a period of detention in a young offenders centre followed by a supervised licence if a person convicted of a serious sexual offence:

a) is adjudged to pose a serious threat to public safety; and

b) does not consent to being supervised within the terms of a Custody Probation Order; or

c) where a court considers that a period of post-custody supervision of greater length than that allowed within the terms of a CPO would be desirable in the interest of public safety.

3. Length of the licence period

The period of licence is in effect a conditional release. That is, the licensee is free to serve the remainder of his sentence in the community providing he fulfils the conditions of his licence. The length of licence period is determined by the length of sentence. The longer the sentence the longer the licence. Eg, an offender who is sentenced to 14 years imprisonment under Article 26 would, on release, be subject to supervised licence for 7 years unless, for commission of new offences, he was ordered by a court to return to prison under Article 28 for the remainder of the sentence from which he was licensed. The period of licence may be interrupted for a shorter period if he is convicted of a breach of conditions of licence. It should be noted that the period on licence is not the same as the period on the sex offender register.
4. **Seriousness and purpose**

4.1 The primary purpose of a supervised licence is to protect the public from harm by minimising the likelihood of the licensee committing further offences.

4.2 As well as policing the conditions of licence, the primary purpose may best be achieved if the licensee can be motivated to participate in positive and constructive activities which are relevant to securing his rehabilitation. Some licensees will not be amenable to the constructive approach so the main focus will be strict policing of the conditions of licence and swift action to bring him before a court if and whenever conditions are breached.

4.3 Supervision of all licensees should be strengthened by engaging with all other relevant agencies. Most Article 26 cases will have been assessed as Level 2 or Level 3 in terms of seriousness and therefore will be subject to ongoing review by a MASRAM panel.

4.4 MASRAM is the body which formulates and recommends any additional conditions to be included in the standard licence in each individual case.

5. **Powers of the Secretary of State**

5.1 The conditions of each licence are approved, signed and issued on behalf of the Secretary of State by the Head of Prison Law and Policy Branch.

5.2 To enable the licensing process to be concluded satisfactorily and in a timely way, early consultation with Prison Law and Policy Branch is required.

5.3 As representatives of the Secretary of State, it is important for the Prison Law and Policy Branch to be kept informed of the progress, or otherwise, of each licensee.

6. **Breach of licence conditions**

6.1 It is an offence for a licensee to fail to comply with the conditions of his licence. In such circumstances the licensee must be brought before a magistrates court for adjudication.

6.2 Under Article 27 the court may suspend the licence and return the licensee to prison for a period not exceeding 6 months. The period of suspension ordered by the court is subject to 50% remission so, at the half way point, the offender will again be released on licence until the end of the original sentence unless he transgresses again when further suspension of licence may follow.

6.3 If the licensee subsequently breaches a condition of licence he must again be brought before a magistrates court for adjudication. Within the time parameters of the licence there is no limit to the number of occasions that a court may
suspend a licence and return the licensee to prison for successive breaches of conditions.
Release on Licence of Sexual Offenders (Article 26)

Performance Standards

1. **Informing the prisoner**

1.1 In partnership with NIPS (both Operations and Law and Policy Branch) and relevant other agencies the Probation Board shall issue, and from time to time review, an explanatory leaflet which describes all aspects of a sentence made under Article 26.

1.2 A copy of the explanatory leaflet shall be made available to the prisoner at the first post sentence interview.

2. **Allocation**

2.1 Within 2 days of sentence/transfer the case of each newly sentenced/transferred prisoner shall be allocated to a named member of the PBNI prison team.

2.2 A field supervising officer shall be designated no less than one year prior to the prisoner’s EDR.

3. **Transfer of information**

3.1 The team which provided the PSR shall forward a package of essential documents to the designated probation officer in the receiving prison to arrive within 5 days of sentence.

3.2 Subsequent to carrying out a committal interview the officer shall complete and forward the approved referral form for the attention of Prison Link.

3.3 To inform sentence planning the prison probation officer shall provide copies of relevant documentation to the person with lead responsibility for sentence planning.

3.4 When the case is referred to MASRAM for licensing conditions to be considered the prison based probation officer shall ensure that ample notice is given to the Head of Prison Law and Policy Branch of the date, time, venue and purpose of that meeting.

4. **Sentence planning and implementation of plans**

4.1 Throughout sentence all PJNI contributions to planning for the sentence and preparation for release of each prisoner shall be consistent with the quality requirements for all other types of Orders managed and supervised by PBNI staff.
4.2 Reviews of planned activity by, or brokered by, PBNI staff shall be carried out:
   - six months after the initial plan has been agreed; then
   - at annual intervals; then
   - at six monthly intervals during the two years prior to release on licence; and finally
   - immediately prior to formulation of the post release supervision plan.

4.3 If the prisoner is granted home leave a specific plan shall be agreed which details resettlement activities that the prisoner, and others, will engage in during the period of home leave.

4.4 The post release supervision plan shall be completed and signed by all parties at least 15 days prior to the EDR.

4.5 If the prisoner intends restricting his response to licence to abiding by the conditions of licence, a Public Protection Plan shall be substituted for the usual form of post release supervision plan.

5. **Management of risk**

5.1 All reviews of sentence/resettlement plans shall be preceded by review and updating of the risk assessments.

5.2 A review and updating of risk assessments shall be carried out no less than one month prior to the MASRAM meeting which gives consideration to additional conditions of licence.

5.3 If a sentence, which carries post custodial supervision, was passed without a PSR being requested by the court a full risk assessment shall be completed within 10 days of sentence followed by an RMM within a further 10 days.

5.4 In a Schedule 1 case, prior to either temporary or final release of the prisoner, the prison probation officer shall fulfil all of the requirements of HSS Circular 3/96 or any subsequent statutory instrument which provides for the protection of children in Schedule 1 cases.

6. **Frequency of contact during the custody phase of sentence**

6.1 Each prisoner shall be invited to attend a committal interview within 2 days of sentence.

6.2 Sentence/resettlement plans shall set out the intended frequency of contact to be made with the prisoner, during each phase of sentence, by all contributors including the field supervisor from the point s/he is appointed.
6.3 Where the prisoner does not make himself amenable to sentence/resettlement planning he shall be offered contact at no less than 26 week intervals with a view to renewing the offer of a planning service.

7. **Final instructions**

Prior to release the prisoner shall be given written instructions to report to his supervising officer on the day of release or, in exceptional circumstances, the following day even though that be a Saturday.

8. **The supervised licence**

8.1 If the licensee fails to attend the first post custody meeting the supervising officer shall consult the Area Manager or a Senior Manager with a view to applying for an arrest warrant.

8.2 During the first post custody meeting the licensee shall be reminded of the conditions of licence and the inevitable consequences of breaching a condition.

8.3 Before departing the first post custody meeting the licensee shall be given future reporting instructions.

8.4 Subsequent to the first post custody meeting and where a full supervision plan is in place, Probation Order Standards shall be applied at a level which is consistent with the assessed level of risk and the nature of the offences committed.

8.5 If the licensee intends restricting his response to supervision to abiding by the conditions of licence, supervision shall take the form of rigorous policing of the conditions of licence together with swift reaction to any and all contraventions of conditions by the licensee.

8.6 At regular monthly intervals offers of a more positive approach to supervision shall be offered and recorded.

9. **Home visiting**

9.1 In all Section 26 cases consideration should be given to joint PBNI/PSNI visits to the homes of licensees.

9.2 On occasions where joint inter-service visits cannot be arranged accompanied visits as set out in Probation Order Service Requirements at Standard 4.1 should be considered.
10. **Reporting**

10.1 At intervals required by the MASRAM panel the supervising officer shall provide a report of the licensee’s performance in terms of the MASRAM risk management plan.

10.2 The supervising officer shall provide a report of the licensee’s progress to the Head of Prison Law and Policy Branch:
   - on each occasion that a report is provided for the MASRAM panel;
   - within one week of expiry of the licence or revocation of the licence by a court at a time of sentencing for a further offence; and
   - extraordinarily at another time if specifically requested by the Head of Prison Law and Policy Branch.

10.3 The supervising officer shall notify (by standard letter within 5 days) the head of Prison Law and Policy Branch if a licensee:
   - has his licence suspended at a magistrates court;
   - is convicted of a further offence; or
   - has his licence revoked by a court.

10.4 The supervising officer shall notify (by standard letter) the PSNI Central Process Office and the MASRAM Unit in the event of a licensee being convicted and sentenced for breach of licence conditions.
Release on Licence of Sexual Offenders (Article 26)

Service Requirements

1. INFORMING THE PRISONER

**Standard 1.1**

The relevant explanatory leaflet shall be written in plain language and should describe the whole sentence. It should describe the kind of opportunities and help which may be offered during imprisonment and later whilst on licence. It should cover the range of obligations and demands that the conditions of licence bring to bear on the licensee together with the inevitable consequences of non-compliance with those conditions. It will be important for the leaflet to stress the public protection approach as well as the benefits of the positive approach to assisting the licensee avoid further offending.

Bearing in mind the relatively small number of defendants who receive sentences under Article 26, Area Managers should ensure that adequate supplies of the leaflet are maintained at the prisons as well as at all probation locations in the community.

At intervals of no more than three years the ACO (Prisons) should, in cooperation with other relevant agencies, cause the content of the leaflet to be reviewed and, if necessary, revised.

**Standard 1.2**

It is the responsibility of the prison based probation officer to provide a copy of the relevant explanatory leaflet to each person sentenced under Article 26 at the induction interview. The probation officer should discover if the prisoner has the ability to read and understand the leaflet or whether a detailed explanation or interpreter is required.

It would be helpful to show and explain a specimen copy of a standard licence at the same meeting. It must be emphasised that the Secretary of State may require additional conditions to be inserted into the licence of some individuals.

2. ALLOCATION

**Standard 2.1**

It is the responsibility of the prison based Area Manager to have in place an agreement with NIPS management for the speedy transfer of information about each prisoner newly sentenced (or transferred) under Article 26 or received subsequent to suspension of licence under Article 27.
**Standard 2.2**

It is the responsibility of the prison based DRM to request that a field supervisor is designated at the appropriate time, to introduce that officer to the prisoner and to provide the officer with copies of all relevant information. In the event of the period in post-sentence custody being less than one year the request for allocation should be made immediately after sentence.

3. **TRANSFER OF INFORMATION**

**Standard 3.1**

The package of essential documents, all relating to the current sentence, shall include the:

- complete and up to date ACE;
- complete and up to date RA1 and RM1 (if appropriate);*
- PSR;
- criminal record;
- depositions;
- specialist reports.

* If it has not been possible to hold an RMM prior to sentence then the Area Manager at the receiving prison shall be alerted allowing an RMM to be convened within 10 days of sentence. Copies of the RA1 and RM1 shall be conveyed to the MASRAM panel in time for its first discussion of the case.

**Standard 3.2**

It should be understood by all concerned that the family has the right to choose whether to accept an offer of service from Prison Link. The family’s right of choice may not be vetoed by the prisoner.

**Standard 3.3**

In terms of this Standard “relevant” documents shall include copies of documents which are detailed at 3.1 above, together with a summary of any other information which is pertinent to the formulation of plans.

**Standard 3.4**

It is important that the Head of Prison Law and Policy Branch, or his representative, has the opportunity to attend all MASRAM meetings where “additional conditions of licence” are being considered. Attendance from the Branch will assist in speeding up the approval and issuing of the licence as well as affording the opportunity to seek legal opinion where that is deemed to be necessary.
4. SENTENCE PLANNING AND IMPLEMENTATION OF PLANS

**Standard 4.1**

If the prisoner agrees to participate, the first plan covering the first six months of sentence should focus on establishing a working relationship with the prisoner, helping him adjust to a long sentence and identifying programmes and activities that will feature in future plans during the years ahead, with the aim of using prison time to best effect and in support of a satisfactory re-entry into the community.

A second phase of planning should cover the period commencing with the seventh month of sentence until two years prior to release on licence. This period may need several generations of plans, each of one year duration.

The final four plans for the custody phase will cover the final two years prior to release on licence each spanning six months. The plan for the final six months should be contributed to by the designated supervising officer. The main focus of this plan will be on final preparation for re-entry into the community.

When formulating plans the quality indicators for planning ‘listed’ cases shall be applied. These can be found set out under **Standard 4.1 in the Service Requirements on Page 217 and 218.**

**Standard 4.2**

Reviews of all plans shall take full account of the quality measures which are applied to the review of ‘listed’ cases. These can be seen set out under **Standards 4.2, 4.3 & 4.4 on Page 218 and 219.**

**Standard 4.3**

From the outset the prisoner should be helped to understand the realities of home leave decisions and, if it is granted in his case, that it will be viewed as an integral part of resettlement planning. Home leave plans shall always include contact with the field supervisor and any other person/agency in the community which has relevance to the prisoner’s eventual re-entry into the community and his resettlement.

**Standard 4.4**

It is sufficient to meet this Standard as it is written with the proviso that all quality requirements are applied.

**Standard 4.5**

There shall be a strong public protection element in all post release plans. In the circumstances of **Standard 4.5** public protection is the sole aim of supervision. The plan
shall closely mirror the conditions of licence and the MASRAM risk management plan. The plan does not have to be agreed with the offender but it shall be explained to the offender who should be invited to countersign the plan signifying that he has read it and understood it. If he declines to sign it, an entry to this effect shall be made in the record and witnessed by a third party.

5. MANAGEMENT OF RISK

Standard 5.1

It is sufficient to carry out this Standard as it is written with the proviso that the required quality indicators are applied. See Service Requirements related to Standards for the Management of Risk on Page 19.

Standard 5.2

As with Standard 5.1 above. The timing of this review ensures that critical work is completed in good time for MASRAM consideration of additional licence conditions.

Standard 5.3

This Standard is essential in such high risk cases and must be given high priority. See Standards for the Management of Risk, Standard 1.7 on Page 17. If there is no Pre Sentence Report the Risk Assessment must be completed within 10 days. If availability of depositions causes a delay the RMM shall be convened immediately after depositions arrive. The reasons for any such delay shall be recorded.

Standard 5.4

Child protection responsibilities are paramount and demand that all requirements of Circular 3/96 (or subsequent directive) are responded to thoroughly and in a timely way to assist planning of any necessary enquiries and visits to be completed by the relevant agencies.

6. FREQUENCY OF CONTACT

Standard 6.1

The purposes of the committal interview are to:

- provide information to the prisoner and confirm that he understands all of the ramifications of the sentence imposed;
- provide the prisoner with a copy of the explanatory leaflet related to Article 26 sentences and ensure that he is able to understand it;
- advise of the advantages of participation in sentence/resettlement planning and constructive use of time;
• establish whether, or not, the prisoner intends to participate in sentence planning;
• if amenable, advise about the general pattern of future PBNI intervention and assistance he can expect as well as when the next contact will take place.

Standard 6.2

Frequency of contact with the prisoner will vary from phase to phase. See Standard 4.1 above. During the first 6 months contact will need to be frequent. During the middle phase contact by the prison probation officer should be at no more than two monthly intervals allowing for tracking the prisoner’s progress in programmes and other constructive activity. During the final year there will be a need for tripartite work involving the field supervisor prior to home leave (if that is granted) and preparing for the formulation of the post release supervision plan.

Standard 6.3

The main purpose of these periodic meetings with the non-participating prisoner is to check whether his attitudes toward participation are changing. Each meeting should “leave the door open” for the prisoner to come forward and engage at any time of his choosing. If and when the prisoner decides to participate, sentence/resettlement planning should go ahead as if he had just been sentenced.

7. FINAL INSTRUCTIONS

Standard 7

The written instructions shall detail the date, time and place that the prisoner must report to his supervising officer as well as the telephone number where the supervising officer may be contacted on the day of the appointment. A copy of the written instructions shall be signed and dated by the prisoner and entered into the case record. If the prisoner declines to sign, then, in the presence of the prisoner, and a witness, the officer issuing the instructions shall make a comment to this effect on the file copy of the letter and have it signed and dated by the witness. In any event it is essential that the prisoner is left in no doubt that failure to follow the instructions given will result in the supervising officer seeking a warrant for his arrest.

8. THE SUPERVISED LICENCE

Standard 8.1

In the event of the licensee failing to report for the first post custody appointment the supervising officer shall check with the duty governor at the releasing prison to establish whether, or not, the licensee was released and, if release took place, at what time that happened. If the prisoner was released then the Area Manager or a Senior Manager shall
be consulted with a view to deciding whether to seek an arrest warrant with immediate effect.

At the first post-release meeting the supervising officer shall satisfy him/herself that the licensee fully understands each and every condition of the licence. The licensee must be left in no doubt that it is an offence to contravene any condition of licence and that failure to comply with any condition will inevitably lead to an appearance in a magistrates court with a strong possibility of the licence being suspended and the licensee returned to prison.

The file copy of the licence shall be signed by the licensee (if it has not already been signed) signifying that it has been explained and that he has understood the explanation. If the licensee declines to provide a signature the officer serving the licence, in the presence of the licensee and a witness, shall make an entry on the file copy of the licence to this effect. The entry shall be signed and dated by the witness.

**Standard 8.2**

It is sufficient to carry out this Standard as it is written.

**Standard 8.3**

It is good practice to issue the reporting instructions for the next appointment before the end of every contact with the licensee.

**Standard 8.4**

It is sufficient to carry out this Standard as it is written, remembering that the emphasis must always be on management of risk within the scope of the conditions of licence and the MASRAM risk management plan.

**Standard 8.5**

It must be remembered that the conditions of licence are inviolable. For instance, there is no room in an Article 26 case for taking more than a few hours to discover the reason for non-attendance. Follow up of any instance of non-attendance shall be by visit or by telephone contact on the same day as the failure occurs. The option of a letter should never be used in these circumstances.

**Standard 8.6**

The supervising officer should always “keep his/her foot in the door” with a view to encouraging the licensee to engage more positively with supervision.
9. HOME VISITING

Standard 9.1

Section 26 licensees are invariably Registered Sex Offenders who are placed on the Sex Offender Register for long periods of time. As such PSNI will be carrying out monitoring visits. It should be common practice for the supervising officer to seek to make arrangements with PSNI to make joint inter-service visits as frequently as is possible.

Standard 9.2

From a point of personal safety a supervising officer of a Section 26 licensee should have the approval of the Area Manager before making a solo home visit.

10. REPORTING

Standard 10.1

It is sufficient to carry out this Standard to the requirements set by the appropriate MASRAM panel.

Standard 10.2

Progress reports to the MASRAM panel and Law and Policy Branch should include the following:

- the number of the report ie; “Second progress report in the case of”;
- full name, date of birth and commencing date of the licence;
- a statement about the licensee’s current level of cooperation with supervision;
- a brief description of any positive developments;
- a brief description of any areas of concern including any appearances in court together with outcomes;
- the current level of assessed risk (1, 2 or 3).

NB: By adopting this format for both purposes the need for separate reporting can be avoided. File copies of these reports will provide important management information in terms of developing the supervision of these high risk cases.

Standard 10.3

A completed standard letter shall be forwarded no more than 5 days after the occurrence.

Standard 10.4

A completed standard letter shall be forwarded no more than 5 days after the occurrence.
## Article 26 Cases
### Record of Enforcement

**Name of licensee:** ______________

**Date Licence commenced:** / /

**Have you read and understood Standards and Service Requirements relating to enforcement of Article 26 cases?**

<table>
<thead>
<tr>
<th>Date of apparent failure</th>
<th>Explanation* sought by home visit or telephone</th>
<th>*Explanation deemed to be acceptable or unacceptable</th>
<th>Action taken</th>
<th>Enter dates of all actions taken</th>
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*Do not enter licensee’s explanation or supervisors judgments of those explanations on this document. A summary of these shall be entered on the record of contact sheet together with corresponding dates.

Open fresh record sheets as required / Number each sheet / Retain all record sheets on file

01/02/06 - Purple

REC/ENF/A26
Monitoring Form – Custody Phase of Article 26 Cases

Name of prisoner: ............................................................ (Block capitals)  Index No: ..............

Name of Prison P.O: ............................................................ (Block capitals)

Part A  All sections in Part A to be completed by Prison P.O.

Part A1:  To be completed by the Prison P.O. before preparing the PBNI contribution to the resettlement plans or when the prisoner declares that s/he does no intend to participate in resettlement planning.

I affirm that the risk assessments (ACE & RA1*) received by me or, initiated/updated by me, have been completed in accord with all of the quality indicators which are set out in the Service Requirements section of the Standards for Risk Management. (*delete as appropriate) If risk assessments have been delayed please explain why.

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Signature of Prison P.O. ............................................................  Date: ..............

Part A2:  To be completed by the Prison P.O. no later than the agreed date for completion of the first work plan.

The prisoner intends to participate in work/resettlement planning?  YES/NO

(If a participating prisoner) I affirm that the PBNI contribution to work/resettlement plans is in accord with all quality requirements set out for planning in all other types of Orders.

Signature of Prison P.O. ............................................................  Date: ..............

Part A3 (i):  To be completed by the Prison P.O. by the end of the fourth week of sentence.

With the exception of any explanations that I have entered at Part A3 (ii) below, I affirm that I have completed all routine requirements, in relation to this case, in accord with all relevant Standards and Service Requirements.

Part A3 (ii):  To be completed by the prison P.O. concurrently with Part A3 (i), making a separate entry for each Standard or Service Requirement which has not been met.

I affirm that it has not been possible to meet the requirements entered below for the reasons stated.  (If all requirements have been met enter N/A below)

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Signature of Prison P.O. ............................................................  Date: ..............
**Part A4:** To be completed by the prison P.O. at the end of the first 6 months of sentence, then at annual intervals, at 6 month intervals during the last two years of sentence, and finally one month prior to the prisoner’s EDR.

**First review:**

I affirm that I have carried out a joint review of progress during the first period of resettlement planning in accord with all quality measures required for all other types of Orders, and have concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date, which also meets with all quality requirements. I also affirm that all routine requirements have been completed to date, in accord with Standards or, explanations why not entered below.

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Signature of Prison P.O. .......................................................... Date: ......................

**Second review:**

I affirm that I have carried out a joint review of progress during the second period of resettlement planning in accord with all quality measures required for all other types of Orders, and have concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date, which also meets with all quality requirements. I also affirm that all routine requirements have been completed to date, in accord with Standards or, explanations why not entered below.

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Signature of Prison P.O. .......................................................... Date: ......................

*If the period of custody is for more than 12 months use approved Review Follower Sheets as appropriate. Then when a point, one month prior to release, is reached complete the Final review section below*

**Final review:**

I affirm that I have carried out a joint review of progress during the final period of the resettlement plan in accord with all quality measures required for all other types of Orders. The final summary includes the prisoner’s aims and objectives to be included in the plan for the first period of supervised licence. I also affirm that all routine requirements have been completed to date in accord with Standards or, explanations why not entered below.

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Signature of Prison P.O. .......................................................... Date: ......................
Part A5: To be completed by the “sending officer” in the event of responsibility for management of the case being transferred.

First transfer:

I affirm that the transfer of responsibility for management of this case to:

………………………………………………………………………………………………………………… (Name of receiving officer or prison)

was carried out in accord with all quality indicators required for the transfer of a Probation Order (see Service Requirement for Standard 3.5 {Probation Orders} on Page 48 of the manual). I also affirm that a complete and up to date record of the management of the Order has been passed to the new responsible officer/prison.

Signature of sending officer: _______________________________________________ Date: ______________

Agree/Disagree* (*Delete as applicable)

Signature of receiving officer: _______________________________________________ Date: ______________

NB: If subsequent transfers of responsibility become necessary use an approved follower sheet and firmly attach to the monitoring document.

Part A6: To be completed by the prison P.O. prior to any home leave application being heard by the Home Leave Board. If there is no home leave application this section should be completed prior to preparation of the licence supervision plan.

I affirm that risk assessments in this case have been reviewed and updated in readiness for Home Leave Board/preparation of licence supervision plan* (*delete as appropriate).

(In the event of home leave being granted) I affirm that a Home Leave Plan has been agreed with the prisoner and the supervising P.O. a copy of which is on file.

Signature of Prison P.O. _______________________________________________ Date: ______________

Part A7: Notification to Prison Law and Policy Branch

To be completed by the prison P.O. as soon as details of the MASRAM meeting are known.

I affirm that I have notified the Head of Prison Law and Policy Branch of the details of the MASRAM meeting which will consider conditions of licence in this case.

Signature of Prison P.O. _______________________________________________ Date: ______________
Part B – Area Manager Reviews

To be completed by the Area Manager on all occasions when reviewing all or part of the case record. State the scope of the review together with any action required – date and sign each entry. If necessary firmly attach an approved follower sheet.

Part C:

To be completed by an ACO if the case is selected for senior management review.

I have reviewed the management of this case and have forwarded my written comments to the Area Manager in respect of my assessment of Area Manager monitoring of the case together with suggestions/no suggestions* (*Delete as appropriate) as to how the effectiveness of monitoring oversight of the case may be improved.

ACO signature: ……………………………….. Date: …………………..  

Part D – Termination

To be completed by the prison P.O. no later than the prisoner’s day of release.

I affirm that, prior to release, the prisoner was given written instructions (copy on file) detailing when and where to meet his/her supervising officer following release. I also affirm that the case record has been updated and forwarded to the supervising officer.

Signature of Prison P.O. …………………………………………………….. Date: …………………..
Follower Sheet for periodic review of work plans - Article 26 cases - Custody Phase

To be used for third and subsequent reviews up to but excluding the final review which should be entered in Part A4 of the main monitoring document. Firmly attach the follower to the main document.

Name of prisoner:  ………………………………………………………………………………………………………… (Block capitals)

……….. Review:  (Enter the ordinal number of the review. eg; Third, Fourth etc)

I affirm that I have carried out a joint review of progress during the ………………… period of the resettlement plan in accord with all quality measures required for all other types of Orders and have, concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date, which also meets all quality requirements. I also affirm that all routine requirements have been completed to date, in accord with Standards or, explanations why not entered below.

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……………………………………………………………………………………………………………………………

Signature of prison P.O.  …………………………………………………………………………………… Date: …………………

……….. Review:  (Enter ordinal number of review)

I affirm that I have carried out a joint review of progress during the ………………… period of the resettlement plan in accord with all quality measures required for all other types of Orders and have, concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date, which also meets all quality requirements. I also affirm that all routine requirements have been completed to date in accord with Standards or, explanations why not entered below.

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Signature of prison P.O.  …………………………………………………………………………………… Date: …………………

……….. Review:  (Enter ordinal number of review)

I affirm that I have carried out a joint review of progress during the ………………… period of the resettlement plan in accord with all quality measures required for all other types of Orders and have, concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date, which also meets all quality requirements. I also affirm that all routine requirements have been completed to date in accord with Standards or, explanations why not entered below.

……………………………………………………………………………………………………………………………
……………………………………………………………………………………………………………………………

Signature of prison P.O.  …………………………………………………………………………………… Date: …………………
Follower Sheet for subsequent transfers of Article 26 cases during Custody

Continuity is important so transfer of management responsibility for the case should only be made where absolutely unavoidable.

Second transfer:

I affirm that transfer of management responsibility for the case to:

.......................................................................................................................... (Name of receiving officer/prison)
was carried out in accord with all quality indicators required for transfer of a Probation Order (See Service Requirement for Standard 3.5 (Probation Orders) on Page 48 of the manual). I also affirm that a complete and up to date record of management of the case has been forwarded to the receiving officer/prison.

Signature of sending officer: ................................................................. Date: ......................

Agree/Disagree* (*Delete as appropriate)

Signature of receiving officer: ................................................................. Date: ......................

Third transfer:

I affirm that transfer of management responsibility for the case to .......... (Name of receiving officer/prison) was carried out in accord with all quality indicators required for transfer of a Probation Order. I also affirm that a complete and up to date record of management of the case has been forwarded to the receiving officer/prison.

Signature of prison P.O.: ................................................................. Date: ......................

Agree/Disagree* (*Delete as appropriate)

Signature of receiving officer: ................................................................. Date: ......................

Fourth transfer:

I affirm that transfer of management responsibility for the case to:

.......................................................................................................................... (Name of receiving officer/prison)
was carried out in accord with all quality indicators required for transfer of a Probation Order. I also affirm that a complete and up to date record of management of the case has been forwarded to the receiving officer/prison.

Signature of prison P.O.: ................................................................. Date: ......................

Agree/Disagree* (*Delete as appropriate)

Signature of receiving officer: ................................................................. Date: ......................
Follower Sheet for Area Manager Reviews of Article 26 cases during custody

State the scope of the review together with any actions required – date and sign each entry.

Part B (continued)

(Use further Follower Sheets as necessary)
Juvenile Justice Centre Orders (JJCOs)

Introduction

For application by PBNI staff who have responsibilities in relation to the management and supervision of young persons made subject to JJCOs.

1. Legislative Authority

1.1 The Criminal Justice (Children) (Northern Ireland) Order 1998 Article 39(1) states:

“Where a child is found guilty by or before any court of an offence punishable in the case of an adult with imprisonment (other than an offence to which Article 45(1) applies), the court (subject to Article 32(1)) shall have the power to make a juvenile justice centre order, that is to say, an order that the child shall be sent to a juvenile justice centre and be subject to a period of detention in a juvenile justice centre followed by a period of supervision.”

Article 39(2) states:

“The period of a juvenile justice centre order shall be for a period of six months unless the court specifies in the order a longer period not exceeding two years.”

Article 39(4) states:

“Where a court makes a juvenile justice centre order for a period longer than six months, it shall state in open court its reasons for doing so.”

Article 39(5) states:

“Subject to paragraph (6) (which covers remission on the custodial element) the period of detention which the child is liable to serve under the juvenile justice centre order shall be one half of the period of the order.”

In effect this means that the period of supervision shall be equal to one half of the period of the whole order.

1.2 Because many young offenders can also be categorised as “children in need” it is incumbent upon supervising officers to take account of all relevant sections of the Children Order (NI) 1995 when formulating and implementing supervision plans. It is also a responsibility of the supervising officer to negotiate appropriate responses, by the relevant
agencies, to the continuing care and development needs of the young person before the supervision of the JJCO is time expired.

2. **Adult Roles**

2.1 The chaotic lifestyles and unacceptable behaviour patterns of many young offenders indicate that the adults in their lives have been unable to exert either appropriate and/or adequate influence and control. Often this is the result of the young person having rejected authority and the leadership of adult role models.

2.2 The long term positive effects of the JJCO as a whole will be limited unless person(s) who have parental responsibility can be actively engaged in the planning and implementation of the young person’s resettlement. Helping parents and other responsible adults to develop increased and appropriate influences will be central to longer term reintegration of the young person into the community.

2.3 For those young people who still attend school, liaison and cooperation with teaching staff should be established, and sustained, to bring to bear another appropriate influence and control to the day to day behaviour of the young person.

2.4 Additional role models and other benefits should be derived by encouraging the young person to develop an interest in, and participate in, a range of leisure/ sporting/ social/ spiritual activities.

3. **The Reality**

3.1 Young offenders who lack attachment to positive role models often lead disordered lives and are likely to have strong attachments to negative local sub-cultures and influences. In addition poor attitudes toward authority and under developed self-discipline militate against the young person having a ready capacity to comply with all of the demands and requirements of supervision in a sustained way.

3.2 The most realistic means of assisting the young person to lead a more ordered, disciplined and socially acceptable lifestyle is by seeking incremental and progressive improvements in the behaviour and social competence of the individual aided by strengthening family control and extending social support networks.

3.3 **Clarity of purpose** – sharing unambiguous information with all concerned about what is required of the young person and about the roles and responsibilities of all others involved in the supervision process.
Unequivocal boundaries are needed to make clear what behaviours are acceptable and which are unacceptable.

3.4 **Co-operation and constructive activity** – active involvement of the young person, person(s) who have parental responsibility, other relevant agencies and individuals, in the assessment of resettlement needs and planning of, as well as the implementation of, supervision. Supervising officers have responsibilities not only to engage young people in PJNI led programmes but also to broker access to a range of programmes and services that are provided by others and which are relevant to the personal development of the young individual. The long term interest of the young person, his/her family and the public will be best served if he/she remains actively involved in constructive leisure and social activities in his/her local community and under the direction of improved parental control beyond the completion of the Order.

3.5 **Consistency** – application of the agreed approach and standards by all concerned at all times.

3.6 **Acknowledgement** – overt recognition given for acceptable behaviour and/or improved functioning by the young person and/or parent.

3.7 **Prompt and positive** – immediate but constructive criticism given and appropriate action taken on any, and all, occasions when the young person fails to comply with requirements or behaves unacceptably.

3.8 **Perseverance and progress** – provide renewed encouragement and support even though breakdown has occurred. Breakdown should not necessarily be viewed as failure but as a new starting point which recognises previous achievement and progress to date.

4. **Partnership**

4.1 The Order will be delivered in partnership by the JJCNI and PJNI from the date of sentence until the date of termination.

During the custodial phase the lead agency with primary authority and responsibility shall be the JJCNI. PJNI shall have primary authority and responsibility during the community supervision phase of the Order.

4.2 Recognition of, and mutual support for, the complementary nature of the roles of the two main agencies involved will be the key to the successful management of JJC orders. Such recognition will be manifested in the quality of communication, collaboration, exchange of relevant information, shared decision making and active working together of staff of both organisations toward the common goal of each young person
Juvenile Justice Centre Orders (JJCOs)

Performance Standards

To be read and implemented in conjunction with the related Service Requirements which are set out on the green pages which follow immediately after these Standards.

1. Young Persons Remanded in Custody of JJCNI

1.1 PBNI shall prepare pre-sentence reports (PSR) which comply with the Standards which apply to the preparation of PSRs in general.

1.2 In the event of a young person who is currently supervised by, or has had previous statutory contact with PBNI, the supervising officer shall, without delay, agree and record a plan of contact to be maintained with the young person and his/her family for the duration of the remand period.

1.3 Copies of the plan of contact, up to date risk assessments and the current PSR shall be supplied to the JJCNI.

1.4 The supervising officer shall attend an initial placement plan meeting.

1.5 The supervising officer shall attend the initial training plan meeting and all subsequent reviews of young remandees who are currently subject of supervision by, or have had previous statutory contact with PBNI.

2. Youth Court

2.1 When a court makes a JJC Order the court duty officer shall inform the supervising team on the day of sentence.

2.2 The court duty officer shall carry out a post sentence interview (PSI) with the young person in the presence of person(s) who have parental responsibility.

2.3 A copy of the PSI record shall be forwarded to the supervising officer on the day of sentence.

2.4 Copies of the PSI, the PSR and up to date risk assessments shall be provided to the JJCNI by the quickest means possible.

2.5 Copies of the PSI, PSR and up to date risk assessments shall be forwarded to the manager of Prison Link.
3. **Custodial phase**

3.1 Within 5 days of sentence the supervising officer shall attend and contribute to the initial training plan meeting.

3.2 During the custody phase the supervising officer (or designate) shall visit the young person at the JJCNI at intervals which have been agreed and recorded in the training plan.

3.3 During the custody phase the supervising officer shall meet with the person(s) who have parental responsibility for the young person at intervals which are agreed and recorded in the initial training plan.

3.4 At a pre-discharge meeting the supervising officer shall agree and record an updated workplan to cover the supervision phase, which builds on work completed during the custody phase.

3.5 Before release the supervising officer shall issue written instructions (via the Director of the JJCNI) to the young person detailing arrangements for the initial post-release meeting with the supervising officer. The supervising officer shall send a copy of these instructions to those persons who have parental responsibility requesting their attendance at the initial post-release meeting.

**COMMUNITY ELEMENT OF THE ORDER**

4. **Initial Post-Release Contacts**

4.1 The initial post-release meeting shall take place as planned and no later than 24 hours after the young person’s discharge from the JJCNI.

4.2 The initial post-release meeting shall take the form of an induction interview which shall be recorded on the approved induction document.

4.3 If the person(s) who have parental responsibility are not present at the induction interview they shall be provided with a copy of the record of the interview within a further two days.

4.4 At this time the supervising officer shall ensure that a signed copy of the Supervision in the Community document is on file.

5. **Supervision Planning**

5.1 Community supervision shall be directed by plans formulated during the custody phase but may be amended in response to ongoing assessment.
5.2 Supervision plans shall be reviewed with the young person every 4 weeks and revised plans agreed in the presence of those persons who have parental responsibility.

5.3 All reviews shall identify changes, if any, in the likelihood of re-offending and/or risk of harm.

5.4 Initial and subsequent plans shall be recorded in the approved format and shall take full account of all quality requirements.

5.5 All reviews and subsequent plans shall be signed and dated by all parties.

5.6 All plans shall be fully implemented and progress demonstrated through the recording of thorough reviews at the intervals required.

5.7 If supervisory responsibility is transferred to another probation officer the transfer process shall meet with all quality requirements.

5.8 The JJCNI shall be given at least five days notice of successive review meetings affording the opportunity for the JJCNI to be represented.

6. **Frequency and Nature of Contact**

6.1 Throughout the period of supervision the frequency and nature of planned contact shall be in accord with the assessed risk of harm, the assessed likelihood of re-offending, the young person’s resettlement needs and the degree of participation required of those who have parental responsibility.

6.2 In any event the minimum level of contact with the young person shall be twice per week and at least one of those contacts shall be with the supervising officer (or designate).

6.3 Frequency of contact with the adults who have parental responsibility shall be at least once during each review period.

7. **Enforcement**

7.1 On each and every occasion that a young person fails to comply with the requirements of the Order, the apparent failure shall be entered into the Enforcement Record.
7.2 When a young person apparently fails to comply with the requirements of the Order the supervising officer (or designate) shall respond within 24 hours by:

   a) a home visit; or
   b) a telephone call; or
   c) by sending a letter to the young person with a copy to those person(s) who have parental responsibility.

The purpose of such action is to secure an explanation for the apparent failure. An adult who has parental responsibility shall always be consulted in these circumstances (and an interpreter provided where necessary).

7.3 If a letter is used at 7.2 the young person/responsible adult shall have no more than five days in which to provide an explanation.

7.4 Upon receipt of an explanation the supervising officer shall decide whether the explanation is acceptable or not. The decision “acceptable” or “unacceptable” shall be entered into the Record of Enforcement. The full reason(s) for arriving at the decision shall be entered into the Record of Contact.

7.5 If the supervising officer deems the explanation for failure to comply to be unacceptable or, no explanation is offered by the required date, the following action shall be taken:

   a) **First unacceptable explanation** in any 6 month period of supervision – a **written warning** shall be issued with the appropriate entries being made in both the Record of Enforcement and the Record of Contact.

   b) **Second unacceptable explanation** in any 6 month period of supervision – a **final written warning** shall be issued and the appropriate entries made in both the Enforcement Record and the Record of Contact.

   c) **Third unacceptable explanation** in any 6 month period of supervision – following consultation with the Area Manager breach proceedings shall be initiated. The Area Manager shall advise on whether this should be by warrant or summons.

7.6 All letters of warning (in the relevant language) shall be copied to the adult(s) who have parental responsibility.

7.7 If breach proceedings are initiated a letter explaining the procedure and the reasons for taking the action shall be sent to the young person by
recorded delivery and copied under separate cover to the person(s) who have parental responsibility.

7.8 Not withstanding paragraphs 7.5 a) and/or b), if it is judged that a failure to comply with the requirements of the order may result in danger to the public or to the young person, breach proceedings shall be initiated immediately even though it be a first or second failure. Full reasons for the decision to proceed to breach without prior warning shall be entered into the Record of Contact and provided in writing to the young person and those person(s) who have parental responsibility.

8. **Record Keeping**

8.1 The case record shall contain a full set of documents consistent with the stage of supervision and the nature of the case.

8.2 The record shall be kept up to date i.e. entries shall be made no later than five days after an occurrence.

8.3 Approved colour coding of documents and approved colour coding and tabbing of file covers shall be maintained.

9. **Closure of Case Records**

When an Order is time expired, or is terminated early, the case record shall be closed in accord with PBNI Retention and Disposal Schedule.
Juvenile Justice Centre Orders (JJCOs)

Service Requirements

Standard 1.1

Refer to and apply PSR Standards and Service Requirements together with approved gatekeeping practice.

Standard 1.2

The contact plan shall be formulated within 3 days of remand in custody being notified.

Standard 1.3

These documents shall be supplied to the JJCNI within 24 hours of their availability.

Standard 1.4

The responsibility for convening the placement plan meeting rests with the JJCNI case officer. The supervising officer shall attend the JJCNI at a time and date which has been agreed with the JJCNI case officer.

Standard 1.5

To facilitate his/her attendance at these meetings the supervising officer should seek to agree a calendar of dates in advance.

Standard 2.1

It is sufficient to meet this Standard as it is written.

Standard 2.2

The court duty officer shall seek the cooperation of JJCNI staff in attendance at the court to facilitate the PSI. The purposes of the PSI are to:

- determine whether the young person and person(s) who have parental responsibility have understood the nature and terms of the Order made by the court and if necessary to provide clarification;
- establish if any immediate difficulties arise from sentence;
- provide advice and or assistance to ameliorate difficulties;
- notify the name of the supervising officer;
- refer any outstanding issues to the supervising officer.


**Standard 2.3**

It is sufficient to meet this Standard as it is written.

**Standard 2.4**

If JJCNI staff are in attendance at court, copies of the PSI, PSR and up to date risk assessments shall be handed to them for transmission to the JJCNI. If JJCNI staff are not in attendance the said copy documents shall be dispatched by first class mail on the day of sentence.

**Standard 2.5**

On the day of sentence, copies of the PSI, PSR and up to date risk assessments shall be forwarded to the manager of Prison Link by the most economic means.

**Standard 3.1**

The responsibility for convening the training plan meeting rests with the JJCNI case officer. The supervising officer shall attend the JJCNI at a time and date agreed with the JJCNI case officer. It is incumbent upon the supervising officer to ensure that the training plan agreed takes full account of the risk assessments, the PSR, and the identified resettlement needs of the young person including contributions required from those person(s) who have parental responsibility and others during sentence and beyond.

**Standards 3.2 and 3.3**

It is important that the supervising officer maintains regular planned contact (as recorded in the training plan) with the young person and those person(s) who have parental responsibility during the custody phase. The purpose of these contacts is to actively prepare the ground for supervision in the community and the successful resettlement of the young person. If for any reason the supervising officer is unable to maintain a planned contact another person shall be briefed to deputise and complete a piece of work which is relevant to the training plan.

**In exceptional circumstances** the supervising officer should take responsibility for additional visiting to the young person or his/her family if the JJCNI staff request this.

**Standard 3.4**

The responsibility for convening the pre-discharge meeting rests with the JJCNI case officer. The supervising officer shall attend the JJCNI at a time and date agreed with the JJCNI case officer. The plan agreed shall take full account of
work completed or initiated during the custody phase and reflect the assessed resettlement needs of the young person.

For quality requirements to be applied to this plan see Service Requirements relating to Standards 5.2, 5.3 and 5.4 (below).

**Standard 3.5**

At least two days prior to release the supervising officer shall provide written reporting instructions to the Director of the JJCNI to enable those instructions to be served on the young person at the same time as the Supervision in the Community document is served. Responsibility for serving the latter rests with the Director.

The written reporting instructions shall include the time, date and address of the initial post custody meeting together with the telephone number where the supervising officer may be contacted on the day in question. A copy of the reporting instructions (in the relevant language) shall be sent to the person(s) who have parental responsibility with a request that they attend.

**Standard 4.1**

The initial post-custody (induction) interview shall take place on the day of release or at the latest the following day even though that may be a Saturday.

**Standard 4.2**

At the induction interview the young person and responsible adult (if present) shall be provided with a clear explanation of the following aspects of the Order:

- the conditions of the Order as they apply to the young person;
- the purpose of supervision;
- the intended programme of supervision including the demands this will make on the young person and levels of commitment, cooperation and participation asked of the person(s) who have parental responsibility;
- the names and roles of others who will contribute to the programme of supervision;
- what constitutes, and the consequences of non-cooperation and/or *unacceptable behaviour including the possibility of breach proceedings;*

*Unacceptable behaviour includes:
- violent or aggressive behaviour including threats of violence;
- conduct or language that may give offence to members of the public, others under supervision or to probation staff;
- language of a racist, sexist or sectarian nature;
- wilful or persistent non-cooperation; and
- behaviour intended to undermine the supervision of the young person or the supervision of others.*
what the offender and family can expect from the Probation Service during the period of supervision in relation to fair and just treatment, confidentiality of information etc (as per PJNI Data Protection Leaflet); and

- the complaints procedure with regard to service delivery by probation staff and/or others co-opted by PJNI to contribute to the young person’s resettlement.

The young person and family shall be issued with a copy of the complaints procedure.

Before the interview is terminated the young person and responsible adult shall be asked to sign and date the record of the induction interview signifying that they have been provided with an explanation of the above factors and that they have understood the same. If either or both parties decline to countersign the document the supervising officer shall enter a declaration to this effect at the foot of the induction record.

If the person(s) who has parental responsibility is not in attendance the reasons for their non-attendance shall be entered into the record of contact.

**Standard 4.3**

It is not only important to provide the (absent) family with a copy of the record of the induction interview but also to discuss it with them at the earliest opportunity, ensure their understanding of it and remind them of the need for their continued participation in ensuring the cooperation and good conduct of the young person.

**Standard 4.4**

The supervising officer should not only ensure that a copy of the Supervision in the Community document is on file but should also satisfy himself/herself that the document was formally served on the young person prior to discharge. If not, in either or both cases, immediate rectifying action is required.

**Standard 5.1**

The impact of the custodial and community phases of the JJCO need to be viewed by the young person and his/her family as a positive and continuous experience. Continuity of planning and the progressive execution of plans need to connect the two phases into a seamless and single entity.
Standards 5.2, 5.3 and 5.4

Written plans shall reflect the outcomes of initial and subsequent risk assessments and shall:

- be solution oriented;
- build on identified strengths of the individual and his/her family;
- have S.M.A.R.T. objectives which are prioritised in terms of managing risk of harm and managing the likelihood of re-offending by:
  - a) resolution of practical security/survival needs;
  - b) pursuit of personal development needs;
  - c) building/strengthening family and social support networks;
  - d) challenging offending behaviour and anti-social attitudes; and
- (if relevant) include specific oversight required in terms of child protection issues in relation to the young person under supervision and other children of the family;
- have identified stages marking for progress toward achievement of individual objectives;
- include a specific victim awareness focus;
- detail frequency, nature and places of contact with all parties who are actively engaged in pursuit of the plan;
- spell out reasons for variation/maintenance of contact arrangements;
- be written in the first person, stating what the young person agrees to do;
- identify the nature and level of guidance, assistance, support or service to be provided by the supervising officer, other probation personnel, personnel co-opted from other agencies and/or other individuals co-opted by the supervising officer;
- set out the role and active contributions of parents (or responsible adult) in terms of assisting the progress of the young person;
- include formalised feedback arrangements for receiving progress reports from all agencies/persons involved, including the young person and the family;
- state the number of the review;
- include the date by which the current supervision plan will be reviewed; and
- include the date that the current review and revised plan were agreed together with signatures of all of the main parties concerned with the plan.

Standard 5.5

It is sufficient to meet this Standard as it is written.

Standard 5.6

The vehicle for identifying and demonstrating progress is the review of supervision plans which shall be carried out at the required intervals. Reviews of
all plans shall be preceded by a thorough review and, as appropriate, revision of risk assessments and then a thorough review of all S.M.A.R.T. objectives by:

- clearly reflecting the young person’s view of progress, or otherwise, toward achievement of each and every supervision target;
- clearly reflecting the supervising officer’s judgment of progress, or otherwise, toward the achievement of each supervision target;
- taking account of feedback from all other sources concerned (family, teachers, programme and/or service providers etc);
- where appropriate, identifying practical difficulties which have been resolved or improved upon;
- where appropriate, identifying barriers to practical problems which have not yet been resolved together with new approaches intended;
- describing any specific progress in terms of personal development;
- describing any learning/training opportunities undertaken and their impact;
- describing regular leisure/social/sporting/adventure/spiritual activities the young person has engaged in and how these have assisted in strengthening the social support network;
- commenting on known/current local associations and how these enhance, or militate against, progress;
- describing any improvement or deterioration in family/social relationships;
- describing participation in, and impact of, offending behaviour programmes/activities including victim awareness elements;
- evaluating overall progress/deterioration against any changes in assessed risks;
- directly informing the revised plan for the next period of supervision; and
- in the event of a final review, engaging the young person, the family and relevant others in setting plans for sustaining personal development and staying offence free beyond the period of supervision.

**Standard 5.7**

Continuity of supervision is of the utmost importance in creating seamlessness of the Order. Unless properly managed, transfer of supervision has the potential to disrupt continuity and cause any gains made in terms of progress to be undermined or lost completely.

All transfers of supervision shall be planned, well informed and have prior written approval by the managers of both the sending and receiving locations.

Transfers shall be informed by:

- thorough exploration (and recording) of the reasons for transfer with the young person and his/her family;
- consultation with the current Area Manager;
- exploratory telephone conversations and/or correspondence with persons at the receiving location;
- review and updating of risk assessments;
- agreement that a transfer will take place and, if so;
- a transfer summary in the form of review and updating of current supervision plans;
- transfer of a complete and up to date record of supervision; and
- where practicable a meeting of all the relevant parties.

If appropriate, consideration should be given to a trial arrangement with a timetable for deciding whether or not to confirm the transfer of supervision.

**Standard 5.8**

Attendance at reviews of staff representing both phases can be an overt demonstration of the single and continuous nature of the Order. It is therefore incumbent on the supervising officer to facilitate the opportunity for the JJCNI to be represented at each review during the community supervision phase of the Order, by planning and notifying review dates well in advance.

**Standards 6.1, 6.2 and 6.3**

When planning the frequency, nature and locations of contact the supervising officer shall take full account of the need to maximise parental involvement in the supervision of the young person. It is also important to programme in opportunities for the young person to participate in a range of personal development activities during his/her leisure time which do not either compete with each other or disrupt formal education or work training opportunities.

A contact which counts toward the Standards is defined as a face to face meeting with the young person and/or his/her family which is in connection with the pursuit of the planned resettlement of the young person. Face to face contacts may be with the supervising officer, other designated PBNI personnel, a programme or activity provider or any responsible person who has been co-opted to participate in the planned personal development of the young person and the strengthening of the social support network. This said, face to face meetings between the supervising officer and the young person and/or his/her family shall not be less than weekly.

During the planned absence, or prolonged other absence, of the supervising officer, arrangements shall be made to ensure continuity of active supervision and oversight of the activities of all other contributors to the supervision plan.

The frequency of home visiting shall be determined as an integral part of the supervision plan and shall not be influenced by whether the young person wishes
to receive visits at home in the presence of his/her family. Over and above planned visits to the young person’s place of residence the supervising officer (or designate) must make additional visits where these are required, because of exceptional need or particularly, in the event of loss of contact with the young person.

**ENFORCEMENT – GENERAL GUIDANCE**

The overall purposes of enforcement are to:

- ensure that the young person complies with requirements of the Order so that the courts and the public may have confidence in PBNi management of supervision in the community;
- set clear, fair and consistent boundaries which the young person and his/her family understand; and
- secure and maintain the cooperation and compliance of the young person in order to ensure a successful completion of the Order.

The grounds for considering the application of enforcement action include:

- failure to report as instructed;
- failure to notify change of address;
- reporting whilst under the influence of alcohol, drugs or other substance;
- failure to cooperate with any part of the agreed supervision plan;
- serious misconduct in relation to staff, or other service users. This may include verbal abuse; sexual harassment; threats of, or actual, violence; sexism; racism or sectarianism;*
- **persistent** low level misconduct such as unacceptable language; and
- **persistent** lateness for appointments with any person or agency involved as providers within the plan of supervision.

*Issues of sexism, racism and/or sectarianism must be addressed whether, or not, any people are present who may find such conduct objectionable.*

Failure to Inform Change of Address:

If a supervising officer has reason to believe an offender has changed address without notifying this, all efforts should be made to discover his/her present whereabouts. If knowledge of the offender’s current whereabouts are not established within twenty four hours a recorded delivery letter shall be sent to the offender’s last known address giving instructions for him/her to make contact immediately on receipt of the letter. If the offender’s whereabouts are still unknown on the fifth day (24 hours in the case of an offender who is assessed as having a high likelihood of re-offending and/or is likely to cause harm to others) then breach action shall follow forthwith. If and when the postal service returns the letter as “unknown at this address”, the return letter together with its envelope
shall be entered into the breach papers in readiness for the court hearing. A subsequent report to the court shall include any additional supporting information such as evidence of attempted home visiting, contact with relatives, etc.

**Standard 7.1**

An apparent failure to report is where the supervising officer does not have prior knowledge why the young person has failed to keep an appointment.

Change of appointments requested by the young person or his/her family should normally only be agreed to enable the young person to attend important family occasions such as weddings, funerals or to deal with a family crisis. Appointment changes may also be sanctioned if the original appointment clashes with an extra curricular educational or work training commitment.

Where a supervising officer agrees to a changed appointment at the request of the young person or his/her family and, the new appointment still enables the contact requirement of the Standards to be met, this should not be entered into the Enforcement Record at all. However if a change of appointment is agreed which prevents the contact requirement of the Standards being met then this shall be entered into the Enforcement Record as an acceptable absence and the reasons entered into the Record of Contact.

Whilst reasons related to individual failures may be deemed to be acceptable supervising officers must be alert to the emergence of a pattern of, or string of ‘acceptable reasons’. Such a pattern must generally be regarded to be unacceptable in itself. In these circumstances the young person must be challenged and strongly urged to improve his/her level of compliance. The cooperation of person(s) who have parental responsibility must be sought in helping the young person improve compliance in this respect.

**Standards 7.2 and 7.3**

Whenever practicable, when it is necessary to seek an explanation for any form of non-compliance contact with the young person and/or family should be made directly by either home visit or telephone. Contact by letter is a less desirable option because completion of the enforcement process is delayed. It is important to avoid delays in the enforcement process with all young persons but particularly so in cases which have been assessed as high risk of harm or high likelihood of re-offending.

**Standard 7.4**

Absences that do not have prior permission shall only be deemed to be acceptable if the reasons given meet one or both of two criteria, which are that the reasons were urgent and/or unpredictable. The onus is on the young person and/or
family to substantiate the explanation proffered. The advice of the Area Manager must be sought in those occasional cases, such as claims to be under paramilitary threat. In some of these cases it should be possible to arrange appointments at a different location.

There are occasions such as severe and exceptional weather conditions, disruptions to public transport services or periods of civil unrest when it may be difficult or even impossible for some young people to travel to a probation office or other location connected with the supervision plan. In such circumstances the Area Manager shall make the decision as to whether, or not, the circumstances warrant acceptable absence in particular cases rather than a blanket decision. In those cases approved by the Area Manager as acceptable absence the supervising officer shall record in the usual manner. The Area Manager should keep such decisions under review if the causes are protracted.

Absences by reason of an individual being in custody shall not be classified as acceptable absence. It should be noted on the Record of Contact that the individual is in custody and that Standard 1.2 has been implemented. It is for the supervising officer to make arrangements whereby he/she will be notified immediately of the young person’s release or further incarceration.

**Standard 7.5**

With any form of enforcement consideration and/or action the supervising officer should be aware of the importance of being able to justify his/her decisions and actions in a court at a later date. The rationale for enforcement decisions and actions should be capable of being verified by reference to the case record.

Any failure or misconduct which leads to enforcement action being considered must be clearly recorded setting out the context, a description of the failure/misconduct together with the reasons why the behaviour of the young person was deemed to be unacceptable. The record should show that the young person/responsible adult were invited to provide an explanation and, if given, what that explanation was.

**Standard 7.6**

It is sufficient to meet this Standard as it is written.

**Standard 7.7**

The letters informing the young person and the family that breach proceedings have been initiated should also advise that a willingness to adhere to requirements of a revised supervision plan may be of help when he/she returns to court, but that the decision about any sentence for breach is a matter for the court. He/she should be offered one further appointment to take up renewed contact.
If he/she fails to turn up again and provides no satisfactory explanation a further letter shall be sent stating that no further appointments will be offered unless he/she re-establishes contact of his/her own initiative.

If the young person re-establishes contact and again fails to comply with any of the requirements of supervision then supervision should cease until after the court appearance. The young person and his/her family shall be notified in writing of this decision and a copy of the correspondence included with other breach evidence.

Once a warrant or summons has been issued, the fact that the young person re-establishes contact shall not be considered grounds for withdrawing breach proceedings but renewed contact and improved cooperation shall be made known to the court at the time of the breach hearing.

**Standard 7.8**

The supervising officer (with or without the support of the family) shall make every effort to achieve compliance of the young person to the requirements of the Order including the supervision plan. However there is no legal requirement to give a young person warnings for failure to comply, or for unacceptable conduct, before initiating breach action. Whether or not prior warnings are given and the speed with which breach action is taken will depend on the current assessed risk of harm to others and/or the likelihood of re-offending.

Among the grounds for considering breach action **by warrant** are if:

- the young person’s behaviour causes concern for the safety of others;
- the behaviour of the young person causes concern for his/her own safety;
- gross misconduct occurs;
- contact with the young person has been lost and there is no immediate likelihood of re-establishing contact;
- a young person who is currently assessed as posing a threat of serious harm to others fails to attend the first post-release appointment; or
- a young person who is currently assessed as posing a serious threat of harm to others fails to attend a planned appointment at any time without providing a satisfactory explanation on the same day as the failure to comply.

In other circumstances, among grounds for considering breach action by **summons** are if the young person:

- fails to comply having received two previous warnings in any complete 6 month period of supervision; or
- persistently avoids working towards completion of the supervision plan;
BREACH PROCEEDINGS AT COURT – GENERAL GUIDANCE

The purpose of breach action is to return the young person to court for the alleged breach to be heard, and if proven, to be properly dealt with for the breach. The probation officer prosecuting the breach should make a clear proposal for a proven breach to be marked by a specific sentence. A proposal for an adjournment as a means of dealing with a breach is not acceptable practice, except where circumstances suggest that a short adjournment to test the young person’s motivation may be reasonable before the court decides on the appropriate sentence for breach.

Where a young person has been sentenced for a breach and the JJCO has been allowed to continue, supervision should cease immediately and further breach action initiated if the young person again fails to comply without acceptable explanation. A second breach should invariably result in an application for revocation and re-sentencing.

Standard 8.1

It is the responsibility of the supervising officer as the keeper of the record to ensure that the case record contains a full set of documents as required by the nature of the case. Each and every document shall be recorded to date in keeping with the particular stage of the Order and the supervision plan. Documents shall only be considered complete and up to date if they bear all of the signatures required and that all entries and signatures are dated.

Standard 8.2

A case record can only be considered up to date and complete if the total package of documents together with the contact sheets reflect progress towards the completion of workplans. It is important that entries on contact sheets reflect the work completed during each contact.

To facilitate easy access to information the supervising officer and all other persons who have reason to make entries in the case record shall take care to make all entries legible and understandable to the reader and contain only relevant information.

The record is an open document to which the young person and family should be afforded access on request. The exception to this shall be reports and other documents which were originated by a third party. Such documents must be housed in the closed section of the record and can only be accessed by the young person and/or family with the express permission of the third party.
**Standard 8.3**

For ease of recognition it is important to maintain the approved colour coding of all documents. It is the responsibility of Area Managers to ensure that administrative systems are in place to ensure that approved colour coding of all documents and case record covers can be maintained at all times.

It is essential that the current assessed level of risk of harm of every case is recognisable at a glance. This can be achieved by adhering to the following colour code and tabbing system.

- **Listed cases** = **Yellow cover**
  
  (To include sex offenders who have been listed. Apply **white tab** to the top right corner of the yellow cover marked **Schedule 1** as appropriate)

- **All other sex offenders** = **Red cover**
  
  (Apply **white tab** to top right hand corner of red cover marked **Schedule 1** as appropriate)

- **All other cases** = **Blue cover**

If a risk assessment review results in a change of risk level (up or down) it is the responsibility of the record keeper to give clear and immediate instructions to administrative staff to re-house the case record in the correct colour cover consistent with the revised level of assessed risk of harm.

When “signing off” a closed case the Area Manager shall give specific instructions to administrative staff to house the case record in a plain cover together with appropriate tabbing.

**Standard 9**

It is essential, when an Order is time expired or has been terminated early for any other reason, that the case record is properly closed.

It is the responsibility of the practitioner to:

- establish that the Order is indeed expired or is otherwise amenable to closure;
- carry out a final review of the case and enter a final summary into the planning section of the record. It is good practice for the final summary to include the young person’s and family’s plans for sustaining personal development, general progress and remaining offence free;
- update RAS/PIMS;
- ensure that the case record still contains a full set of relevant and completed documentation;
• strip the record of all duplicated and/or non-essential materials;
• complete the first part of the final section of the monitoring form; and
• submit the completed case record to the Area Manager within five days of the termination date of the Order.

Within a further five days it is the responsibility of the Area Manager to use the final section of the monitoring document to:

• concur that the Order has been completed;
• agree that the case record has been properly completed and prepared for closure or require appropriate remedial action;
• “sign off” and date the record as closed; and
• for reasons of being able to readily identify the risk of harm at the point of closure, give instructions for administrative action re packaging, tabbing and storage of the record in keeping with the approved colour recognition code;
• ensure that the appropriate occurrence form is completed and forwarded without delay to the PBNI Information and Research Office – entered on the database; and
• ensure that a copy of the final summary is forwarded to the Director of the JJCNI.
Monitoring Form for Juvenile Justice Centre Orders

Name of young person: ................................................................. (Block capitals)  Index No: ...............  

Name of supervising officer: ................................................................. (Block capitals) 

Part A: All sections in Part A are to be completed by the supervising officer

Part A1 – Remand in Custody:  To be completed by the designated officer within 5 days of the initial training plan meeting where the young person is remanded in custody. 

Remanded in custody: YES/NO  

If R.I.C, I affirm that all requirements set out in Section 1 of the JJCO Standards have been completed in accord with Service Requirements. 

Signature of P.O. ................................................................. Date: ...............................  

Part A2 - Risk assessment:  To be completed by the P.O. before training plans are completed. 

I affirm that the risk assessments (ACE & RA1*) received by me or, initiated/updated by me, have been completed in accord with all of the quality indicators which are set out in the Service Requirements section of the Standards for Risk Management. (*delete as appropriate)  If risk assessment(s) have been delayed please explain below. 

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Signature of P.O. ................................................................. Date: ...............................  

Part A3 - Post release work plans:  To be completed by the P.O. immediately following the pre-discharge meeting. 

I affirm that all requirements set out in Section 3 of JJCO Standards have been completed in accord with Service Requirements. I also affirm that the initial post release work plan for the supervision of this case has been completed in accord with all quality indicators (which are set out at Service Requirements 5.2, 5.3 & 5.4) for planning in JJCO cases. If the initial post release plan was delayed please explain below. 

........................................................................................................................................................................................................................................  

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Signature of P.O. ................................................................. Date: ...............................
Part A4 - Reviews:  To be completed by the P.O. at four week intervals.

First review:

I affirm that I have carried out a joint review of progress during the first period of supervision in accord with all quality measures (Service Requirement 5.6) and have, concurrently, agreed a work plan for the next four weeks which takes account of progress (or otherwise) to date and which meets all quality indicators required. I also affirm that all routine requirements have been completed to date in line with Standards.

Signature of P.O. .............................................................. Date: .....................

Second review:

I affirm that I have carried out a joint review of progress during the second period of supervision in accord with all quality measures (Service Requirement 5.6) and have, concurrently, agreed a work plan for the next four weeks which takes account of progress (or otherwise) to date and which meets all quality indicators required. I also affirm that all routine requirements have been completed to date in line with Standards.

Signature of P.O. .............................................................. Date: .....................

If the community supervision phase of the Order is for longer than 3 months use approved Review Follower Sheets as appropriate. When the Order expires or is revoked then complete the final review section below.

Final review:

The young person has ongoing care needs.  YES/NO

If ‘YES’, I affirm that satisfactory arrangements have been made with the relevant agencies and that these arrangements have been recorded in the case file. I also affirm that I have carried out a joint review of progress during the final period of supervision in accord with all quality measures (Service Requirement 5.6). The final summary includes the plan of the young person, and those with parental responsibility, to maintain personal progress including efforts to remain offence free.

Signature of P.O. .............................................................. Date: .....................

Part A5 - Transfer:  To be completed by the “sending officer” at the time of transfer.

I affirm that transfer of supervision to:

........................................................................................................ (Name of new supervisor)

was carried out in accord with all quality indicators required by Service Requirement 5.7. I also affirm that a complete and up to date record of supervision has been passed to the new supervising officer.

Signature of sending officer: .................................................. Date: .....................

Agree/Disagree* (*Delete as appropriate)

Signature of receiving officer: .................................................. Date: .....................
Part B - Area Manager case reviews:

To be completed by the Area manager on all occasions when reviewing all or part of the case. State the scope of the review together with any actions required. Date and sign each entry. If needed firmly attach an approved follower sheet.


Area Manager Signature: ..........................................................  Date: ............................

Part C - Senior Management Review:

To be completed by an ACO if the case is selected for senior management review.

I have reviewed this case record and have forwarded my written comments to the Area Manager in respect of my assessment of Area Manager monitoring of the case together with suggestions/no suggestions* (*Delete as appropriate) as to how the effectiveness of monitoring oversight of the case may be improved.

ACO signature: ..........................................................  Date: ............................

01/02/06 - Yellow  MF/JCO
Part D: Termination and closure of case record

Part D1: To be completed by the P.O. and the case record submitted to the Area Manager no more than 5 days after the termination date of the Order.

During the period of supervision the young person has been convicted of a further offence(s) YES/NO

If ‘YES’ please record:

<table>
<thead>
<tr>
<th>Date of Offence</th>
<th>Type of Offence</th>
<th>Date of Court</th>
<th>Sentence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I affirm that the Order has; *expired/ been revoked/subject to an arrest warrant at the time of expiry* (*Delete as appropriate) and that the case record has been closed in accord with all quality requirements (Service Requirement 9) for termination of an Order.

Signature of P.O. ................................................................. Date: ......................

Submitted to Area Manager for verification: Date: ......................

Part D2: To be completed by the Area Manager within 5 days of submission by the P.O.

I agree that this Order is amenable to closure, that the case record is complete and has been prepared for closure in accord with all quality requirements.

Area Manager Signature: ................................................................. Date: ......................
Follower Sheet for Four Week Reviews of Juvenile Justice Centre Orders

To be used for third and subsequent reviews up to but excluding the final review which should be entered in Part A4 of the main monitoring document. Firmly attach this follower to the main monitoring form.

Name of young person:  .............................................................. (Block capitals)

…………….. Review:  (Enter ordinal number of review. eg; Third, Fourth etc)

I affirm that I have carried out a joint review of progress during the ………… period of supervision in accord with all quality measures (Service Requirement 5.6) and have, concurrently, agreed a work plan for the next four weeks which takes account of progress (or otherwise) to date and which meets all quality indicators required. I also affirm that all routine requirements have been completed to date in line with Standards.

Signature of P.O. ........................................................................ Date: ......................

…………….. Review:  (Enter ordinal number of review)

I affirm that I have carried out a joint review of progress during the ………… period of supervision in accord with all quality measures (Service Requirement 5.6) and have, concurrently, agreed a work plan for the next four weeks which takes account of progress (or otherwise) to date and which meets all quality indicators required. I also affirm that all routine requirements have been completed to date in line with Standards.

Signature of P.O. ........................................................................ Date: ......................

…………….. Review:  (Enter ordinal number of review)

I affirm that I have carried out a joint review of progress during the ………… Period of supervision in accord with all quality measures (Service Requirement 5.6) and have, concurrently, agreed a work plan for the next four weeks which takes account of progress (or otherwise) to date and which meets all quality indicators required. I also affirm that all routine requirements have been completed to date in line with Standards.

Signature of P.O. ........................................................................ Date: ......................
Follower Sheet for Area Manager Reviews of Juvenile Justice Centre Orders

State the scope of the review together with any actions required. Date and sign each entry.

Part B (continued)

(Use further Follower Sheets as necessary)
Supervision of Young Offenders

Introduction

1.1 Because many young offenders can also be classed as “children in need” it is incumbent upon supervising officers to take into account all of the relevant sections of the Children Order (Northern Ireland) 1995 in formulating and implementing supervision plans. It is also the responsibility of the supervising officer to negotiate appropriate oversight by the relevant agencies of the continuing care needs of the young person before supervision is discontinued.

1.2 The chaotic lifestyles and unacceptable behaviour patterns of many young offenders indicate that the adults in their lives have been unable to exert either appropriate and/or adequate influence and control. Often this is the result of the young person having rejected authority and the leadership of adult role models. If supervision is to be effective in the short term and appropriate parental influence improved for the longer term it is essential that all efforts be made to provide both the opportunities and motivation for parents/guardians/carers to make active contributions to the supervision process.

1.3 Young offenders who lack attachment to positive role models often lead disordered lives and are likely to have strong attachments to negative local sub-cultures and influences. In addition, poor attitudes toward authority and under developed self-discipline militate against the young person having a ready capacity to comply with all of the demands and requirements of supervision in a sustained way.

1.4 The most realistic means of assisting the young offender to lead a more ordered, disciplined and socially acceptable lifestyle is by seeking incremental and progressive improvements in the social competence and behaviour of the individual aided by planned and concerted intervention. Such an approach will require:

- **Clarity of purpose** – sharing with all concerned unambiguous information about what is required of the young offender and about the roles and responsibilities of all others involved in the supervision process. Unequivocal boundaries will be needed to circumscribe what behaviours are acceptable and which are unacceptable.

- **Co-operation and collaboration** – active involvement of the young offender, his/her parents/guardians/carers and other relevant agencies in the planning and implementation of the supervision process. Supervising officers have responsibilities not only to engage young offenders in PBNI led programmes but also to broker access to a range
- **Consistency** – application of the agreed approach and standards by all concerned at all times.

- **Acknowledgement** – overt recognition given for acceptable behaviour and improved functioning by the offender and/or parent.

- **Prompt and positive** – immediate and constructive criticism given and required action taken on any and all occasions when the individual fails to comply with requirements or behaves unacceptably.

- **Perseverance** – provide renewed encouragement and support even though breakdown has occurred. Breakdown should not necessarily be viewed as failure but as a new starting point which recognises previous achievement and any progress to date.
Supervision of Young Offenders

Performance Standards

1. **Induction**
   
   1.1 An induction interview shall be arranged to take place within 5 days of sentence and recorded on the approved document. The parents/guardians shall be encouraged to attend. Where necessary an interpreter should also attend.

2. **Serving the Order**
   
   2.1 The Order shall be served, signed and dated by the offender within 5 days of it being received from the Court.

3. **Supervision Planning**
   
   3.1 A detailed workplan shall be agreed with the young offender and his/her parents/guardians/carers within 20 days of the Order being made.

   3.2 By the end of the first 16 weeks the workplan shall be reviewed with the offender and parents/guardians and a subsequent plan agreed.

   3.3 Further reviews and subsequent plans shall be completed thereafter at 16 week intervals.

   3.4 All reviews and subsequent plans shall be signed and dated by the Probation Officer, the offender and the parent/guardian.

   3.5 When supervisory responsibility is transferred, a transfer summary shall be entered in the case record prior to the transfer taking place.

4. **Contact**
   
   4.1 Planned contact shall be at least weekly inclusive of one home visit per month for the first 16 weeks.

   4.2 During the second period of supervision, frequency of contact shall be determined in accord with assessed risks and the degree of progress made toward achievement of supervision targets. Planned contact for the period shall normally not be less than at two weekly intervals and shall include at least one home visit during the period.
4.3 Thereafter frequency of contact shall be determined according to assessed risks and the degree of progress toward supervision targets. Planned contact during the third and subsequent periods of supervision shall be no less than at monthly intervals and shall include one home visit during each period of supervision.

5. **Enforcement**

5.1 On each and every occasion that an offender apparently fails to comply with the requirements of the Order, the apparent failure shall be entered into the Record of Enforcement.

5.2 When the offender apparently fails to comply with the requirements of the Order, the supervising officer shall respond within 2 working days by:

(a) a home visit;
(b) a telephone call; or
(c) by sending a letter by first class post.

The purpose of this action is to secure an explanation for his/her apparent failure.

5.3 The offender shall be given no more than 5 working days to offer an explanation.

5.4 The reason for the apparent failure shall be considered by the supervising officer and recorded as acceptable or unacceptable.

5.5 If the supervising officer deems that an explanation for failure to comply is unacceptable or when no explanation is forthcoming by the date required, the following action shall be taken:

5.5.1 First unacceptable failure – in any 6 month period of supervision - formal warning in writing with appropriate entry in the Record of Contact.
5.5.2 Second unacceptable failure – in any 6 month period of supervision – final warning in writing with appropriate entry in the Record of Contact.
5.5.3 Third unacceptable failure – in any 6 month period of supervision – breach proceedings shall be initiated within 10 days.

5.6 The offender and the parent/guardian/carer shall be notified by recorded delivery letter that breach proceedings have been initiated.
5.7 If a failure to comply could result in danger to the public or the offender, breach proceedings shall be initiated without recourse to prior warning. Reasons relating to a decision to proceed without prior warning must be entered in the Record of Contact.

5.8 When either a warrant or summons has been issued the supervising officer shall prepare a breach report, immediately, in readiness for the court hearing.

5.9 If at any stage of an Order it proves to be unworkable then an application shall be made for revocation of the Order.

6. **Record Keeping**

6.1 The case record shall contain a full set of documents consistent with the stage of supervision and the nature of the case.

6.2 The record shall be kept up to date, ie, entries shall be made no later than 5 working days after an occurrence.

6.3 Approved colour coding of documents and colour coding and tabbing of file covers shall be maintained.

7. **Additional Requirements**

7.1 An offender who is required to attend an approved programme as a requirement of an Order should commence that programme as soon as arrangements can be made but no later than 12 weeks after sentence.

7.2 The offender’s attendance at, and participation in, the programme shall be recorded.

7.3 On completion of an approved programme, a summary describing the offender’s participation and achievements within the programme shall be entered into the case record.

8. **Closure of Case Records**

When an Order is time expired, or is terminated early, the case record shall be closed in accord with PBNI Retention and Disposal Schedule.
Supervision of Young Offenders

Service Requirements

Set out below are the Service Requirements for ensuring that in working to Standards a credible and high quality level of supervision is provided.

Where practicable the young offender shall be seen before leaving court on the day of sentence and provided with the name, office address and telephone number of the supervising officer. The offender shall be given a written instruction to attend an interview with the supervising officer at a stated time on a given date which shall be no more than 5 days after the date of sentence. The offender shall be required to sign a copy of the written instruction. If it has not been possible to see the offender before he/she leaves court then the relevant field office shall be advised that same day of the need to contact the offender to arrange the induction interview.

Standard 1.1

At the induction interview the offender and parent/guardian shall be provided with a clear explanation of the following aspects of the Order and supervision of the Order.

- the conditions of the Order as they apply to the offender;
- the intended programme of supervision including the demands that this will make on the offender;
- what constitutes, and the consequences of, unacceptable behaviour including the possibility of breach proceedings;
- procedures to revoke/amend the Order including the right of the offender to make application;
- what the offender can expect from the Probation Service during the period of supervision in relation to fair and just treatment, confidentiality of information, etc; and
- complaints procedure with regard to service delivery by Probation staff.

The offender shall also be issued with a copy of the Complaints Procedure.

*Unacceptable behaviour includes:

- Violent or aggressive behaviour including threats of violence.
- Conduct or language that may give offence to members of the public, to other offenders under supervision or to Probation staff.
- Language or behaviour of a racist, sexist or sectarian nature.
- Wilful or persistent non-co-operation.
- Behaviour intended to undermine the supervision of the offender or the supervision of others.
Before the interview is terminated the offender shall be asked to sign and date the approved Record of Induction Interview signifying that he/she has been provided with an explanation of the above factors and that he/she understands the same. If the offender declines to sign the document the supervising officer shall write a declaration to this effect on the Record of Induction Interview. If the parents/guardians are not in attendance the reasons for non-attendance shall be entered in the case record and the relevant adults shall be informed in writing and without delay of the young person’s obligations under the Order.

**Standard 2.1**

The supervising officer or a substitute shall, when serving the Order, issue a copy to the offender and require the offender to sign and date the file copy of the Order as evidence that the offender:

- understands the conditions and requirements of the Order; and
- has received a copy of the Order.

If the offender declines to sign as requested, the officer serving the Order shall write a declaration to this effect on the file copy of the Order.

If the Order has not been received from the Court within 10 days of sentence the supervising officer shall ensure that enquiries of the Clerk of the Court are made with a view to having the issue of the Order expedited. If the Order has still not been received by the 15th day after sentence the supervising officer shall advise the Area Manager so that a formal written request may be forwarded to the Clerk of the Court.

**Standard 3.1**

Supervision plans shall reflect the outcomes of initial and subsequent assessments and shall:

- be solution oriented; and
- build on the identified strengths of the individual.

Plans should have S.M.A.R.T. objectives which are prioritised in terms of managing risk of harm; and managing the likelihood of re-offending by:

i) resolution of practical/survival issues;
ii) pursuit of personal development needs;
iii) building/strengthening social support networks;
iv) challenging offending behaviour and anti-social attitudes; and

- have identified stages marking progress toward individual objectives;
- have a specific victim awareness focus;
• detail frequency, nature and places of planned contact with the offender;
• spell out reasons for variation/maintenance of contact arrangements;
• be written in the first person, stating what the offender agrees to do;
• identify the nature and level of guidance, assistance, support and/or service to be provided by the supervising officer, other PBNI personnel, and/or persons who have been co-opted by the supervising officer;
• set out the role and contributions of family* or other significant person(s) in terms of actively assisting the offender’s progress;
• set out specific objectives to secure the successful completion of additional requirements where these exist;
• include feedback arrangements for receiving progress reports from all agencies/persons concerned including the offender;
• state the number of the review;
• include the date by which the supervision plan will be reviewed; and
• include the date the current review and revised plan were agreed together with the signatures of all parties concerned.

* In the case of a young offender the active participation of parent(s), or responsible adults, is critical to the promoting of improved parental influence and control beyond the period of statutory supervision.

Standards 3.2, 3.3 and 3.4

The vehicle for identifying and demonstrating progress is the review of plans which shall be carried out at the required intervals. Each review of plans shall be preceded by a thorough review/revision of risk assessments followed by a review of S.M.A.R.T. objectives which should:

• clearly reflect the offender’s view of progress toward achievement of all supervision targets and/or otherwise;
• reflect the supervisor’s judgment of progress toward achievement of each supervision target and/or otherwise;
• take account of feedback from all other parties concerned;
• where appropriate, identify barriers to resolving practical problems which remain unresolved together with intended new approaches;
• describe any progress in terms of personal development;
• describe any learning/training opportunities undertaken and their impact;
• describe any regular leisure, social, educational/training, spiritual activities engaged in and how these have assisted strengthening of the social support network;
• comment on known current associations and how these have enhanced or militated against progress;
• describe any improvement or deterioration in family/social relationships;
• describe any participation in, and impact of, offending behaviour activities including victim awareness elements;
• evaluate overall progress/deterioration against any changes in levels of assessed risks.

Each review shall directly inform the revised plan for the next period of supervision. If it is a final review, the offender and all relevant others should be engaged in setting plans for sustaining personal development and staying offence free beyond the period of supervision.

If during the currency of the Order the offender receives a new Probation Order or a Combination Order the workplan shall be reviewed forthwith and amended to take account of the new conviction(s) and applying the quality measures set out above.

**Standard 3.5**

Continuity of supervision is essential. Unless properly managed, transfer of supervision has the potential to disrupt continuity and cause any gains made in terms of offender progress to be undermined or lost altogether.

All transfers of supervision should be well informed, properly planned and have the prior written authority of the managers at both the sending and receiving locations. Transfers shall be informed by:

• thorough exploration of (and recording of) the reasons for transfer with the offender,
• consultation with the (sending) Area Manager;
• exploratory discussions/correspondence with the receiving location;
• thorough review and updating of risk assessments;
• a transfer summary in the form of a review and updating of current supervision plans;
• where practicable, a meeting of all relevant parties; and
• transfer of a complete and up to date case record;

Consideration should always be given to a trial arrangement with a timetable for deciding whether or not to confirm the transfer.

**Standard 4.1**

When planning frequency and locations of contact the supervising officer shall take full account of the need to maximise parental involvement in the supervision process. The Standard requires at least planned weekly contact during the first 16 weeks of supervision. A contact which counts toward the Standard is defined as a face to face meeting with the offender and/or his/her family in connection with the workplan.
During the planned absence, or prolonged other absence, of the supervising officer arrangements shall be made to ensure continuity of active supervision in connection with the workplan.

At least one contact during the first 16 weeks of supervision shall be at the offender’s place of residence. The frequency of home visiting shall be determined as part of the workplan and not influenced by whether the offender wishes to receive visits at home.

Staff may have understandable concerns when required to visit high risk offenders in their homes. Never-the-less, arrangements should be made to facilitate home visits to take place in all but the most exceptional circumstances. On a case by case basis an Area Manager shall consider whether to approve accompanied home visits. That is the supervising officer accompanied by a colleague. If sanctioning accompanied visits in a particular case the Area Manager shall make a signed and dated entry in the case record stating his/her reasons for the decision. The Area Manager shall review the decision from time to time and not less frequently than at 16 weekly reviews of risk assessments.

**Standard 4.2**

In no case shall frequency of contact be planned at less than two week intervals, during the second period of supervision, unless the assessed risk of harm is low and the likelihood of re-offending is also low. For planned frequency to be less than two weeks, during this period, the record must also show that all supervision targets are within reach during the remainder of the Order.

**Standard 4.3**

If at any point beyond the second period of supervision, both risk of harm and likelihood of re-offending are assessed as low, all supervision targets have been met and the offender has remained conviction free, (This must be established by accessing the up to date criminal record of the individual by way of the Criminal Record Viewer) the supervising officer shall consult the Area Manager with a view to making an application for either variation, or early discharge, of the Order.

5. **GENERAL ENFORCEMENT GUIDANCE**

The overall purposes of the enforcement process are to:

- ensure that the offender complies with the requirements of the Order so that courts and the public may have confidence in PBNI management of community sentences;
- set clear and fair boundaries which the offender understands;
secure and maintain the cooperation and compliance of the offender in order to ensure a successful completion of the Order.

The grounds for enforcement action to be considered are:

- failure to report as instructed to any place or person as required by the supervision plan;
- failure to notify change of address;
- reporting whilst under the influence of alcohol, drugs or other substance;
- failure to cooperate with the agreed supervision plan;
- failure to cooperate with arrangements for completion of an additional requirement;
- serious misconduct in relation to staff, and/or other service users. This may include verbal abuse, sexual harassment, threats of or actual violence, sexism, racism or sectarianism;
- persistent low level misconduct such as unacceptable language.

NB. Issues of sexism, racism or sectarianism must be addressed whether, or not, people are present who may find such behaviour objectionable.

Failure to Inform Change of Address:

If a supervising officer has reason to believe an offender has changed address without notifying this, all efforts should be made to discover his/her present whereabouts. If knowledge of the offender’s current whereabouts are not established within twenty four hours a recorded delivery letter shall be sent to the offender’s last known address giving instructions for him/her to make contact immediately on receipt of the letter. If the offender’s whereabouts are still unknown on the fifth day (24 hours in the case of an offender who is assessed as having a high likelihood of re-offending and/or is likely to cause harm to others) then breach action shall follow forthwith. If and when the postal service returns the letter as “unknown at this address”, the return letter together with its envelope shall be entered into the breach papers in readiness for the court hearing. A subsequent report to the court shall include any additional supporting information such as evidence of attempted home visiting, contact with relatives, etc.

Standard 5.1

An apparent failure to report is where the supervising officer does not have prior knowledge of why an offender has failed to keep an appointment.

Change of appointments requested by an offender should normally only be agreed to enable him/her to attend to important family occasions such as weddings and funerals of close relatives, religious events or to deal with a family crisis.
Where a supervising officer agrees to a changed appointment at the request of an offender and, the changed appointment still enables the contact requirement of the Standard to be met, this **should not** be entered into the Enforcement Record at all. However, if a changed appointment is agreed and this prevents the contact requirement of the Standard being met then this **shall be** entered into the Enforcement Record as an acceptable absence.

Whilst reasons related to individual failures may be deemed to be acceptable supervising officers must be alert to a pattern of ‘acceptable reasons’ emerging. Such a pattern must generally be regarded as unacceptable in itself. In these circumstances the offender must be challenged and strongly urged to improve his/her level of compliance.

**Standards 5.2 and 5.3**

When an offender has failed to report, and wherever practicable, contact with the offender should be direct, either by home visit or by telephone. Contact by letter is a less desirable option because completion of the enforcement process is delayed. It is important to avoid delays in the enforcement process, in all cases, but particularly in cases which are assessed as high risk.

**Standard 5.4**

Absences that do not have prior permission should only be deemed acceptable if the reasons given meet one or both of two criteria, which are that the reasons were **urgent and/or unpredictable**. The onus shall be on the offender to substantiate the explanation proffered. The advice of the Area Manager must be sought in those occasional cases, such as claims to be under paramilitary threat. In some of these cases it should be possible to arrange contact at another service location.

There are occasions such as **severe** weather conditions, public transport strikes or periods of civil unrest when it may not be possible for some offenders to report to a particular probation office. In such circumstances the Area Manager should make an assessment as to whether, or not, the circumstances warrant acceptable absence in particular cases or, alternatively, whether continued contact could be maintained by a temporary arrangement. In those cases approved by the Area Manager as acceptable absence the supervising officer shall record this in the usual manner.

Absences by reason of the individual being in custody shall not be classified as acceptable. It should be noted on the contact sheet that the individual is in custody and that attendance will resume immediately following release from custody. It is for the supervising officer to make arrangements whereby he/she is notified of the offender’s release or further detention.
**Standard 5.5**

With any form of enforcement consideration and/or action the supervising officer should be aware of the importance of being able to justify his/her decisions or actions in a court at a future date. The rationale for enforcement decisions and actions should be capable of being verified by reference to the case record.

Any failure or misconduct which leads to enforcement action being considered must be clearly recorded setting out the context, failure and/or misconduct and the reasons why the behaviour of the offender was deemed to be unacceptable. The record should show that the offender was invited to give an explanation and, if given, what that explanation was.

**BREACH PROCEEDINGS – GENERAL GUIDANCE**

The supervising officer shall make every effort to achieve compliance of the offender to the requirements of the Order. However, there is no legal requirement to give an offender any warnings for poor cooperation and/or unacceptable conduct before taking breach action. Whether prior warnings are given and the speed with which action is taken will depend on the assessed risk of harm to others and/or the likelihood of re-offending.

Among the grounds for considering breach action by warrant are if:

- the offender’s behaviour causes concern for the safety of others;
- gross misconduct occurs;
- contact with the offender is lost and it seems unlikely that contact will be renewed quickly (whereabouts unknown);
- a high risk offender fails to attend a first appointment;
- a high risk offender, at any time, fails to report and then does not respond to a request for an explanation.

In other circumstances, among the grounds for considering breach action by summons are if the offender:

- fails to comply having received two previous warnings in any complete six month period of supervision;
- persistently avoids working towards completion of the supervision plan;
- consistently participates at an unacceptably low level in the context of an additional requirement.

**Standard 5.6**

The letter informing the offender that breach proceedings have been initiated should also advise him/her that willingness to adhere to requirements of a renewed supervision plan may help when he/she returns to court, but that any
decision about sentence for breach is a matter for the court. He/she should be offered one further appointment to take up renewed contact.

If he/she fails to turn up and does not provide a satisfactory explanation a further letter should be sent stating that no further appointments will be offered unless he/she renews contact on his/her own initiative.

If the offender re-establishes contact and again fails to comply with any of the requirements of supervision, then supervision should cease until after the court appearance. The offender should be notified in writing and a copy of the letter included with other breach evidence.

Once a summons or warrant has been issued, the fact that the offender re-establishes contact shall not be considered grounds for withdrawing breach proceedings but renewed contact and cooperation shall be made known to the court at the time of the breach hearing.

**Standard 5.7**

The provisions of Standards 5.1 through to 5.4 shall be circumvented if the supervising officer or the Area Manager have reason to believe that public safety, the safety of the offender or of Probation staff may be endangered. If concerned about safety issues the supervising officer shall consult the Area Manager without delay or with an ACO in the absence of the Area Manager.

If after consultation a decision to breach without prior warning is taken that decision shall normally be accompanied by a decision to seek a warrant for the immediate apprehension of the offender. In these circumstances the Area Manager shall record the decision to breach without prior warning in the case record and advise the relevant ACO of the action taken.

**Standard 5.8**

The breach report should contain the following details:

- Name, date of birth and address of the offender;
- Name of the court which made the Order;
- Length of the Order and the date the Order was made;
- Additional requirements made under Article 11 (if any);
- Offence for which the Order was made; (A summary of police facts extracted from depositions)
- Verified information about any further offence with which the offender has been charged and/or convicted;
- Reasons for breach action;
- The date the breach was initiated;
- An up to date account of the offender’s responses to supervision during this Order, which outlines progress or otherwise toward planned objectives, levels of cooperation/conduct, together with the number of planned contacts and actual appointments kept;
- Details of circumstances leading up to the breach and actions taken by the supervising officer and/or others;
- Any known circumstances which may have contributed to the offender’s non-compliance; and
- A proposal to the court for an immediate sentencing disposal with the Order continuing or, for an adjournment to enable a PSR to be prepared before re-sentencing.

The breach report shall be accompanied by the file copy of the original Order, copies of the appropriate correspondence with the offender, relevant extracts from the case record and any other evidence pertinent to the allegation of breach.

The breach ‘package’ should be stored in a separate section of the case record and kept up to date with evidence of occurrences which post date the issue of the warrant/summons. The updated breach package shall be made available at least two days prior to the court hearing in the case of a summons or held in readiness for immediate submission as and when a warrant is executed.

BREACH PROCEEDINGS AT COURT – GENERAL GUIDANCE

The purpose of breach action is to return the offender to court for the breach to be heard and, if proven, to be properly sentenced. The probation officer prosecuting the breach should make a proposal for the breach to be marked by imposition of a specific sentence such as a fine, community service or re-sentencing. For a probation officer to propose an adjournment as a means of dealing with a breach is not acceptable practice except where circumstances suggest that a short adjournment to test the offender’s motivation may be reasonable before the court decides on sentence for the breach.

Following proof of a breach, an offender should not be regarded as suitable for continuation of a Community Sentence unless he/she has demonstrated willingness to cooperate in the future. Assessment of willingness should always involve an interview with a probation officer.

Where an offender has been sentenced for breach and the Community Sentence has been allowed to continue, supervision should cease immediately and further breach action initiated if the offender fails to comply again without acceptable reason. A second breach should invariably result in an application for revocation of the Order and re-sentencing.

**Standard 5.9**
Very occasionally, for unforeseen reasons, an offender’s situation changes to such an extent that he/she is unable, rather than unwilling, to comply with reporting requirements of the Order over an extended period of time. Examples of this may be that the offender:

- has unexpectedly had to undertake sole responsibility for the care of a severely incapacitated close relative which would render office based reporting impossible;*
- has been certified sick by a doctor and is unable to respond to instructions for an extended period of time;
- is admitted to hospital as an in-patient and the recovery period is forecast by doctors to be a very lengthy one.

* Such a proposal should only be made if arrangements can be made on a regular basis to relieve the defendant of the limiting responsibilities to allow a proper response to be made to the requirements of the Order.

If such, or like, circumstances extend beyond a continuous period of six weeks or, are repeated intermittently over a period of eight weeks and there is no indication of the situation easing, then the Order should be returned to court with a view to revocation. Revocation in such circumstances should be because the Order has become unworkable and the court should be invited to deal with the case on a ‘no fault’ basis.

PSR writers should be alert to the possibility of a defendant’s circumstances which may prevent him/her responding fully to the requirements of a Community Sentence and should make the court aware of the potential for such an Order to become unworkable. A Community Sentence should not be proposed if contact would be limited to home visiting only.

In the event of an offender being reconvicted during the currency of the Order the probation officer shall seek the advice of the Area Manager as to whether an application for revocation is appropriate in the circumstances.

**Standard 6.1**

It is the responsibility of the supervising officer to ensure that the case record contains a full set of the documents required and that each of those documents is recorded to date in keeping with the stage of supervision. Documents shall only be considered complete/up to date if they bear the signatures required and that all entries and signatures are dated.
Standard 6.2

A case record can only be considered to be up to date if the documents together with ‘C’ Sheet entries reflect progress or lack of progress toward completion of workplans.

To facilitate easy access to information the supervising officer and any other persons who have reason to make entries in the case record shall take care to make all entries legible and understandable to the reader and contain only relevant information.

Standard 6.3

For ease of recognition it is important to maintain the approved colour coding of all documents. It is the responsibility of Area Managers to ensure that administrative systems are in place to ensure that the approved colour coding can be maintained at all times.

It is essential, in every case, that the current assessed level of risk of harm is recognisable at a glance. This can be achieved by adhering to the following colour recognition code and tabbing system.

- **Listed cases** = Yellow file cover
  
  *(To include sex offenders who have been listed. Apply white tab to top right hand corner of yellow file cover marked Schedule 1 if appropriate)*

- **All other sex offenders** = Red file cover
  
  *(Apply white tab to top right hand corner of red file cover marked Schedule 1 if appropriate)*

- **All other cases** = Blue file cover

If a risk assessment review results in a change of risk level (up or down) it is the responsibility of the record keeper to give clear and immediate instructions to administrative staff to re-house the case record in the correct colour cover, and tabbing, consistent with the revised level of assessed risk of harm and the nature of the case.

When “signing off” a closed case the Area Manager shall give specific instructions to administrative staff to package the closed case record in a plain cover with appropriate coloured tabs.
**Standard 7.1**

Ideally the PSR writer will have ascertained the likely start date of an accredited programme prior to proposing to the court that an offender participate in the programme.

**Standard 7.2**

The person with responsibility for delivering the accredited programme shall keep a record of the offender’s:

- attendance/non-attendance;
- participation levels in the programme;
- contribution by parents/guardians;
- behaviour when attending;
- achievements and progress; and
- attitudes to staff and other participants.

**Standard 7.3**

When the offender completes or leaves the programme the person with responsibility for delivering the programme shall enter a summary of the participation of the offender and his/her parents/guardians in the case record which is a distillation of the record kept throughout the programme. The summary shall be presented in a format, which takes account of the criteria set out at Standard 7.2.

**Standard 8**

It is essential that, when an Order is time expired or has been terminated early, the case record is properly closed.

It is the responsibility of the practitioner to:

- establish that the Order is indeed time expired or otherwise amenable to closure;
- carry out a final review of the case and enter a final summary into the planning section of the record. It is good practice for the final summary to include the offender’s plans for sustaining personal development, general progress and remaining offence free beyond the period of the Order;
- update RAS/PIMS;
- ensure that the case record contains a full set of relevant documents;
- strip the record of all duplicated and non-essential materials; and
- submit the completed case record to the Area Manager within 5 days of the termination date of the Order.
Within a further 5 days it is the responsibility of the Area Manager to:

- concur that the Order has been completed;
- agree that the case record has been properly completed and prepared for closure;
- require any remedial actions by the supervising officer if that is appropriate;
- “sign off” and date the record;
- give instructions for administrative action re packaging, tabbing and storage of the record in keeping with the approved colour recognition code; and
- ensure that the appropriate occurrence form is completed and forwarded without delay to the PBNI Information and Research Office – entered on the database.
The Supervision of Offenders who have been assessed as posing a Risk of Serious Harm to Others

Introduction.

1 These Standards and Service Requirements shall be applied to all PBNI supervised cases where the offender has been identified as posing a Risk of Serious Harm as defined in the PBNI Risk of Serious Harm Policy and Procedures where there is:

‘the likelihood and imminence of causing Serious Harm (either directly or as a consequence of other actions).’¹

2 The definition of Serious Harm used by PBNI is taken from the Criminal Justice (NI) Order 2008 where it is defined as:

‘death or serious personal injury, whether physical or psychological’.²

3 Whilst this definition of Serious Harm is more likely to apply to violent and sexual offending it is important to be aware that other categories of offending, such as dangerous driving, could result in Serious Harm.

4 A primary purpose of the supervision of offenders is to protect the public. By definition those offenders who have been assessed as posing a Risk of Serious Harm are those who are more likely to cause serious harm to the public and therefore require closer supervision and management to minimise risk.

5 Both management and supervision of Risk of Serious Harm cases must be thorough, accurate and defensible³ in order to support the necessary restrictions placed on the offender to protect others.

6 Just as risk is dynamic in nature the supervision of Risk of Serious Harm cases should reflect the changing features of the offender’s circumstances and constantly update, appraise and evaluate whether the risk posed by the offender is increasing and whether immediate and appropriate actions are required to protect others.

7 These Standards and Service Requirements shall be read in conjunction with ‘The Management of Risk’ Standards (Section 4 above), and other relevant Standards as they apply to each individual case.

8 The management and supervision of Risk of Serious Harm cases, where appropriate, shall employ a multi-disciplinary/agency approach and it is therefore essential for PBNI staff to be aware of the PBNI Risk of Serious Harm Policy and Procedures and Section 4 of the Northern Ireland Standards.

¹ PBNI Risk of Serious Harm to Others Policy and Procedures (2008)
² As Above
³ Northern Ireland Standards Section 4(1.6)
The Supervision of Offenders who have been assessed as posing a Risk of Serious Harm to Others

Performance Standards

1. Induction.

Standard 1.1
An induction interview shall take place within 1 day of sentence for Community Orders and on the day of release for persons subject to Custody Probation Orders and those released on licence.

Standard 1.2
The defendant shall be made aware that should information be provided about the commission of an offence or information that is likely to secure the apprehension, prosecution or conviction of any person for that offence, then that information will be reported to the Police.¹

2. Serving the Order/Licence.

Standard 2.1
The Order shall be served within 5 days of it being received from the Court.

Standard 2.2
The supervising officer, or a substitute, shall require the offender to sign and date the file copy of the Order/Licence as evidence that the offender:
- Has received a copy of the Order/Licence;
- Understands the conditions and requirements of the Order/Licence.

Standard 2.3
If the offender declines to sign as requested the officer serving the Order/Licence shall write a declaration to this effect on the file copy of the Order/Licence.

3. Supervision Planning.

Standard 3.1
To assure continuity of supervision, the Area Manager shall allocate a ‘Pair Officer’ in all Risk of Serious Harm cases.

Standard 3.2
A detailed Initial Work Plan shall be agreed with the offender within 15 days of the Order being made.

¹ Section 6 PBNI Policy on Disclosure of Information regarding the commission of an offence (March 2004)
**Standard 3.3**
The initial work plan shall be reviewed, with the offender, by the end of the sixteenth week of supervision and a revised plan agreed.

**Standard 3.4**
Reviews of subsequent work plans shall be completed at intervals of sixteen weeks and revised plans agreed.

**Standard 3.5**
All reviews and subsequent workplans shall be signed and dated by the supervising probation officer and the offender (including where offender is under 18 and it is both relevant and appropriate, the signature of the parent(s)/guardian(s) carer(s)).

**Standard 3.6**
If supervisory responsibility is transferred, a transfer summary shall be entered on the PBNI’s Case Management System.

**Standard 3.7**
Where the offender still poses a risk of serious harm, a final Review RMM shall be convened prior to the termination of the Order/Licence.¹

1. **Contact.**

**Standard 4.1**
Contact with the offender shall be planned at, at least weekly intervals. At least one contact per month shall be at the offender’s place of residence. In addition, if required by a Risk Management Plan, or where it is included as a condition of licence, an unannounced contact shall be made with the offender at his/her place of residence, at the frequency stated in the plan or licence.

**Standard 4.2**
The frequency of planned contact shall continue as 4.1 above until such time as the assessed level of risk has diminished to a point where less frequent contact can safely be agreed at a Review RMM. Unannounced visits required as a condition of licence shall be continued until such time as authority has been received to remove or vary the condition.

2. **Enforcement.**

**Standard 5.1**
On each and every occasion that an offender apparently fails to comply with the requirements or conditions of the Order/Licence, the apparent failure shall be recorded on the PBNI’s Case Management System.

¹ See Section 9 PBNI Risk of Serious Harm Procedures (2008)
Standard 5.2
When the offender apparently fails to comply with the requirements/conditions of the Order/Licence, the supervising officer shall respond within one day by either:

(a) a home visit ; or
(b) a telephone call;

and by sending a letter of confirmation by first class post.

The purpose of this action is to secure an explanation for his/her apparent failure.

Standard 5.3
The reason for the apparent failure shall be considered by the supervising probation officer and recorded as acceptable or unacceptable.

Standard 5.4
If the supervising officer deems that an explanation is unacceptable, or when no explanation is forthcoming, the following action shall be taken:

5.4.1 First unacceptable failure in any 12 month period of supervision\(^1\) – formal warning in writing with appropriate entry in the PBNI Case Management System.
5.4.2 Second unacceptable failure in any 12 month period of supervision\(^2\) final – warning in writing with appropriate entry in the PBNI Case Management System.
5.4.3 Third unacceptable failure in any 12 month period of supervision\(^3\) breach – proceedings shall be initiated within 10 days with appropriate entry on the PBNI Case Management System.

Standard 5.5
The offender shall be notified by recorded delivery letter that breach proceedings have been initiated.

Standard 5.6
If a failure to comply could result in serious harm to others, or the offender, breach / recall proceedings shall be initiated without prior warning or recourse to a Risk Management Meeting.

Standard 5.7
When either a warrant or a summons has been issued, or an urgent recall requested, a breach / recall report shall be completed immediately for consideration by the court or recall hearing.

Standard 5.8
If at any stage an Order / Licence proves to be unworkable then an application shall be made for the revocation of the Order / recall of Licensee following discussion with the Area Manager.

\(^1\) In any 6 month period for a Young Offender.
\(^2\) As for footnote 6 above.
\(^3\) As for footnote 6 above.
Standard 5.9
If a supervising probation officer has reason to believe an offender has changed address without notification, all reasonable efforts shall be made to establish his/her whereabouts. If knowledge of the offender’s whereabouts is not established within 24 hours then breach (by way of warrant) / recall action (by way of urgent recall) shall be initiated forthwith.

6. Recording

Standard 6.1
The case record on the PBNI Case Management System shall contain a full set of documentation consistent with the stage of supervision and the nature of the case.

Standard 6.2
The case record on the PBNI Case Management System shall be kept up to date with all entries being made no later than 5 days after each occurrence.

Standard 6.3
The Risk of Serious Harm ‘Risk tab’ on the PBNI Case Management System shall be updated by the supervising probation officer as and when changes have occurred. The approved PBNI colour coding of paper files shall be maintained.


Standard 7.1
An offender who is subject to an additional requirement or condition of licence to attend an approved programme should commence that programme as soon as arrangements can be made but no later than 12 weeks from the commencement of community supervision.

Standard 7.2
The offender’s attendance at, and participation in, approved programmes shall be recorded by the programme providers and communicated to the supervising officer at agreed intervals.

Standard 7.3
On completion of an approved programme a summary describing the offender’s participation and achievements in the programme shall be entered on the PBNI Case Management System.

Curfew and/or Electronic Monitoring

For a Curfew and/or Electronic Monitoring additional requirement or condition of licence refer to Section 18 of the Northern Ireland Standards.
7. **Review Risk Management Meetings (Review RMMs).**

**Standard 8.1**
The supervising probation officer shall arrange for a Review RMM and revision of the risk assessment and risk management plan related to each of these cases at intervals of not more than sixteen weeks.

**Standard 8.2**
The Review RMM shall be brought forward where there are significant changes in the circumstances or details of an offender which indicate increased concerns about risk. These circumstances can include re-offending; non compliance; breach or recall.

**Standard 8.3**
Where there is an overlap between PBNI Risk of Serious Harm cases and PPANI cases assessed at Category 2 and Category 3, the offender shall be reviewed under PPANI arrangements.

**Standard 8.4**
A final Review RMM shall be arranged by the supervising probation officer immediately prior to termination of the Order/Licence. If the RMM final assessment recognises that Risk of Serious Harm still exists then appropriate details shall be provided in writing to other relevant agencies.¹

9. **Closure.**

**Standard 9.1**
The electronic records and documentation on the PBNI Case Management System and the paper file shall be closed and retained in accordance with the PBNI Retention and Disposal Policy.²

**Standard 9.2**
Within five days of termination of the Order/Licence, the supervising probation officer shall complete both the electronic and hard copy components of the case record in readiness for the Area Manager’s final review of the case.

**Standard 9.3**
Within a further 5 days it is the responsibility of the Area Manager to carry out a final review of the case.

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¹ See Section 9  PBNI Risk of Serious Harm to Others Procedures (2008)  
² PBNI Policy on Disclosure of Information regarding the commission of an offence. 2004
The Supervision of Offenders who have been assessed as posing a Risk of Serious Harm to Others

Service Requirements

Set out below are the Service Requirements for ensuring that in working to the relevant Standards applicable to the type of Order / Licence for those offenders who have been assessed as posing a Risk of Serious Harm to Others (including those cases which have been determined by the agency as inescapable voluntary cases) a credible and high quality level of supervision is provided.

Where practicable, the offender made subject to a Community Order shall be seen before leaving court on the day of sentence and provided with the name, office address and telephone number of the supervising officer. The offender shall be given a written instruction to attend an interview with the supervising officer at a stated time on a given date which shall be no more than 1 day after sentence where the case has already been designated as posing a Risk of Serious Harm. The offender shall be required to sign a copy of the written instruction. If it has not been possible to meet with the offender before he/she leaves court then the relevant field office shall be advised by telephone that same day of the need to contact the offender to arrange the induction interview.

1. Induction

Standard 1.1

The induction interview shall be recorded on the PBNI Case Management System using approved documentation. The offender shall be provided with a clear explanation of the following aspects of the management of the Order or Licence:

- the conditions of the Order or Licence as they apply to the offender;
- the intended programme of supervision including the demands that this will make on the offender;
- what constitutes, and the consequences of, unacceptable behaviour, including the possibility of breach / recall proceedings;
- procedures to revoke / vary the Order or Licence including, where appropriate, the right of the offender to make application;
- what the offender can expect from the PBNI during the period of supervision in relation to fair and just treatment, confidentiality (including limitations and sharing information and other actions to protect children, vulnerable adults, the public and the offender);1
- complaints procedure with regard to service delivery by probation staff.
- the offender shall also be issued with a copy of the complaints procedure.

Before the interview is terminated the offender shall be asked to sign and date the approved Record of Induction Interview signifying that he/she has been provided with an explanation of the above factors and that he/she understands the same. If the offender declines to sign the document the

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supervising officer shall write a declaration to this effect on the Record of Induction Interview and record this on the PBNI Case Management System.

**Standard 1.2**
As stated in Standard.

**2. Serving the Order/Licence**

**Standard 2.1**
If an Order has not been received from the court within 10 days of sentence the supervising officer shall ensure that enquiries are made of the Clerk of the Court with a view to having the issue of the Order expedited. If the Order still has not been received by the 15th day after sentence the supervising officer shall advise the Area Manager so that a formal written request may be forwarded to the Clerk of the Court.

Where the offender has been released from custody on statutory licence the licence will normally have been served prior to release. At the induction interview the supervising probation officer shall confirm that the offender has received a copy of the licence and is aware of the licence conditions. If a copy of the licence is not available at the time of the first post release interview the supervising probation officer shall follow this up with the relevant custodial institution.

**Standard 2.2**
As stated in the Standard

**Standard 2.3**
As stated in the Standard

**3. Supervision Planning**

**Standard 3.1**
‘Pair officer’
The level of involvement of the ‘pair officer’ will depend on the needs of the individual case and will be determined and kept under review by the area manager. The ‘pair officer’ shall work closely with the supervising officer in Order/Licence to assist in supervision/case management where necessary and stand in for the supervising officer when he/she is absent. The ‘pair officer’ shall always ensure that he/she is familiar with all the details of the case and that they keep up-to-date with all developments.

**Standard 3.2**
For those offenders who are released from custody on probation supervision the workplan for the initial supervision period shall normally have been completed at the pre release stage. Where time and/or circumstance have prevented this from taking place prior to release the workplan shall be completed within 15 days of the offender’s release from custody.
The work plan shall also reflect the outcomes of initial and subsequent assessments including RMMs/LAPPPs.

Supervision plans shall reflect the outcome of initial and subsequent assessments and shall:

- be solution oriented;
- build on the identified strengths of the individual;
- examine lifestyle, including environment, employment, training/education and the use of leisure time;
- identify who is at risk from the offender;
- recognise the circumstances under which risk of serious harm would be increased: and
- identify steps required to minimise risk of serious harm.

Plans should have S.M.A.R.T. objectives which are prioritised in terms of managing the risk of serious harm and managing the likelihood of re-offending by:

i) resolution of practical/survival issues;
ii) pursuit of personal development needs;
iii) building/strengthening social support networks;
iv) challenging offending behaviour and anti-social attitudes; and

- have identified stages marking progress towards individual objectives;
- have a specific victim awareness focus;
- detail frequency, nature and places of planned contact with the offender;
- spell out reasons for variation/maintenance of contract arrangements;
- be written in the first person, stating what the offender agrees to do;
- identify the nature and level of guidance, assistance, support and/or other services to be provided by the supervising officer, other PBNI personnel, and/or persons who have been co-opted by the supervising officer;
- set out the role and contributions of family or other significant person(s) in terms of actively assisting the offender’s progress;
- set out specific objectives to secure the successful completion of additional requirements/conditions of licence where they exist;
- include feedback arrangements for receiving progress reports from all agencies/persons concerned including the offender;
- state the number of the plan;
- include a relapse strategy;
- include the date by which the supervision plan will be reviewed; and
- include the date the current plan and revised plan were agreed together with the signatures of all parties concerned.

1 In the case of a young offender the active participation of parent(s), or responsible adults, is critical to the promoting of improved parental influence and control beyond the period of statutory supervision.
Standards 3.3, 3.4, 3.5.
The review can be brought forward where there are significant changes in the circumstances or details of an offender e.g. reoffending and reconviction, receiving a further Order/Licence, non-compliance, breach, recall or where there are increased concerns about risk.

Work Plan Reviews
The vehicle for identifying and demonstrating progress in a case is the review of plans which shall be carried out at the required intervals. Each review of plans shall be preceded by a thorough review/amendment of risk assessments followed by a review of S.M.A.R.T objectives which should:

- clearly reflect the offender’s view of progress toward achievement of all supervision targets and/or otherwise;
- reflect the supervisor’s judgment of progress toward achievement of each supervision target and/or otherwise;
- take account of feedback from all other parties concerned;
- where appropriate, identify barriers to resolving practical problems which remain unresolved together with intended new approaches;
- describe any progress in terms of personal development;
- describe any learning/training opportunities undertaken and their impact;
- describe any regular leisure, social, educational/training, spiritual activities engaged in and how these have assisted strengthening of the social support network;
- comment on known current associations and how these have enhanced or militated against progress;
- describe any improvement or deterioration in family/social relationships
- describe any participation in, and impact of, offending behaviour activities including victim awareness elements; and
- evaluate overall progress/deterioration against any changes in levels of assessed risks.

Each review shall directly inform the revised plan for the next period of supervision. If it is a final review, the offender and all relevant others should be engaged in setting plans for sustaining personal development and staying offence free beyond the period of supervision.

If during the currency of an Order/Licence the offender receives a new Probation Order or a Combination Order the workplan shall be reviewed forthwith and amended to take account of the new convictions(s) and applying the quality measures set out above.

Standard 3.6
Continuity of supervision is essential. Unless properly managed, transfer of supervision has the potential to disrupt continuity and cause any gains made in terms of offender progress to be undermined or lost altogether.
All transfers of supervision should be well informed, properly planned and have the written authority of the managers at both the sending and receiving locations. Transfers shall be informed by:
- thorough exploration of (and recording of) the reasons for transfer with the offender;
- consultation with the (sending) Area Manager;
- exploratory discussions/correspondence with the receiving location;
- thorough review and updating of risk assessments on PBNI Case Management System;
• a transfer summary in the form of a review and updating of current supervision plans;
• where practicable, a meeting of all relevant parties; and
• transfer of a complete and up to date record on the PBNI Case Management System and relevant paper file.

Consideration should always be given to a trial arrangement with a timetable for deciding whether or not to confirm the transfer.

**Standard 3.7**
Before an Order/Licence supervised in the community terminates a final Review RMM must take place to discuss the risks posed by the offender particularly in view of PBNI supervision ending. If the assessment is that the offender still poses a Risk of Serious Harm this decision shall be formally communicated in writing to other relevant agencies.

The final Review RMM decisions shall be recorded on the RMI on the PBNI Case Management System. The RMM must also consider what actions should be taken or information passed on to assist other agencies/individual manage the continuing risk of serious harm posed by the offender.

**4. Contact**

**Standard 4.1**
The Standard requires at least planned weekly contact until such time as the assessed risk of serious harm has diminished to a point where less frequent contact can safely be agreed at a Review RMM. A contact which counts toward the Standard is defined as a face to face meeting with the offender in connection with the workplan (with an interpreter present if necessary).

One contact per month shall be at the offender’s place of residence. The frequency of home visiting shall be determined as part of the workplan and not influenced by whether the offender wishes to receive visits at home.

Home visits, including where required, unannounced home visits, are important elements in the management of Risk of Serious Harm offenders and shall take place in all but the most exceptional circumstances. Where there are concerns about personal safety these should be addressed with the Area Manager in accordance with the relevant PBNI Policies and Procedures\(^1\) and the objectives of any Risk Management Plan. Agreed actions to address the concerns, including accompanied home visits, shall be recorded in the PBNI Case Management System and re-assessed as part of the review process for the case.

During the planned absence, or prolonged other absence, of the supervising officer active supervision in connection with the workplan shall be maintained by the pair officer or other designated officer.

Standard 4.2
Planned contact shall continue as 4.1 above until such time as the assessed level of risk has diminished to a point where less frequent contact can safely be agreed at a Review RMM. The actual frequency of contact shall have regard to an updated risk assessment.

The frequency of planned contact shall be consistent with the assessed risk of serious harm and likelihood of reoffending and shall not reduce unless it has been agreed at a Review RMM that a reduction is both appropriate and safe to consider. Where an offender is considered by a Review RMM to pose a Risk of Serious Harm a reduction to less than weekly contact shall not be considered.

5. Enforcement.

Enforcement - General Guidance.

The overall purposes of the enforcement process are to:

• ensure that the offender complies with the requirements and conditions of the Order/Licence so that courts and the public may have confidence in PBNL management of offenders in the community;
• set clear and fair boundaries which the offender understands; and
• secure and maintain the co-operation and compliance of the offender in order to ensure a successful completion of the Order/Licence.

The grounds for enforcement action to be considered are:

• failure to comply with any of the requirements/conditions of the Order/Licence;
• failure to report to any place or person as required by the supervision plan;
• failure to notify change of address;
• reporting whilst under the influence of alcohol, drugs or other substance;
• failure to co-operate with arrangements for completion of an additional requirement(s) condition(s) of licence;
• gross misconduct in relation to staff, and/or other service users. This may include verbal abuse, sexual harassment, threats of or actual violence, sexism, racism or sectarianism;¹ and
• persistent low level misconduct such as unacceptable language;

Standard 5.1
An apparent failure to report is where the supervising probation officer does not have prior knowledge of why an offender has failed to keep an appointment.

Changes of appointments requested by an offender should normally only be agreed to enable him/her to attend important family occasions such as weddings and funerals of close relatives, religious events, attend urgent medical appointments or to deal with a family crisis.

¹ NB. Issues of sexism, racism or sectarianism must be addressed whether, or not, people are present who may find such behaviour objectionable.
Where a supervising officer agrees to a changed appointment at the request of an offender and, the changed appointment still enables the contact requirement to be met, this should not be recorded as a failure to report. However if the changed appointment is agreed and this prevents the contact requirement being met then this shall be recorded on the PBNI Case Management System as an acceptable absence.

**Standard 5.2**

It is essential to avoid delay in the enforcement process especially in Risk of Serious Harm cases. Whenever an offender has failed to comply with the requirement or condition of the Order/Licence/Licence contact with the offender shall be direct, either by home visit or by telephone.

For actions to follow up apparent violations of Electronic Monitoring requirements refer to Section 18 of this manual.

**Standards 5.3, 5.4**

With any form of enforcement consideration and/or action the supervising officer should be aware of the importance of being able to justify his/her decisions or actions in a court or recall hearing at a future date. The rationale for enforcement decisions and actions should be capable of being verified by reference to the case record on the PBNI Case Management System.

Any failure or misconduct which leads to enforcement action being considered must be clearly recorded setting out the context, failure and/or misconduct and the reasons why the behaviour was deemed to be unacceptable. The record should show that that the offender was invited to give an explanation for their behaviour and if given what that explanation was.

Whilst reasons related to individual failures may be deemed to be acceptable the supervising officer must be alert to a pattern of ‘acceptable reasons’ emerging. Such a pattern must be generally regarded as unacceptable in itself and the offender must be challenged and strongly urged to improve his/her level of compliance.

Failures to comply that do not have prior permission should only be deemed acceptable if the reasons given meet one or both of two criteria which are that the reasons were **urgent and/or unpredictable**. The onus shall be on the offender to substantiate the explanation proffered.

The advice of the Area Manager must be sought in those occasional circumstances where explanations for failure to comply, such as personal safety concerns resulting from threats, are offered by the offender. In some cases it may be possible and appropriate to arrange contact at another PBNI premises.

There are occasions such as severe weather conditions, public transport strikes or civil unrest when it may not be possible for some offenders to report to a particular probation office. In such circumstances the Area Manager should be consulted to make a determination as to whether, or not, the circumstances warrant acceptable absences in particular cases or, alternatively, whether continued contact could be maintained by temporary arrangements.
Absences by reason of the individual being in custody shall not be recorded as acceptable. The supervising probation officer shall liaise with the PBNI department within the relevant custodial institution to make arrangements whereby he/she is kept informed about developments including release. It should be recorded on the PBNI Case Management System that the offender is in custody and that attendance will resume immediately following release.

**Breach Proceedings - General Guidance**

The supervising probation officer shall make every effort to achieve the compliance of the offender to the requirements or conditions of the Order/Licence. However, there is no legal requirement to give an offender any warnings for poor cooperation and/or unacceptable conduct before taking breach/recall action. Whether prior warnings are given and the speed with which action is taken will depend on the assessed risk of serious harm and likelihood of re-offending.

Among the grounds for considering breach action by warrant/urgent recall are:

- the offender’s behaviour causes concern about the risk of serious harm to others;
- gross misconduct occurs;
- contact with the offender is lost and it is unlikely that contact will be renewed quickly as when the offender’s whereabouts is unknown;
- a Risk of Serious Harm offender fails to keep his/her first appointment; and
- a Risk of Serious Harm offender, at any time, fails to report and then does not respond to request for an explanation.

In other circumstances, among the grounds for considering breach action by summons or non-urgent recall are if the offender:

- fails to comply having received two previous warnings in any twelve month period of supervision;
- persistently avoids working towards completion of the work plan;
- consistently participates in an unacceptably low level in the context of additional requirements/conditions.

**Standard 5.5**

In the case of recall the offender shall be informed of the decision in writing after the recall has been effected.

For a Community Order or Article 26 Licence this letter should advise the offender that willingness to adhere to requirements of a renewed supervision plan may help when he/she returns to court, but that any decision about sentence for breach or where applicable, revocation of an Article 26 Licence, is a matter for the court. The offender shall be offered one further appointment to take up renewed contact. If the offender does not turn up or provide a satisfactory explanation for not keeping the appointment, then a further letter shall be sent stating that no further appointments will be offered unless he/she renews contact on his/her own initiative. The re-establishment of contact with the

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1 See Northern Ireland Standards Section 18.
offender shall not be considered grounds for withdrawing breach proceedings but shall be made known to the court at the breach hearing. If the offender re-establishes contact and again fails to comply with any of the requirements of supervision, then subsequent supervision should cease until after the breach court hearing.

Standard 5.6
If a failure to comply could result in serious harm to others or the offender, the supervising officer must discuss this with the Area Manager without delay with a view to agreeing any immediate actions required to protect others or the offender.

The provisions of Standards 5.1 through to 5.5 shall be circumvented if the supervising officer or the Area Manager has reason to believe that public safety, the safety of the offender or of PBNI staff may be endangered. If concerned about safety issues the supervising officer shall consult with the Area Manager without delay or with an ACO in the absence of the Area Manager.

If after consultation a decision to breach without prior warning is taken that decision shall normally be accompanied by a decision to seek a warrant for the immediate apprehension of the offender. In Determinate, Extended or Indeterminate Sentences a request for urgent recall shall be considered. In these circumstances the record shall show that consultation took place including the agreed reasons for the decision to breach/recall without prior warning. The relevant ACO shall be advised of the decision reached and of the action taken.

Voluntary Case.

Where the offender is subject to voluntary supervision and fails to comply with the agreed contract of supervision and where in a statutory case enforcement action would have been invoked, the following actions shall be taken:

1. Review and reaffirm the supervision contract with the offender within 5 days of non-compliance
2. If 1. is not achieved consult the Area Manager with a view to deciding whether voluntary supervision should continue.
3. If a decision is taken to discontinue supervision, then the RMM and other relevant agencies and individuals, as appropriate, shall be informed of the decision and the reasons especially in relation to any immediate actions concerning risk of serious harm.
Standard 5.7
Breach Reports should contain the following details:

- name, date of birth and address of the offender;
- name of the court which made the Order/ Licence (Article 26);
- length of the Order/Licence(Article 26); and the date the Order/Licence(Article 26); was made;
- additional requirement, condition of licence (Article 26), where relevant
- offence for which the Order/Licence was made; (A summary of police facts extracted from Statement of facts or depositions)
- verified information about any further offence with which the offender has been charged and/or convicted;
- reasons for breach action;
- the date the breach was initiated;
- an up to date account of the offender’s responses to supervision during this Order/Licence(Article 26);, which outlines progress or otherwise toward planned objectives, levels of cooperation/conduct, together with the number of planned contacts and actual appointments kept;
- details of circumstances leading up to the breach and actions taken by the supervising officer and/or others;
- any known circumstances which may have contributed to the offender’s non-compliance; and
- a proposal to the court for an immediate sentencing disposal with the Order? Licence (Article 26); continuing or, for an adjournment to enable a PSR to be prepared before re- sentencing.

The breach report shall be accompanied by the file copy of the original Order/Licence, copies of the appropriate correspondence with the offender, relevant extracts from the Order/Licence contacts on the PBNI Case Management System and any other evidence pertinent to the allegation of breach.

The breach ‘package’ should be kept up to date with evidence of occurrences which post date the issue of the warrant/summons. The updated breach package shall be made available at least two days prior to the court hearing in the case of a summons or held in readiness for immediate submission as and when a warrant is executed.

Where recall of a person subject to a Determinate, Extended or Indeterminate Sentence has been initiated refer to Section 19 of the Northern Ireland Standards for details of the recall report.1

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1 See Northern Ireland Standards Section 19.
Standard 5.8
Very occasionally, for unforeseen reasons, an offender’s situation changes to such an extent that he/she is unable, rather than unwilling, to comply with reporting requirements of the Order/Licence over an extended period of time. Examples of this may be that the offender:

- has unexpectedly had to undertake **sole responsibility** for the care of a **severely incapacitated** close relative which would render office based reporting impossible;
- has been certified sick by a **doctor** and is unable to respond to instructions for an extended period of time; or
- is admitted to hospital as an in-patient and the recovery period is forecast by **doctors** to be a very lengthy one.

If such, or like, circumstances extend beyond a continuous period of six weeks or, are repeated intermittently over a period of eight weeks and there is no indication of the situation easing, then the Order/Licence (Article 26 only) should be returned to court with a view to revocation. Revocation in such circumstances should be because the Order/Licence (Article 26 only) has become unworkable and the court should be invited to deal with the case on a ‘no fault’ basis.

For those subject to a Determinate, Extended and Indeterminate Sentence refer to Section 19 Northern Ireland Standards.¹

Standard 5.9
The supervising probation officer shall discuss with the Area Manager, or relevant ACO in his/her absence, the efforts made to establish the whereabouts of the offender and actions required to protect others including the processing of a warrant or requesting an urgent recall where agreed. There may be situations where, due to the risk of serious harm, immediate action to process a warrant or make a request for recall has to be considered and the supervising officer shall discuss the situation with the Area Manager/ACO as soon as he/she has reason to believe the offender has changed address without prior approval or notification.

Breach Proceedings at Court- General Guidance

The purpose of breach action is to return the offender to court for the breach to be heard and, if proven, to be properly sentenced. The probation officer prosecuting the breach should make a proposal for the breach to be marked by imposition of a specific sentence such as a fine, community service or re-sentencing. For a probation officer to propose an adjournment as a means of dealing with a breach is not acceptable practice except where circumstances suggest that a short adjournment to test the offender’s motivation may be reasonable before the court decides on sentence for the breach.

Following proof of a breach, an offender should not be regarded as suitable for continuation of supervision in the community unless he/she has demonstrated willingness to cooperate in the future. It is essential for the supervising probation officer to take into account any increased concerns relating to the Risk of Serious Harm to Others as a result of the non compliance when indicating to the court whether the Order/Licence can continue to be managed safely in the community. It may be

¹ See Northern Ireland Standards Section 19..
appropriate in these circumstances for an adjournment to be requested to facilitate a full PSR to be completed before giving such an indication to the court.

Assessment of willingness to continue supervision should always involve an interview with a probation officer.

Where an offender has been sentenced for breach and community supervision has been allowed to continue, supervision should cease immediately and further breach action initiated if the offender fails to comply again without acceptable reason. A second breach should invariably result in an application for revocation of the Order/Licence and re-sentencing.

For those subject to a Determinate, Extended or Indeterminate Sentence refer to Section 19 Northern Ireland Standards.¹

6. Recording

Standard 6.1
It is the responsibility of the supervising officer to ensure that a full set of documents is held electronically on the PBNI Case Management System or, where appropriate, in the paper file in keeping with the stage of supervision and the nature of the case. Documents shall only be considered complete/up to date if they bear the signatures required and that all entries are dated.

Standard 6.2
A case record on the can only be considered to be up to date if the documentation and Order/Licence contacts on the PBNI Case Management System are fully completed and reflect progress, or lack of progress, towards achieving work plan and Risk Management Plan objectives. The entries shall be relevant, accurate and understandable.

Standard 6.3
The approved PBNI colour coding of paper files should be applied as follows:

- Risk of Serious Harm
  (If also Schedule 1 offence against Children) = Yellow file cover
  (Add White tab)

- Sex Offender (not Risk of Serious Harm)
  (If also Schedule 1 offence against Children) = Red file
  (Add White tab)

- All other cases
  (If also Schedule 1 offence against Children) = Blue file
  (Add White tab)

The probation officer shall inform the relevant administrative staff if and when a change to the status of a case requires a change to the PBNI colour coding of the paper file.

¹ See Northern Ireland Standards Section 19 (sub section 9).
7. Additional Requirements.

**Standard 7.1**  
Ideally the PSR writer will have ascertained the likely start date of an approved programme, intervention, prior to proposing to the Court that an offender participate in the programme. Any delay in the offender commencing an approved programme/intervention shall be recorded on the PBNI Case Management System together with a clear explanation for the delay as well as actions that may need to be taken to ensure compliance with the additional requirement/condition.

**Standard 7.2**  
The person with responsibility for delivering the accredited programme shall keep a record of the offender’s:
- attendance/non-attendance;
- participation levels in the programme;
- behaviour when attending;
- achievements and progress; and
- attitudes to staff and other participants

In Risk of Serious Harm cases participation in and responses to the content of approved programmes shall be recorded on a session by session basis and communicated to the supervising officer on a weekly basis. Where concerns about non-attendance and/or lack of satisfactory response have been noted communication with the supervising officer shall be notified forthwith by telephone.

**Standard 7.3**  
When the offender completes or leaves a programme the person with responsibility for delivering the programme shall summarise the offender’s participation and achievements, covering the required details set out in 7.2 above. This summary shall be shared with the offender and recorded/signposted on the PBNI Case Management System.

8. Review Risk Management Meetings(Review RMMs)

**Standard 8.1**  
As stated in standard

**Standard 8.2**  
As stated in standard

**Standard 8.3**  
As stated in standard

**Standard 8.4**  
As stated in standard
9. Closure

Standards 9.1
As stated in standard

Standard 9.2
It is the responsibility of the practitioner to:

• establish that the Order/Licence is indeed time expired or otherwise amenable to closure;
• carry out a final review of the case and enter a final summary on the PBNI Case Management System. It is good practice for the final summary to include, where appropriate, the offender’s plans for sustaining personal development, general progress and remaining offence free beyond the period of the Order/Licence;
• ensure that the appropriate section of the approved monitoring form is completed
• update the PBNI Case Management System;
• ensure that the case record on the PBNI Case Management System (and paper file where appropriate) contains a full set of relevant documents;
• strip the record of all duplicated materials;
• if the offender is still on the sex offender register, notify new Designated Risk Manager and LAPP Chair of the date that PNI supervision will cease.

Standard 9.3
Within a further 5 days it is the responsibility of the Area Manager to:

• concur that the Order/Licence has been completed;
• agree that the PBNI Case Management System record (and Paper file) has been properly completed and prepared for closure;
• ensure the Risk of Serious Harm ‘Risk tab’ on the PBNI Case Management System remains active if the final RMM has decided that the offender still poses a risk of serious harm;
• require any remedial actions by the supervising officer if that is appropriate;
• ‘sign off’ and date record on the PBNI Case Management System;
• give instructions for administrative action on packaging, tabbing and storage of any paper file in keeping with the approved colour recognition code: and paper case records and documentation in accordance with PNBINI’S Retention and Disposal Policy.
• ensure that the appropriate section of the approved monitoring form is completed and forwarded without delay to the PNBNI Information and Research – and closure entered in the PBNI Case Management System.
The Supervision of Sex Offenders (whether or not they are listed under PBNI Risk and Dangerousness Policy)

Introduction

1. Legislation

Four pieces of legislation have relevance to the supervision and management of sex offenders. These are:

- The Criminal Justice (Northern Ireland) Order 1996;
- The Sex Offender Act 1997;
- The Sex Offender (Northern Ireland) Order 1998; and
- The Sex Offences Act 2003.

2. Applicability

These Standards are based on the core Probation Order Standards and are applicable to the supervision of all offenders who have, on conviction of a sexual offence(s), been made subject to a Probation Order, a Combination Order, a Custody probation Order, released from prison on Statutory Licence or have been designated as an “Inescapable Voluntary” case.

3. PBNI Strategy for Working with Sex Offenders

PBNI will work in partnership with other statutory and voluntary agencies and with local communities to develop initiatives for the prevention of sexual abuse to children and adults.

PBNI will work in partnership, within MASRAM policy and procedures, with the Police Service, Health and Social Services Trusts and the Prison Service to assess and manage the risks posed by individuals who are suspected of, charged with or convicted of sexual offences.

PBNI will work in partnership with the relevant agencies to develop child protection and family support services for the families of individuals who have committed sexual offences.

PBNI will work in partnership with other relevant agencies to deliver accredited programmes to offenders in prison and the community and who meet with the eligibility criteria.

PBNI will discharge its individual responsibilities with the overriding aim of the protection of children and adults.
PBNI will work with offenders to increase their motivation to take responsibility for their offending and of their recognition of harm done to their victims.

PBNI will ensure that staff undertaking work with sex offenders are appropriately trained, supervised and supported.

4. **The Community Sex Offender Groupwork Programme (CSOGP)**

4.1 The CSOGP is a programme designed to reduce re-offending by adult male sex offenders. The programme is accredited and approved by the Home Office and has been comprehensively researched. Research has shown that the programme has had a significant impact on reconviction with sexual offenders.

4.2 To be accepted as a participant in a CSOGP an offender must meet all of the following eligibility criteria.

- male and over 21 years of age;
- have an intelligence quotient of 80 or greater; and
- have committed sexual offences against children and/or adults.

*NB: CSOGP is not suitable for offenders who have severe alcohol, drug abuse or mental health problems. Neither is CSOGP suitable for persons with a severe hearing impairment.*

4.3 Offenders assessed as having a high likelihood of re-offending or who pose a high risk of harm to others are not considered suitable for a CSOGP unless there is a statutory requirement in the Order or Licence which strictly curtails the liberty of the offender. Eg; a residential condition and/or curfew requirement.

4.4 The outline of the CSOGP is as follows:

High and medium risk offenders are required to complete the whole of the programme set out below.

- Induction (50 hours) - 11 weeks
- Cycles and cognitive distortions - 13 weeks
- Relationships and attachment styles - 13 weeks
- Self management and interpersonal skills - 15 weeks
- The role of fantasy in offending - 11 weeks
- Victim empathy - 12 weeks
- Relapse prevention - 12 weeks

**Total** - **87 weeks**

Low risk offenders are required to complete the induction module followed by a separate relapse prevention programme of 20 weeks duration.
Because a full programme has a duration of 87 weeks it is desirable for Orders to be long enough for completion of the programme followed by a substantial period of post programme supervision and monitoring within the bounds of the Order.

4.5 Availability of the programme. The CSOGP is available to offenders who are resident in any area of Northern Ireland. Presently the programme is delivered at sites in Belfast, Londonderry and Omagh.

The programme is delivered by facilitators from a range of agencies including probation officers, social workers and nurse therapists.

4.6 Progress reporting. Progress reports in individual cases may be provided to individual sentencers on request.
The Supervision of Sex Offenders (whether or not they are listed under PBNII Risk and Dangerousness Policy)

Performance Standards

1. Registration of Sex Offenders

1.1 In all cases where the offender has been required to ‘register’ under the terms of the Sex Offender Act (1997) the supervising officer shall act as and when required in accordance with the terms of the relevant PBNII internal and external protocols.

1.2 All Sex Offenders supervised by PBNII shall be referred to the Multi Agency Sex Offender Risk Assessment and Management Panel in line with protocols and procedures contained within the Multi Agency Sex Offenders Risk Assessment Management Manual.

2. Induction

2.1 An induction interview shall be arranged to take place within 5 days of sentence and recorded on the approved document.

3. Serving the Order

3.1 The Order shall be served on and signed and dated by the offender within 5 days of it being received from the Court.

4. Supervision Planning

4.1 A detailed workplan shall be agreed with the offender within 15 days of the Order being made.

4.2 By the end of the first 16 weeks the workplan shall be reviewed with the offender, and a subsequent plan agreed.

4.3 Further reviews and subsequent plans shall be completed thereafter at no more than 16 week intervals.

4.4 All reviews and subsequent plans shall be signed and dated by the Probation Officer and the offender.

4.5 When supervisory responsibility is transferred, a transfer summary shall be entered in the case record prior to the transfer taking place.
5. **Contact**

5.1 Contact with the offender shall be planned at, at least, weekly intervals, inclusive of one home visit per month until the first review. In addition, there shall be at least one further contact per month at the offender’s place of residence which shall be unannounced. An interpreter should be employed if required.

5.2 During the second period of supervision, frequency of contact shall be determined in accord with assessed risks and the degree of progress made toward achievement of supervision targets. Planned contact for the period shall normally not be less than two weekly intervals and shall include at least one home visit during the period. **Additionally an unannounced visit to the offender’s place of residence shall be made at least once per month.**

5.3 Thereafter frequency of contact shall be determined according to assessed risks and the degree of progress toward achievement of supervision targets. Planned contact during the third and subsequent periods of supervision shall be no less than at monthly intervals and shall include one home visit during each period of supervision. Additionally an unannounced visit to the offender’s place of residence shall be made at least once per month.

6. **Enforcement**

6.1 On each and every occasion that an offender apparently fails to comply with the requirements of the Order, the apparent failure shall be entered into the Record of Enforcement.

6.2 When the offender apparently fails to comply with the requirements of the Order, the supervising officer shall respond within 2 working days by:

   (a) a home visit;
   (b) a telephone call; or
   (c) by sending a letter by first class post.

The purpose of this action is to secure an explanation for his/her apparent failure.

6.3 The offender shall be given no more than 5 working days to offer an explanation.

6.4 The reason for the apparent failure shall be considered by the supervising officer and recorded as acceptable or unacceptable.

6.5 If the supervising officer deems that an explanation for failure to comply is unacceptable or when no explanation is forthcoming by the date required, the following action shall be taken:
6.5.1 First unacceptable failure in any 12 month period of supervision – formal warning in writing with appropriate entry in the Record of Contact.

6.5.2 Second unacceptable failure in any 12 month period of supervision – final warning in writing with appropriate entry in the Record of Contact.

6.5.3 Third unacceptable failure in any 12 month period of supervision – breach proceedings shall be initiated within 10 days and an entry made in the Record of Contact.

6.6 The offender shall be notified by recorded delivery letter that breach proceedings have been initiated.

6.7 If a failure to comply could result in danger to the public or the offender, breach proceedings shall be initiated without recourse to prior warning. Reasons relating to a decision to proceed without prior warning must be entered in the case record.

6.8 When either a warrant or summons has been issued the supervising officer shall prepare a breach report, immediately, in readiness for the court hearing.

6.9 If at any stage of an Order it proves to be unworkable then an application shall be made for revocation of the Order.

7. **Record Keeping**

7.1 The case record shall contain a full set of documents consistent with the stage of supervision and the nature of the case.

7.2 The record shall be kept up to date i.e. entries shall be made no later than 5 working days after an occurrence.

7.3 Approved colour coding of documents and colour coding and tabbing of file covers shall be maintained.

8. **Additional Requirements**

8.1 An offender who is required to attend an approved programme as a requirement of an Order should commence that programme as soon as arrangements can be made but no later than 12 weeks after sentence.

8.2 The offender’s attendance at and participation in the programme shall be recorded.

8.3 On completion of an approved programme, a summary describing the offender’s participation and achievements within the programme shall be entered into the case record.
9. **Closure of Case Record**

When an Order is time expired, or is terminated early, the case record shall be closed in accord with PBNI Retention and Disposal Schedule.
The Supervision of Sex Offenders (whether or not they are listed under PBNI Risk and Dangerousness Policy)

Service Requirements

Set out below are the Service Requirements for ensuring that in working to Probation Order Standards (in statutory cases and those which have been determined by the agency as inescapable voluntary cases) a credible and high quality level of supervision is provided.

Where practicable the offender shall be seen before leaving court on the day of sentence and provided with the name, office address and telephone number of the supervising officer. The offender shall be given a written instruction to attend an interview with the supervising officer at a stated time on a given date which shall be no more than 5 days after the date of sentence. The offender shall be required to sign a copy of the written instruction. If it has not been possible to meet with the offender before he/she leaves court then the relevant field office shall be advised that same day of the need to contact the offender to arrange the induction interview.

Standard 1.1

It is the responsibility of the supervising officer to familiarise himself/herself with the requirements of the relevant protocols.

Standard 1.2

All Sex Offenders under PBNI supervision shall be referred to the Multi-Agency Sex Offenders Risk and Assessment and Management Panel in line with protocols and procedures contained in the Multi Agency Sex Offenders Risk Assessment and Management Manual.

Standard 2.1

At the induction interview the offender shall be provided with a clear explanation of the following aspects of the Order and supervision of the Order.

- the conditions of the Order as they apply to the offender;
- the intended programme of supervision including the demands that this will make on the offender;
- what constitutes, and the consequences of, unacceptable behaviour including the possibility of breach proceedings;
- procedures to revoke/amend the Order including the right of the offender to make application;
- what the offender can expect from the Probation Service during the period of supervision in relation to fair and just treatment, confidentiality of information, etc; and
- complaints procedure with regard to service delivery by probation staff.

The offender shall also be issued with a copy of the complaints procedure.

Before the interview is terminated the offender shall be asked to sign and date the approved Record of Induction Interview signifying that he/she understands the same. If the offender declines to sign the document the supervising officer shall write a declaration to this effect on the Record of Induction Interview.

**Standard 3.1**

The supervising officer, or a substitute, shall when serving the Order issue a copy to the offender and require the offender to sign and date the file copy of the Order as evidence that the offender:

- understands the conditions and requirements of the Order; and
- has received a copy of the Order.

If the offender declines to sign as requested the officer serving the Order shall write a declaration to this effect on the file copy of the Order.

*If the Order has not been received from the Court within 10 days of sentence the supervising officer shall ensure that enquiries of the Clerk of the Court are made with a view to having the issue of the Order expedited. If the Order has still not been received by the 15th day after sentence the supervising officer shall advise the Area Manager so that a formal written request may be forwarded to the Clerk of Court.*

**Standard 4.1**

Supervision plans shall reflect the outcomes of initial and subsequent assessments and shall:

- include a child protection strategy where relevant;
- be solution oriented; and
- build on the identified strengths of the individual;

Plans should have S.M.A.R.T. objectives which are prioritised in terms of managing risk of harm; and managing the likelihood of re-offending by:

i) resolution of practical/survival issues;
ii) pursuit of personal development needs;
iii) building/strengthening social support networks;
iv) challenging offending behaviour and anti-social attitudes; and
• have identified stages marking for progress toward individual objectives;
• have a specific victim awareness focus;
• detail frequency, nature and places of planned contact with the offender;
• spell out reasons for variation/maintenance of contact arrangements;
• be written in the first person, stating what the offender agrees to do;
• identify the nature and level of guidance, assistance, support and/or service to
  be provided by the supervising officer, other PBNI personnel, and/or persons
  who have been co-opted by the supervising officer;
• set out the role and contributions of family* or other significant person(s) in
  terms of actively assisting the offender’s progress;
• set out specific objectives to secure the successful completion of additional
  requirements where these exist;
• include feedback arrangements for receiving progress reports from all
  agencies/persons concerned including the offender;
• state the number of the review;
• include the date by which the supervision plan will be reviewed; #
• include a relapse strategy; and
• include the date the current review and revised plan were agreed together with
  the signatures of all parties concerned.

* In the case of a young offender the active participation of parent(s), or responsible adults, is critical to
  the promoting of improved parental influence and control beyond the period of statutory supervision.

**Standards 4.2, 4.3 and 4.4**

The vehicle for identifying and demonstrating progress is the review of plans which shall
be carried out at the required intervals. Each review of plans shall be preceded by a
thorough review/amendment of risk assessments followed by a review of S.M.A.R.T.
objectives which should:

• clearly reflect the offender’s view of progress toward achievement of all
  supervision targets and/or otherwise;
• reflect the supervisor’s judgment of progress toward achievement of each
  supervision target and/or otherwise;
• take account of feedback from all other parties concerned;
• where appropriate, identify barriers to resolving practical problems which remain
  unresolved together with intended new approaches;
• describe any progress in terms of personal development;
• describe any learning/training opportunities undertaken and their impact;
• describe any regular leisure, social, educational/training, spiritual activities
  engaged in and how these have assisted strengthening of the social support
  network;
• comment on known current associations and how these have enhanced or
  militated against progress;
• describe any improvement or deterioration in family/social relationships;
• describe any participation in, and impact of, offending behaviour activities including victim awareness elements; and
• evaluate overall progress/deterioration against any changes in levels of assessed risks;
• reflect the content of the MASRAM Action Plan, if applicable.

Each review shall directly inform the revised plan for the next period of supervision. If it is a final review, the offender and all relevant others should be engaged in setting plans for sustaining personal development and staying offence free beyond the period of supervision.

If during the currency of the Order the offender receives a new Probation Order or a Combination Order the workplan shall be reviewed forthwith and amended to take account of the new conviction(s) and applying the quality measures set out above.

**Standard 4.5**

Continuity of supervision is essential. Unless properly managed, transfer of supervision has the potential to disrupt continuity and cause any gains made in terms of offender progress to be undermined or lost altogether.

All transfers of supervision should be well informed, properly planned and have the written authority of the managers at both the sending and receiving locations. Transfers shall be informed by:

• thorough exploration of (and recording of) the reasons for transfer with the offender;
• consultation with the (sending) Area Manager;
• exploratory discussions/correspondence with the receiving location;
• thorough review and updating of risk assessments;
• a transfer summary in the form of a review and updating of current supervision plans;
• where practicable, a meeting of all relevant parties; and
• transfer of a complete and up to date case record.

Consideration should always be given to a trial arrangement with a timetable for deciding whether or not to confirm the transfer.
**Standard 5.1**

The Standard requires at least planned weekly contact during the first 16 weeks of supervision. A contact which counts toward the Standard is defined as a face to face meeting with the offender in connection with the workplan.

During the planned absence, or prolonged other absence, of the supervising officer arrangements shall be made to ensure continuity of active supervision in connection with the workplan.

At least one other planned contact per month during the first 16 weeks of supervision shall be at the offender’s place of residence. In addition an unannounced visit shall be made to the offender’s place of residence each month. The frequency of home visiting and unannounced visits shall be determined as part of the workplan and not influenced by whether the offender wishes to receive visits at home. If offender is on sex offender register, consideration should be given to joint visit with PSNI.

Staff may have understandable concerns when required to visit high risk offenders in their homes. Never-the-less, arrangements should be made to facilitate home visits to take place in all **but the most exceptional circumstances**. On a case by case basis an Area Manager shall consider whether to approve accompanied home visits. That is the supervising officer accompanied by a colleague. If sanctioning accompanied visits in a particular case the Area Manager shall make a signed and dated entry in the case record stating his/her reasons for the decision. The Area Manager shall review the decision from time to time and not less frequently than at 16 weekly reviews of risk assessments.

In all cases the supervising officer should feel comfortable about consulting the Area Manager as to whether special arrangements to safeguard the well being of the supervising officer are needed particularly in connection with home visiting.

When any sex offender is attending an accredited programme, planned contacts between the offender and his/her supervisory officer shall also be arranged at appropriate intervals (at least every 4 weeks) for the purposes of review.

**Standards 5.2 and 5.3**

**In no case** shall frequency of contact be planned at less than two weekly intervals, during the second period of supervision, unless the assessed risk of harm is low and the likelihood of re-offending is also low. For planned frequency to be less than two weekly, during this period, the record must also show that all supervision targets are within reach during the remainder of the Order.

If at any point **beyond** the second period of supervision, both risk of harm and likelihood of re-offending are assessed as low, all supervision targets have been met and the offender has remained conviction free, (This must be established by accessing the up to date criminal record of the individual by way of the Criminal Record Viewer) the
supervising officer shall consult the Area Manager with a view to making an application for either variation, or early discharge, of the Order.

During the second and all subsequent periods of supervision, unannounced home visits shall be made to the offender at his/her place of residence at least once per month.

6. ENFORCEMENT - GENERAL GUIDANCE

The overall purposes of the enforcement process are to:

- ensure that the offender complies with the requirements of the Order so that courts and the public may have confidence in PBNI management of community sentences;
- set clear and fair boundaries which the offender understands; and
- secure and maintain the cooperation and compliance of the offender in order to ensure a successful completion of the Order.

The grounds for enforcement action to be considered are:

- failure to report as instructed to any place or person as required by the supervision plan;
- failure to notify change of address;
- reporting whilst under the influence of alcohol, drugs or other substance;
- failure to cooperate with the agreed supervision plan;
- failure to cooperate with arrangements for completion of an additional requirement;
- serious misconduct in relation to staff, and/or other service users. This may include verbal abuse, sexual harassment, threats of or actual violence, sexism, racism or sectarianism; and
- **persistent** low level misconduct such as unacceptable language.

**NB. Issues of sexism, racism or sectarianism must be addressed whether, or not, people are present who may find such behaviour objectionable.**

Failure to Inform Change of Address:

If a supervising officer has reason to believe an offender has changed address without notifying this, all efforts should be made to discover his/her present whereabouts. If knowledge of the offender’s current whereabouts are not established within twenty four hours a recorded delivery letter shall be sent to the offender’s last known address giving instructions for him/her to make contact immediately on receipt of the letter. If the offender’s whereabouts are still unknown on the fifth day (24 hours in the case of an offender who is assessed as having a high likelihood of re-offending and/or is likely to cause harm to others) then breach action shall follow forthwith. If and when the postal service returns the letter as “unknown at this address”, the return letter together with its envelope shall be entered into the breach papers in readiness for the court hearing. A
subsequent report to the court shall include any additional supporting information such as evidence of attempted home visiting, contact with relatives, etc.

**Standard 6.1**

An **apparent failure** to report is where the supervising officer does not have prior knowledge of why an offender has failed to keep an appointment.

Change of appointments requested by an offender should normally only be agreed to enable him/her to attend to **important** family occasions such as weddings and funerals of close relatives or to deal with a family crisis.

Where a supervising officer agrees to a changed appointment at the request of an offender and, the changed appointment still enables the contact requirement of the Standard to be met, this **should not** be entered into the Enforcement Record at all. However, if a changed appointment is agreed and this prevents the contact requirement of the Standard being met then this **shall be** entered into the Enforcement Record as an acceptable absence.

Whilst reasons related to individual failures may be deemed to be acceptable supervising officers must be alert to a pattern of ‘acceptable reasons’ emerging. Such a pattern must generally be regarded as unacceptable in itself. In these circumstances the offender must be challenged and strongly urged to improve his/her level of compliance.

**Standards 6.2 and 6.3**

When an offender has failed to report, and wherever practicable, contact with the offender should be direct, either by home visit or by telephone. Contact by letter is a less desirable option because completion of the enforcement process is delayed. It is important to avoid delays in the enforcement process, in all cases, but particularly in cases which are assessed as high risk.

**Standard 6.4**

Absences that do not have prior permission should only be deemed acceptable if the reasons given meet one or both of two criteria, which are that the reasons were **urgent and/or unpredictable**. The onus shall be on the offender to substantiate the explanation proffered. The advice of the Area Manager must be sought in those occasional cases, such as claims to be under paramilitary threat. In some of these cases it should be possible to arrange contact at another service location.

There are occasions such as **severe** weather conditions, public transport strikes or periods of civil unrest when it may not be possible for some offenders to report to a particular probation office. In such circumstances the Area Manager should make an assessment as to whether, or not, the circumstances warrant acceptable absence in particular cases or, alternatively, whether continued contact could be maintained by a temporary
arrangement. In those cases approved by the Area Manager as acceptable absence the supervising officer shall record this in the usual manner.

Absences by reason of the individual being in custody shall not be classified as acceptable. It should be noted on the contact sheet that the individual is in custody and that attendance will resume immediately following release from custody. It is for the supervising officer to make arrangements whereby he/she is notified of the offender’s release or further imprisonment.

**Standard 6.5**

With any form of enforcement consideration and/or action the supervising officer should be aware of the importance of being able to justify his/her decisions or actions in a court at a future date. The rationale for enforcement decisions and actions should be capable of being verified by reference to the case record.

Any failure or misconduct which leads to enforcement action being considered must be clearly recorded setting out the context, failure and/or misconduct and the reasons why the behaviour of the offender was deemed to be unacceptable. The record should show that the offender was invited to give an explanation and, if given, what that explanation was.

**BREACH PROCEEDINGS – GENERAL GUIDANCE**

The supervising officer shall make every effort to achieve compliance of the offender to the requirements of the Order. However, there is no legal requirement to give an offender any warnings for poor cooperation and/or unacceptable conduct before taking breach action. Whether prior warnings are given and the speed with which action is taken will depend on the assessed risk of harm to others and/or the likelihood of re-offending.

Among the grounds for considering breach action by warrant are if:

- the offender’s behaviour causes concern for the safety of others;
- gross misconduct occurs;
- contact with the offender is lost and it is unlikely that contact will be renewed quickly;
- a high risk offender fails to attend a first appointment; and
- a high risk offender, at any time, fails to report and then does not respond to a request for an explanation.

In other circumstances, among the grounds for considering breach action by summons are if the offender:

- fails to comply having received two previous warnings in any complete twelve month period of supervision;
• persistently avoids working towards completion of the supervision plan; and
• consistently participates at an unacceptably low level in the context of an additional requirement.

**Standard 6.6**

The letter informing the offender that breach proceedings have been initiated should also advise him/her that willingness to adhere to requirements of a renewed supervision plan may help when he/she returns to court, but that any decision about sentence for breach is a matter for the court. He/she should be offered one further appointment to take up renewed contact.

If he/she fails to turn up and does not provide a satisfactory explanation a further letter should be sent stating that no further appointments will be offered unless he/she renews contact on his/her own initiative.

If the offender re-establishes contact and *again* fails to comply with any of the requirements of supervision, then supervision should cease until after the court appearance. The offender should be notified in writing and a copy of the letter included with other breach evidence.

Once a summons or warrant has been issued, the fact that the offender re-establishes contact **shall not** be considered grounds for withdrawing breach proceedings but renewed contact and cooperation shall be made known to the court at the time of the breach hearing.

**Standard 6.7**

The provisions of Standards 6.1 through to 6.5 shall be circumvented if the supervising officer or the Area Manager have reason to believe that public safety, the safety of the offender or of probation staff may be endangered. If concerned about safety issues the supervising officer shall consult with the Area Manager without delay or with an ACO in the absence of the Area Manager.

If after consultation a decision to breach without prior warning is taken that decision shall normally be accompanied by a decision to seek a warrant for the immediate apprehension of the offender. In these circumstances the Area Manager shall record the decision to breach without prior warning in the case record and advise the relevant ACO of the action taken.

*Where the offender is subject to voluntary supervision and fails to comply with the agreed contract of supervision and where in a statutory case enforcement action would have been invoked, the following actions shall be taken:*

(1) review and reaffirm the supervision contract with the offender within 5 days of non-compliance;
(2) if (1) is not achieved consult the Area Manager with a view to deciding whether voluntary supervision shall continue; and

(3) If a decision is taken to discontinue supervision, then the Multi Agency Sex Offender Risk Assessment and Management Panel shall be informed of the decision and the reasons.

**Standard 6.8**

The breach report should contain the following details:

- Name, date of birth and address of the offender;
- Name of the court which made the Order;
- Length of the Order and the date the Order was made;
- Additional requirements made under Article 11 (if any);
- Offence for which the Order was made; (A summary of police facts extracted from depositions)
- Verified information about any further offence with which the offender has been charged and/or convicted;
- Reasons for breach action;
- The date the breach was initiated;
- An up to date account of the offender’s responses to supervision during this Order, which outlines progress or otherwise toward planned objectives, levels of cooperation/conduct, together with the number of planned contacts and actual appointments kept;
- Details of circumstances leading up to the breach and actions taken by the supervising officer and/or others;
- Any known circumstances which may have contributed to the offender’s non-compliance; and
- A proposal to the court for an immediate sentencing disposal with the Order continuing or, for an adjournment to enable a PSR to be prepared before re-sentencing. The court also has the option to revoke the Order and re-sentence for the original offence without further delay.

The breach report shall be accompanied by the file copy of the original Order, copies of the appropriate correspondence with the offender, relevant extracts from the case record and any other evidence pertinent to the allegation of breach.

The breach ‘package’ should be stored in a separate section of the case record and kept up to date with evidence of occurrences which post date the issue of the warrant/summons. The updated breach package shall be made available at least two days prior to the court hearing in the case of a summons or held in readiness for immediate submission as and when a warrant is executed.
BREACH PROCEEDINGS AT COURT – GENERAL GUIDANCE

The purpose of breach action is to return the offender to court for the breach to be heard and, if proven, to be properly sentenced. The probation officer prosecuting the breach should make a proposal for the breach to be marked by imposition of a specific sentence such as a fine, community service or re-sentencing. For a probation officer to propose an adjournment as a means of dealing with a breach is not acceptable practice except where circumstances suggest that a short adjournment to test the offender’s motivation may be reasonable before the court decides on sentence for the breach.

Following proof of a breach, an offender should not be regarded as suitable for continuation of a Community Sentence unless he/she has demonstrated willingness to cooperate in the future. Assessment of willingness should always involve an interview with a probation officer.

Where an offender has been sentenced for breach and the Community Sentence has been allowed to continue, supervision should cease immediately and further breach action initiated if the offender fails to comply again without acceptable reason. A second breach should invariably result in an application for revocation of the Order and re-sentencing.

Standard 6.9

Very occasionally, for unforeseen reasons, an offender’s situation changes to such an extent that he/she is unable, rather than unwilling, to comply with reporting requirements of the Order over an extended period of time. Examples of this may be that the offender:

- has unexpectedly had to undertake sole responsibility for the care of a severely incapacitated close relative which would render office based reporting impossible;*
- has been certified sick by a doctor and is unable to respond to instructions for an extended period of time;
- is admitted to hospital as an in-patient and the recovery period is forecast by doctors to be a very lengthy one.

* Such a proposal should only be made if arrangements can be made on a regular basis to relieve the defendant of the limiting responsibilities to allow a proper response to be made to the requirements of the Order.

If such, or like, circumstances extend beyond a continuous period of six weeks or, are repeated intermittently over a period of eight weeks and there is no indication of the situation easing, then the Order should be returned to court with a view to revocation. Revocation in such circumstances should be because the Order has become unworkable and the court should be invited to deal with the case on a ‘no fault’ basis.

In the event of the offender being re-convicted during the currency of the Order the supervising officer shall seek the advice of the Area Manager as to whether an application to revoke the Order is appropriate in the circumstances.
If permanent changes to an offender’s employment commitments prevent him/her from attending a programme which is demanded by the terms of the additional requirements of the Order, all efforts should be made to accommodate the offender’s attendance. If this proves to be impractical then an application should be made to revoke that particular additional requirement.

PSR writers should be alert to the possibility of a defendant’s circumstances which may prevent him/her responding fully to the requirements of a Community Sentence and should make the court aware of the potential for such an Order to become unworkable. A Community Sentence should not be proposed if contact would be limited to home visiting only.

**Standard 7.1**

It is the responsibility of the supervising officer to ensure that the case record contains a full set of the documents required and that each of those documents is recorded to date in keeping with the stage of supervision. Documents shall only be considered complete/up to date if they bear the signatures required and that all entries and signatures are dated.

**Standard 7.2**

A case record can only be considered to be up to date if the documents together with ‘C’ sheet entries reflect progress or lack of progress toward completion of workplans.

To facilitate easy access to information the supervising officer and any other persons who have reason to make entries in the case record shall take care to make all entries legible and understandable to the reader and contain only relevant information.

**Standard 7.3**

For ease of recognition it is important to maintain the approved colour coding of all documents. It is the responsibility of Area Managers to ensure that administrative systems are in place to ensure that the approved colour coding can be maintained at all times.

It is essential, in every case, that the current assessed level of risk of harm is recognisable at a glance. This can be achieved by adhering to the following colour recognition code and tabbing system.

- **Listed cases** = **Yellow file cover**
  
  (To include sex offenders who have been listed. Apply white tab to top right hand corner of yellow file cover marked **Schedule 1** if appropriate)

- **All other sex offenders** = **Red file cover**
  
  (Apply white tab to top right hand corner of red file cover marked **Schedule 1** if appropriate)

- **All other cases** = **Blue file cover**
If a risk assessment review results in a change of risk level (up or down) it is the responsibility of the record keeper to give clear and immediate instructions to administrative staff to re-house the case record in the correct colour cover, and tabbing, consistent with the revised level of assessed risk of harm and the nature of the case.

When “signing off” a closed case the Area Manager shall give specific instructions to administrative staff to package the closed case record in a plain cover with appropriate coloured tabs.

**Standard 8.1**

Ideally the PSR writer will have ascertained the likely start date of an accredited programme prior to proposing to the court that an offender participate in the programme.

**Standard 8.2**

The person with responsibility for delivering the accredited programme shall keep a record of the offender’s:

- attendance/non-attendance;
- participation levels in the programme;
- behaviour when attending;
- achievements and progress; and
- attitudes to staff and other participants.

**Standard 8.3**

When the offender completes or leaves the programme the person with responsibility for delivering the programme shall enter a summary of the offender’s participation in the case record which is a distillation of the record kept throughout the programme. The summary shall be presented in a format which takes account of the criteria set out at **Standard 8.2.**

**Standard 9**

It is essential that, when an Order is time expired or has been terminated early, the case record is properly closed.

It is the responsibility of the practitioner to:

- establish that the Order is indeed time expired or otherwise amenable to closure;
- carry out a final review of the case and enter a final summary into the planning section of the record. It is good practice for the final summary to include the offender’s plans for sustaining personal development, general progress and remaining offence free beyond the period of the Order;
- update RAS/PIMS;
• ensure that the case record contains a full set of relevant documents;
• strip the record of all duplicated and non-essential materials;
• if the offender is still on the sex offender register, notify new Designated Risk Manager and ASORMC (Area Sex Offender Risk Management Committee) Chair of the date that PBNI supervision will cease and requesting that PSNI assume the DRM Role; and
• submit the completed case record to the Area Manager within 5 days of the termination date of the Order.

Within a further 5 days it is the responsibility of the Area Manager to:

• concur that the Order has been completed;
• agree that the case record has been properly completed and prepared for closure;
• require any remedial actions by the supervising officer if that is appropriate;
• “sign off” and date the record;
• give instructions for administrative action re packaging, tabbing and storage of the record in keeping with the approved colour recognition code; and
• ensure that the appropriate occurrence form is completed and forwarded without delay to the PBNI Information and Research Office.
Curfew and/or Electronic Monitoring (EM) as an Additional Requirement or Condition of Licence

Introduction

1. Legislative authority.

1.1 The legislative base for a Curfew and/or EM as an additional requirement of a Community Order or Condition of Licence is the Criminal Justice (Northern Ireland) Order 2008.\(^1\) A Curfew and/or EM requirement may be made as a:

- Condition of bail;
- A condition of licence under:
  - the Life Sentences (Northern Ireland) Order 2001;
  - Article 46 of the Criminal Justice (Children) (Northern Ireland) Order 1998 (discharge on licence of person sentenced to be detained under Article 45 (2) of that Order);
  - Article 26 of the Criminal Justice (Northern Ireland) Order 1996;
  - Articles 17 and 18 Criminal Justice (Northern Ireland) Order 2008 (relating to release on licence of those subject to Determinate, Extended or Indeterminate Custodial Sentences).
- Additional Requirement of a:
  - Probation order
  - Custody Probation Order;
  - Combination Order;
  - Youth Conference Plan.

1.2 The court has powers to impose a Curfew and/or EM requirement during part or all of the period of supervision of a Juvenile Justice Centre Order.\(^2\)

1.3 A Curfew is defined as:
‘… a requirement that a person remain, for specified periods at a specified place..;’ \(^3\)

EM is defined as:
‘…a requirement for securing the EM of a person’s compliance with other conditions or requirements during a period of 14 days or more....’ \(^4\)

1.4 Consent of the offender is not required for the court to impose a Curfew and/or EM as an additional requirement of a Community Order. Neither is consent required of the offender when such a requirement is imposed as a condition of bail or as a condition of licence.

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\(^1\) Article 35 Criminal Justice (Northern Ireland) Order 2008.
\(^2\) Article 36 Criminal Justice (Northern Ireland) Order 2008.
\(^3\) Article 37 Criminal Justice (Northern Ireland ) Order 2008
\(^4\) Article 40 (1)Criminal Justice (Northern Ireland ) Order 2008

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However, where the co-operation of another person is required to secure EM, this requirement shall not be imposed without that person’s consent.5

2. Applicability

2.1 These Standards shall apply to all PBNI supervised cases where a Curfew and/or EM have been imposed as an additional requirement of a Community Order, or condition of licence. They also apply to the process involved in assessing suitability of an individual for a Curfew and/or EM additional requirement or condition of licence.

2.2 These Standards should be applied in conjunction with other relevant Northern Ireland Standards and Service Requirements, relevant PBNI Guidance Notes, as well as PBNI Policies and Procedures.

3. Purpose

The purpose of Curfew and/or EM is to support the aims and objectives of an individual’s Risk Management and Work Plans. It assists in the process of:
- preventing further offending by limiting movement and reducing opportunity to offend;
- breaking from criminal peer group and activities of persistent offenders;
- promoting positive relationships, especially with family; and
- addressing risk factors such as alcohol/drug abuse and lifestyle instability;

4. Public confidence

4.1 For the courts and the public to have confidence in supervision of offenders in the community both on Community Orders and Licence, PBNI staff must demonstrate that:
- a Curfew and/or EM additional requirement or condition of licence is an integrated component of supervision;
- the offender has been helped to understand, from the outset, what his/her rights and responsibilities are and the consequence of non-compliance with the Curfew and/or EM additional requirement or condition of licence;
- enforcement is fair and at the same time rigorously and consistently applied;

5 Article 40 (2) (b) Criminal Justice (Northern Ireland) Order 2008
Curfew and/or EM as an Additional Requirement or Condition of Licence

Performance Standards

1. Pre Sentence

Standard 1.1
When specifically requested by a court or when considered appropriate by the PSR writer, the defendant’s suitability for a Curfew and/or EM shall be assessed.

Standard 1.2
If the assessment indicates suitability for a Curfew and/or EM, the PSR as an additional requirement or condition of licence, the offender and, where appropriate, relevant others, shall be given a copy of an approved leaflet which explains a Curfew and/or EM.

Standard 1.3
If, in assessing the defendant’s suitability for a Curfew and/or EM, the PSR writer is in any doubt about the technical practicality of securing the monitoring, the Service Provider shall be consulted as to the need for a site survey.

Standard 1.4
The PSR writer shall notify the Service Provider of any relevant risk issues identified in advance of a Site Survey request or installation using the agreed pro forma and contact arrangements.

2. Pre Release

Standard 2.1
If specifically requested by the Parole Commissioners Northern Ireland (PCNI) or Northern Ireland Prison Service (NIPS) or if considered appropriate by the Case Manager, the prisoner’s suitability for a Curfew and/or EM as a condition of licence shall be assessed.

Standard 2.2
Not less than 15 days prior to the release of a prisoner subject to a condition of licence or a Custody Probation Order with a Curfew and/or EM additional requirement, the Case Manager shall confirm that the Service Provider is notified of the release date.

3. Community Supervision

Standard 3.1
The Area Manager shall allocate a supervising officer within 2 days of sentence.

Standard 3.2
The induction interview shall include an explanation of the Curfew and/or EM additional requirement or condition of licence and the consequences for failing to comply with the requirement or condition.

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Standard 3.3
The Curfew and/or EM additional requirement or condition of licence shall be an integrated component of the Work plan.

Standard 3.4
On a weekly basis the supervising officer shall record the offender’s compliance with the Curfew and/or EM additional requirement or condition of licence.


Standard 4.1
Any request from, or on behalf of the offender, for a period of absence must be considered by the supervising officer and a decision made to approve the request or not.

Standard 4.2
Within 24 hours of the request being made the supervising officer shall provide written confirmation of the decision to the offender and Service Provider.

5. Application for Variation

Standard 5.1
Within 5 working days, or sooner if required, where the supervising officer has established that there are grounds for a variation to the Curfew and/or EM additional requirement or condition of licence, he/she shall make an application to the Court or, where appropriate, the NIPS Licensing Unit using the format approved for the purpose.

6. Enforcement

Standard 6.1
On each and every occasion that an offender apparently fails to comply with the Curfew and/or EM additional requirement or condition of licence, the apparent failure shall be entered into the record of enforcement.

Standard 6.2
When the offender apparently fails to comply with the Curfew and/or EM additional requirement or condition of licence, the supervising officer shall respond within 2 days by:

(a) a home visit or
(b) a telephone call

The purpose of this action is to secure an explanation for the offender’s apparent failure.

Standard 6.3
The offender shall be given no more than 2 days to provide evidence to support his/her explanation.
Standard 6.4
The reason given by the offender for the apparent failure shall be considered by the supervising officer and recorded as acceptable or unacceptable.

Standard 6.5
If the supervising officer deems that an explanation for failure to comply is unacceptable or when no explanation is forthcoming by the date required, the following action shall be taken:

6.5.1 First unacceptable failure (in any 12 month period)\(^1\) – formal warning in writing with appropriate entry on the PBNI Case Management System.
6.5.2 Second unacceptable failure (in any 12 month period) – final warning in writing with appropriate entry on the PBNI Case Management System.
6.5.3 Third unacceptable failure (in any 12 month period) – breach or recall proceedings shall be initiated within 10 days and an appropriate entry on the PBNI Case Management System.

Standard 6.6
The offender shall be notified by recorded delivery letter that breach proceedings have been initiated.

Standard 6.7
If a failure to comply could result in a risk of serious harm to the public or the offender, breach or recall proceedings shall be initiated immediately without recourse to prior warning. A full explanation of the reasons relating to a decision to proceed without prior warning shall be entered on the PBNI Case Management System.

Standard 6.8
When either a warrant or summons has been issued, or an urgent recall requested, a breach/recall report shall be completed immediately in readiness for consideration by the court or recall hearing.

7. Completion of Curfew and/or EM additional requirement or condition of licence.

Standard 7.1
Within 5 days of completion of the Curfew and/or EM additional requirement or condition of licence a summary of the level of compliance and the extent to which this compliance contributed to the work plan objectives shall be recorded on the PBNI Case Management System.

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\(^1\) In any 6 month period for a Young Offender.
Curfew and/or Electronic Monitoring (EM) as an Additional Requirement or Condition of Licence

Service Requirements

Where practicable and relevant, on the day of sentence the offender shall be given an explanation of this additional requirement as an integral part of the Order.

1. Pre Sentence

Standard 1.1
A full PSR is required to assess suitability for a Curfew and/or EM. The PSR writer shall follow the PSR Standards and Service Requirements as set out in the Northern Ireland Standards for providing PSRs.

The suitability assessment for a Curfew and/or EM as an additional requirement of a community order or as a condition of licence shall require a visit to the proposed address where the PSR writer can assess the likely impact of the curfew on, and obtain consent from, relevant others at that address.

The offender shall be advised that relevant others shall be asked for their consent. In the case of a young person under 18 the consent from a parent/guardian/carer with whom the young person resides shall be obtained.

Suitability/Eligibility
Suitability/eligibility shall be determined in the context of the legislative authority and the purpose of this requirement/condition as set out in the introduction (pages 1 and 2). In considering eligibility the PSR writer shall apply the following criteria:
- offender is age 10 or above;
- consent of relevant other(s) with whom offender resides;
- consent of parent/guardian/carer with whom person under 18 resides;
- appropriate address to install monitoring equipment.

In considering suitability for EM and/or Curfew the offender shall generally be considered unsuitable;
- for those suffering from a serious mental or physical health problem;
- where the proposed address may be inappropriate because of risk of serious harm concerns including domestic violence, sexual offending, protection of vulnerable adults/children.
- where there are other personal or social circumstances which would affect compliance.

The period of the Curfew and/or EM shall not be less than 2 hours or more than 12 hours in any one day, for a period of 14 days or more and shall be specified in the written requirement. As far as is practicable the requirement/condition should avoid:
• any conflict with a person’s religious beliefs or with any other condition or requirement to which that person is subject; and
• any interference with the times when the person normally works or attends an education establishment.

In outlining the proposed work-plan the PSR writer should advise the court of the location(s), timings and duration of the curfew requirement or condition.

The Court does not require the consent of the offender to impose a Curfew and/or EM additional requirement in relation to a Probation Order, Combination Order or a Custody Probation Order. However in circumstances where the offender indicates that they would not comply with such an additional requirement therefore a Probation Order, Combination Order or a Custody Probation Order is unlikely to be an appropriate proposal to the Court.

Standard 1.2
The PSR writer is required to help the offender understand the content of the leaflet explaining in plain language the installation, supervisory, monitoring and enforcement processes. Where appropriate, the PSR writer shall provide relevant others with an approved leaflet and obtain consent for the proposed Curfew and/or EM.

Standard 1.3
The general assumption is that every address in Northern Ireland is suitable for Curfew and/or EM equipment and therefore a site survey is not normally required. If a site survey is required the Service Provider will visit the proposed address and assess its technical suitability. The site survey will comment on whether it is possible to operate the equipment within the relevant address/area which also includes establishing a physical boundary as in the case of shared premises. This site survey report will be provided to the PSR Writer (or Court if the request came direct from the Court) within 3 days of receiving the request. The PSR writer shall, where applicable, refer to the site survey outcome in the Curfew and/or EM suitability assessment and attach the site survey report to the PSR.

Standard 1.4
Where the PSR writer (or supervising officer) has concerns about the personal safety of others, including the offender, appropriate action needs to be considered, including the passing on of relevant and sufficient information to the Service Provider using the Risk Issues Notification Form. This communication is to ensure that safeguards can be put in place for Service Provider staff visiting the proposed address.

Enhanced and Standard Response arrangements.

The Risk Issues Notification Form directs the Service Provider towards an ‘Enhanced Response’ to a failure to install or violation in all Risk of Serious Harm cases. The Risk Issues Notification Form shall also be used to request a change to the response from the Service Provider to a failure to install or violation as in the case where an offender’s risk
status changes and an ‘Enhanced Response’ is subsequently required or, a current ‘Enhanced Response’ is no longer required.

2. Pre Release

Standard 2.1
Where required, the Case Manager shall request the relevant field supervising officer to undertake a home visit in connection with the Curfew and/or EM suitability assessment. A suitability assessment at the pre release stage of a sentence requires the combined coordination of tasks between the Case Manager and field supervising officer and shall adhere to the Standards and Service Requirements as set out in Standards 1.1 to 1.5 as they relate to their respective roles.

The suitability assessment information provided by the field supervising officer may be included within a Home Circumstances Report, if requested, or as part of the contribution to the release planning process for a prisoner.

Standard 2.2
The Case Manager shall confirm with the relevant NIPS personnel that the Service Provider has been notified of the prisoner’s final release date as well as the Curfew and/or EM details. If the period of custody to be served is less than 15 days the Case Manager shall follow this up with the NIPS personnel immediately.

Where there is a change in circumstances or proposed address prior to release a further suitability assessment may have to be completed as per Standard 2.1. The Case Manager shall ensure that any change regarding Curfew and/or EM is communicated to the relevant NIPS personnel. Depending on the time period between the original Curfew and/or EM suitability assessment and the release date it may be necessary for the Case Manager to liaise with the field supervising officer to re-confirm consent from relevant other(s).

3. Community Supervision

Standard 3.1
The Area Manager shall ensure that the allocated officer name and location is recorded on the PBNI Case Management System at the time of allocation.

Standard 3.2
Standards relating to PBNI induction interviews are set out in the relevant sections of the Northern Ireland Standards as they apply to each type of case. In addition to the standard induction the offender shall be provided with a copy of the approved explanatory leaflet and an explanation of it.
Standard 3.3
The quality requirements for formulating work-plans require the supervising officer to set out specific objectives to secure the successful completion of all additional requirements or conditions of licence.

Standard 3.4
The supervising officer can expect to receive reports from the service provider in all violation instances. The timing of these violation reports depends on whether the case requires an Enhanced or Standard Response from the Service Provider. Where this information is not received by the agreed time the supervising officer shall expedite it. Reports on minor infringements shall be discussed with the offender at the next interview following their receipt.


Standards 4.1 and 4.2
A request for an authorised absence may be approved by PBNi for periods of no longer than 24 hours and providing the offender remains within the N.I. jurisdiction.

The requirement for the offender to give prior notice to the supervising officer when requesting authorisation for absence should be emphasised at induction and at later intervals if required. Except for emergency absences all requests must be made at least 24 hours in advance of when the absence is due to take place.

Before arriving at a decision about whether to authorise absence, or not, the supervising officer must take full account of the risks involved and if in doubt seek the advice of the Area Manager.

Within 24 hours of the request verbal confirmation of the decision shall be provided to the offender and then confirmed in writing. At the same time the supervising officer shall notify the Service Provider of the authorised absence details using the Notification of Authorised Absence Form and the agreed contact arrangements.

In other than emergency cases the duration of absence shall normally be approved for not more than the length of the event plus reasonable travel time.

The following are examples of when authorised absences may be considered for approval:

- emergency cases including where medical treatment for the offender or his/her immediate dependents is required (generally 8 hours maximum);
- irregular or unexpected medical appointments for the offender or the offender’s child;
- job interviews, attendance at job clubs or required to ‘sign on’;
- where the offender is required in his employment to change his/her work hours on a one-off occasion provided the work is part of a permanent job and the employer provides written verification of the need;
• attendance at court as a witness
• attendance at weddings and funerals of family members, including relatives of partner with whom the offender is living as a spouse;

In arriving at a decision to approve a request the supervising officer shall require the offender to provide evidence in support of his/her request.

A request for an absence of more than 24 hours and/or outside the N.I. jurisdiction requires an application to vary the additional requirement or condition of licence. See Standards 5.1 and 5.2.

5. Applications to Vary

Standard 5.1
If the offender requests an absence of longer than 24 hours or outside the N.I. jurisdiction, the supervising officer shall inform him/her that an application to the Court or, where appropriate, to NIPS Licensing Unit must be made.

Variations to a Curfew and/or EM additional requirement and/or condition of licence can be made by:

• the supervising officer directly to Court or NIPS Licensing Unit as appropriate;
• the offender or his/her legal representative directly to Court or NIPS Licensing Unit, where appropriate.

The offender shall be informed to seek legal advice regarding applications he/she should make for variations as in the case of attendance at a family event outside the N.I. jurisdiction.

The grounds for approval of a request for a variation which may impact on the offender’s ability to comply partly or wholly with the Curfew and/or EM additional requirement or condition of licence include:

• gaining employment or changes to employment pattern;
• commencing education or training;
• changes to religious practice arrangements;
• lengthy or more frequent periods of hospitalisation;
• change of accommodation.

Additionally there may be situations where the supervising officer believes that a variation will act as an incentive to the offender to promote further good progress.

The supervising officer shall make an application within 5 days or sooner if required, of the request for the variation if it has not already been made directly by the offender
and/or legal representative. There may be some circumstances where the supervising officer is making an application retrospectively for variation as in the case of an emergency hospital admission.

Before arriving at a decision about whether to approve an application for variation, or not, the supervising officer must take full account of the risks involved and seek the advice of the Area Manager. In assessing the risks associated with the request for variation the supervising officer shall consider the need to consult and advise other relevant agencies and/or individuals.

The report for the Court or NIPS shall comment on the offender’s compliance with the Curfew and/or EM additional requirement or condition of licence requirement to date as well as the nature and suitability of the variation.

If the offender has made an application for variation directly to the Court or NIPS Licensing Unit, the Court may request a report from the supervising officer in relation to the suitability of the request.

In the case of a CPO where a variation is required an application or summons to the court can only be made post-release when the probation supervision element of the CPO has commenced.

6. Enforcement

Standard 6.1
An apparent failure to comply is where the supervising officer does not have prior knowledge of an acceptable reason why an offender has not complied. Some apparent failures to comply can be classified as minor infringements. Examples of minor infringement include:

- tampering or tilting of the equipment which does not prevent the electronic monitoring of the curfew;
- a pattern of unauthorised absences where the aggregated time amounts to a period of less than two hours;

The overall purposes of the enforcement process are to:
- ensure that the offender complies with the Curfew and/or EM additional requirement or condition of licence so that courts and the public may have confidence in PBNI management of offenders in the community;
- set clear and fair boundaries which the offender understands; and
- secure and maintain the co-operation and compliance of the offender to ensure a successful completion of the Curfew and/or EM additional requirement or condition of licence.

The grounds for enforcement action to be considered are:
- failure to attend as required to have the electronic monitoring installed.
- failure to remain at the monitored address during the curfew period(s);
• failure to co-operate with monitoring arrangements, for instance removing, unplugging or otherwise disabling the equipment.
• gross misconduct in relation to PBNi staff and/or staff of the Service Provider. This may include threats of, or actual, violence, verbal abuse, sexual harassment, sexism, racism or sectarianism; or
• persistent low level infringements.

Standards 6.2
If an offender has failed to comply with the Curfew and/or EM, wherever practicable, contact with the offender should be direct, either by home visit or by telephone. It is important to avoid delays in the enforcement process, in all cases, but particularly in cases which are assessed as posing a risk of serious harm or where there are concerns about the offender causing serious harm to others and/or self.

Standards 6.3
As stated in the Standard and taking account of the requirement at Standard 6.4 below.

Standard 6.4
Absences that do not have prior approval should only be deemed acceptable if the reasons given by the offender meet one or both of two criteria, which are that the reasons were urgent and/or unpredictable. The onus shall be on the offender to substantiate the explanation proffered. The advice of the Area Manager must be sought in those occasional cases, such as claims to be under paramilitary or other personal threat. In an emergency situation, including where medical treatment for the offender and/or his/her immediate dependents is required (generally 8 hours maximum) the offender must provide documentary evidence substantiating the emergency within two days of the emergency.

Whilst reasons related to individual failures may be deemed to be acceptable supervising officers must be alert to a pattern of ‘acceptable reasons’ emerging. Such a pattern must generally be regarded as unacceptable in itself. In these circumstances the offender must be challenged and strongly urged to improve his/her level of compliance. During the initial period of Curfew and/or EM it is particularly important for the supervising officer to challenge any pattern of short unauthorised absences in order to avoid a warning being issued if and when the threshold of two hours has been reached.

The supervising officer shall ensure that the Notification of Action pro forma is completed and forwarded to the agreed contact point.

Standard 6.5
With any form of enforcement consideration and/or action the supervising officer should be aware of the importance of being able to justify his/her decisions or actions in a court or a recall hearing at a future date. The rationale for enforcement decisions and actions should be capable of being verified by reference to the case record on the PBNi Case Management System. Any failure or misconduct which leads to enforcement action being

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2 NB. Issues of sexism, racism or sectarianism must be addressed whether or not, people are present who may find such behaviour objectionable.
considered must be clearly recorded setting out the context, failure and/or misconduct and the reasons why the behaviour was deemed to be unacceptable. The record should show that that the offender was invited to give an explanation for their behaviour and if given what that explanation was.

The supervising officer shall request a Monitoring Compliance Report from the Service Provider within 2 days of breach/recall action being initiated. This report should be included in the breach or recall package.

Standard 6.6
In the case of recall the offender shall be informed of the decision in writing after the recall has been affected.

Standard 6.7
The provisions of Standards 6.1 through to 6.5 shall be circumvented if the supervising officer or the Area Manager have reason to believe that public safety, the safety of the offender or of PBNI/Service Provider staff may be endangered. If concerned about safety issues the supervising officer shall consult with the Area Manager without delay or with an ACO in the absence of the Area Manager.

If after consultation a decision to breach without prior warning is taken that decision shall normally be accompanied by a decision to seek a warrant for the immediate apprehension of the offender. In Determinate, Extended or Indeterminate Sentences a request for urgent recall shall be considered. In these circumstances the record shall show that consultation took place including the agreed reasons for the decision to breach without prior warning. The relevant ACO shall be advised of the decision reached and of the action taken.

Standard 6.8
Breach and recall reports shall follow the agreed formats as outlined in the relevant Northern Ireland Standards and Service Requirements.

7. Completion of Curfew and/or EM Requirement.

Standard 7.1
This evaluation shall be discussed with the offender and included as part of the next scheduled work plan review.
Interim Standards

Determinate, Extended, and Indeterminate Custodial Sentences

Introduction

1. New Sentences supervised on release by PBN1

The Criminal Justice (Northern Ireland) Order 2008 introduced, among other measures, new custodial sentences which require offenders to be supervised when released on licence. These sentences are the Determinate Custodial Sentence, Extended Custodial Sentence and the Indeterminate Custodial Sentence.1

Determinate Custodial Sentence (DCS)

This sentence replaces the current prison sentence for sentences of 12 months or more. Where an offender has been convicted of an offence committed on or after the 1st April 2009, and passes the threshold for custody attracting a total sentence of 12 months or more, the court has the powers to impose a DCS. The Court will specify both the custodial and the community supervision part of the sentence. Consent is not required from the offender for the court to impose this sentence.

Extended Custodial Sentence (ECS)

Where an offender has been judged by the court to be dangerous2 and convicted of a sexual or violent offence committed on or after the 15th May 2008 which attracts a maximum penalty of less than 10 years, which is Specified in Schedule 2 of the Order, the Court has powers to impose an ECS. The court sets the sentence in custody for at least 1 year with the offender becoming eligible for consideration for release on licence by the Parole Commissioners Northern Ireland at the half way point of the custodial sentence. The court will set extended supervised licence periods of up to 8 years for sexual offences or 5 years for violent offences.

Indeterminate Custodial Sentence (ICS)

Where an offender has been judged by the Court to be dangerous,3 has been convicted of a serious sexual or violent offence (Specified in Schedule 1) which was committed on or after 15th May 2008 and which attracts a penalty of 10 years or more, the court has powers to impose an Indeterminate Custodial Sentence. A court may only impose an ICS if it has already determined that an ECS would not adequately protect the public from serious harm. The court may impose a tariff of 2 years or more as the minimum period of imprisonment to be served before consideration for release by the Parole Commissioners Northern Ireland (PCNI).

1 See Articles 7, 8, 13 and 14 Criminal Justice (Northern Ireland) Order 2008
2 See Article 15 Criminal Justice (NI) Order 2008
3 See Article 15 Criminal Justice (NI) Order 2008
2. **Legislative authority**

All probation officers and their managers must be conversant with Chapter 4 Articles 16-30 of the Criminal Justice (Northern Ireland) Order 2008 which relate to the release on licence, and recall, of prisoners sentenced to Determinate, Extended, or Indeterminate Custodial Sentences.

It is also important for all probation officers and their managers to read these Standards and Service Requirements in conjunction with the Offender Recall Unit Operational Guidance and agreed protocols. Prisoners released on these types of licences shall be supervised according to ‘core’ probation standards and, taking full account of the assessed levels of risk in each case and category of offender, any higher levels of application of ‘core’ Probation Order Standards.

3. **Length of Licence.**

For a fixed term prisoner released on licence either serving an (ECS) or a (DCS), the licence remains in force for the remainder of the sentence unless it has been revoked.

For a prisoner serving an ICS and released on licence, the licence remains in force for the remainder of the prisoner’s life subject to revocation. The offender may apply to have the condition of statutory supervision rescinded ten years after release on licence.

4. **Seriousness and purpose**

The courts when imposing an ECS or and ICS will have determined that an offender is ‘dangerous’ and that the sentence imposed is required to protect the public from serious harm. Before being considered for release by the PCNI, prisoners made subject to an ECS or ICS must demonstrate that the assessed risk of serious harm has diminished to an acceptable level that the PCNI are ‘satisfied that it is no longer necessary for the protection of the public from serious harm ..’ that the prisoner ‘should be confined’.

The primary purposes of a supervised licence in these cases, therefore, shall be the protection of the public and the prevention of re-offending.

5. **Licence conditions.**

For those prisoners sentenced to a DCS of 12 months or more, the sentencing court may make recommendations as to the conditions which it considers should be included in the offender’s licence on release.

The PCNI may recommend licence conditions to be included when a prisoner serving an ECS or and ICS has been approved for release on licence.

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4 Offender Recall Unit Operational Guidance NIO 2009 and Joint Protocol Revocation of licences and recall of offenders released on licence under the Criminal Justice (NI) Order 2008
5 See Section 1 page 2 Northern Ireland Standards.
6 Article 21 Criminal Justice (Northern Ireland) Order 2008
7 Article 22 Criminal Justice (Northern Ireland) Order 2008
8 Article 18(4) (b) Criminal Justice (Northern Ireland) Order 2008
9 Article 24 (8) (a)(b) Criminal Justice (Northern Ireland) Order 2008
Interim Standards

The licence conditions for those serving a DCS, ECS or ICS are set by the Secretary of State who shall have regard to the court’s recommendations and, where applicable, the recommendations of the PCNI.


If the threshold for breach has been reached the process for dealing with the breach is via the PCNI. Breach action may result in either a Standard Recall or, where the offender’s behaviour requires a more urgent response, an Emergency Recall through PBNI providing information to the Offender Recall Unit (ORU).

The Criminal Justice (Northern Ireland) Order 2008 provides that the Secretary of State may revoke a licence and recall the licensee to prison:

‘ (a) if recommended to do so by the Parole Commissioners; or
(b) without a recommendation if it appears to the Secretary of State that it is expedient in the public interest to recall ‘P’ before such a recommendation is practicable.’¹⁰

7. Offender Management Unit.

Whilst in custody prisoners sentenced to a DCS, ECS or ICS will be managed within the arrangements set out in the Northern Ireland Prison Service (NIPS) Offender Management Manual.¹¹ For these arrangements to be effective, all agencies and disciplines involved will be required to work in close co-operation. It shall be the responsibility of all PBNI staff engaged in this work to familiarise themselves with, and fulfil, the roles, responsibilities, processes, practices and procedures assigned to them in the Offender Management Practice Manual and Handbooks.

¹⁰ Article 28 (2) (a) (b) Criminal Justice (Northern Ireland) 2008.
Interim Standards

Determinate, Extended and Indeterminate Custodial Sentences

Performance Standards

Custody Phase of sentence

1. Allocation

Standard 1.1
Within 2 working days\(^{12}\) of sentence/transfer the case of each newly sentence/transfered prisoner subject to a DCS, ECS or ICS shall be allocated to a named probation officer (case manager) at the respective custodial institution.

Standard 1.2
In each case a probation officer (community) shall be designated within 5 working days of sentence.

2. Committal

Standard 2.1
Each prisoner shall be offered a committal interview within 1 working day of sentence/recall

3. Record keeping

Standard 3.1
The case record on the PBNI Case Management System shall be kept up to date i.e. entries shall be made no later than 5 working days after the occurrence.

4. Information Sharing

Standard 4.1
Essential documents shall be available within the Offender Management Unit of the receiving prison within 5 days of sentence or transfer.

Standard 4.2
Subsequent to carrying out a committal interview and where the prisoner has consented, the case manager shall complete and forward the approved referral form for the attention of the Service Provider for Family Services.

Standard 4.3
The case manager shall ensure that all essential documentation held by PBNI is available to inform the sentence planning process.

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\(^{12}\) Working days excludes weekends and public holidays.
Interim Standards

5. Sentence Planning

Standard 5.1
Within 5 working days of sentence, the case manager shall make arrangements for an induction interview to take place with the prisoner.

Standard 5.2
The case record on PBNI Case Management System shall contain a full set of essential documentation consistent with the stage of sentence and the nature of the case.

Standard 5.3
The initial sentence plan shall be completed no later than 20 days from the date of sentence. A copy of this plan shall be given to the prisoner.

Standard 5.4
In complex cases the case manager shall consider whether to refer the case to a Sentence Plan Conference,13 forthwith.

Standard 5.5
The sentence plan shall set out the planned frequency of face to face and other contact with the prisoner during custody, by all contributors including the probation officer. Subsequent reviews shall record the actual number of contacts with the prisoner during each period of the plan.

Standard 5.6
Throughout the custody part of the sentence all PBNI contributions to sentence and resettlement planning, as well as the implementation and review of those plans, shall be consistent with the quality indicators and measures as set out in the Service Requirements for Standard 5.3.

Standard 5.7
During the custody part of the sentence, where the length of stay in custody requires it, sentence plans shall be reviewed with the prisoner, and all relevant others, at 6 monthly intervals.

Standard 5.8
Where the length of time spent in sentenced custody is less than 6 months, a review shall be carried out at a time which will best inform completion of the release plan and setting of licence conditions.

6. Management of Risk

Standard 6.1
All reviews of work plans shall be preceded by a review and updating of the assessment of the likelihood of re-offending and, where required, the risk of serious harm.

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Standard 6.2
Where the prisoner has been assessed at a PBN1 Initial RMM as posing a Risk of Serious Harm, the review Risk Management Meetings (RMMs), during the custody phase, shall be convened at 26 week intervals or at other times in accordance with the PBN1 Risk of Serious Harm Policy and Procedures 14

7. For ECS or ICS Prisoners.

Case Manager’s Report for inclusion in the Secretary of State’s Dossier to the Parole Commissioners Northern Ireland (PCNI).

Standard 7.1
The case manager is responsible for producing a report for the PCNI in those ECS and ICS cases being considered for release. The case manager shall ensure that the likelihood of re-offending and risk of serious harm to others and the current home circumstances have been updated no more than 8 weeks prior to the submission date of the report.

Standard 7.2
Where the prisoner is assessed as posing a Risk of Serious Harm, the case manager shall ensure that a review RMM is undertaken in advance of the reports being completed.

Standard 7.3
A case manager report for use by the PCNI shall make use of the approved template.

Standard 7.4

Standard 7.5
All case manager reports to the PCNI shall be subject to the PBN1 approved gate keeping process.

Standard 7.6
No less than 5 working days before the submission date specified in the request for the case manager report the case manager shall submit final draft to the gate keeper. The draft report shall be accompanied by a Gatekeeping Record Form with Part 1 already completed by the case manager.

Standard 7.7
The gatekeeper shall be responsible for checking the degree to which the draft report:
- adheres to the approved structure;

14 See Section 6 PBN1 Risk of Serious Harm Policy and Procedures 2008.
Interim Standards

- follows content and quality guidance;
- distinguishes between verified fact and opinion;
- provides a balanced and objective view;
- is free from excess material, irrelevancies, jargon or presentational flaws;
- meets the information requirements of the Parole Commissioners’ Rules 2009 and complies with data protection and freedom of information legislation

Standard 7.8
Within 2 working days of receiving the draft report the gatekeeper shall provide written feedback to the case manager and where necessary, indicate how specific parts of the report would benefit from amendment or redrafting. Gatekeepers shall complete all sections of Part 2 of the Gatekeeping Record Form when providing feedback.

Standard 7.9
No later than the date specified by the Prison Probation Manager at the time of allocation of the report, and having made any amendments/changes arising out of the gatekeeping process, the case manager shall submit the completed report together with the original Gatekeeping Record Form, having completed Part 3, to the Prison Probation Manager.

Standard 7.10
Where there are unresolved issues between to case manager and the gatekeeper as to whether the report meets the service requirements the Assistant Director (AD) Prisons or, where the AD Prisons is unavailable, another AD, shall be the final arbiter in making this determination.

Standard 7.11
In the event of a prisoner declining to participate in the preparation of a case manager report a letter to this effect shall be submitted in lieu of the report requested.

Standard 7.12
If required to do so the case manager shall attend as a witness at the PCNI hearing.

8. Pre-release

For DCS Prisoners only.

Standard 8.1
Where a prisoner is serving a Determinate Custodial Sentence of 12 months or more, the case manager shall provide the Licensing Panel with a copy of the prisoner’s Release Plan at least 2 days in advance of the Licensing Panel sitting.

For DCS, ECS and ICS Prisoners

Standard 8.2
A pre release meeting shall take place with the prisoner at least 15 days in advance of the release date.
Interim Standards

Standard 8.3
The work-plan for the initial post custody period shall be signed and agreed at the pre release meeting.

Final Instructions

Standard 8.4
At least 2 working days prior to release the prisoner shall be given written instructions to report to the probation officer (community) on the day of release from custody.

Standard 8.5
Where there are concerns about the risk or potential risk a prisoner may pose to a child or children\(^{15}\) and/or, in relevant cases, vulnerable adults\(^{16}\), the case manager shall carry out all statutory notifications and requirements prior to the prisoner’s temporary, and/or final release or transfer.

9. Post-release Supervised Licence phase of sentence

Standard 9.1
If the offender fails to attend the first post custody probation appointment the probation officer shall immediately:
- establish that the offender has been released from custody; and
- where release is confirmed, consult the Area Manager, or relevant AD, to discuss action to be taken, including initiating recall.

Standard 9.2
During the first post custody probation appointment, the licensee shall be reminded of the licence conditions and the consequences of breaching a licence condition including recall to custody.

Standard 9.3
Subsequent to the first post custody probation appointment the case shall be supervised according to core N.I. Standards and any higher levels of application of N.I. Standards\(^{17}\) as they apply to each category of offender, consistent with the assessed level of risk and nature of the offences committed.

Standard 9.4
Within 1 working day of being alerted to a remand on a further offence or further conviction the probation officer shall notify the Offender Recall Unit using the agreed pro forma.


\(^{16}\) PPANI Practice Manual 2008

\(^{17}\) See Section 1 page 2 Northern Ireland Standards


10. Standard Recall

Standard 10.1
Within 1 day of the threshold of breach being reached, the probation officer shall consult with his/her Area Manager to agree action including the decision to recall or, in the case of a DCS only, a decision to notify the Offender Recall Unit (see Standards 10.5-10.7).

Standard 10.2
Within 2 days of the decision to request a recall, the probation officer shall prepare and submit an up to date recall report to the Area Manager for authorisation. Such reports shall employ the approved PBNI template.

Standard 10.3
The Area Manager shall endorse the recall report and, within 1 day of receiving the report, shall submit it for the attention of the PCNI and side copied to the ORU and relevant Prison Probation Manager.

Standard 10.4
The offender shall be informed in writing of the decision and reasons to request recall within 1 working day after a recall has been effected.

Notification to the Offender Recall Unit- DCS only

Standard 10.5
Within 2 working days of a decision to notify the Offender Recall Unit (ORU), the probation officer shall prepare and submit a Notification Report to the Area Manager for authorisation.

Standard 10.6
The Area Manager shall endorse the Notification Report and, within 1 day submit it for the attention of the ORU.

Standard 10.7
Within 1 working day of the decision to notify the ORU, the probation officer shall inform the offender in writing of the decision to report the non compliance.

11 Emergency Recall

Standard 11.1
Where the probation officer and/or Area Manager considers that failure of the offender to comply with licence conditions could result in a risk of serious harm to others the relevant AD shall be consulted immediately to authorise any request for an emergency recall to prison.
Interim Standards

Standard 11.2
Where the relevant AD is satisfied that an emergency recall is required the ORU shall be contacted by phone immediately by the Area Manager to relay the facts of the case and to request an emergency recall.

Standard 11.3
The probation officer shall prepare and submit a recall report to the Area Manager for authorisation within the agreed timescale using the approved template.

Standard 11.4
Within 24 hours of the original phone call requesting an emergency recall, the Area Manager shall forward the authorised report to the Offender Recall Unit.

Standard 11.5
The offender shall be informed in writing of the decision and reasons to request recall within 1 working day after a recall has been effected.

12. Variation of Licence conditions

Standard 12.1
Where considered necessary and appropriate, the probation officer shall make an application to vary, cancel or insert a licence condition using the approved pro forma.
Interim Standards

Determinate, Extended, and Indeterminate Custodial Sentences

Service Requirements

Where practicable, the prisoner shall be seen at court to:

- explain the sentence of the court and to check if there are any immediate issues which need to be addressed;
- provide the prisoner with a copy of the approved information leaflet specific to his/her sentence and inform him/her of PBNI’s role within the Offender Management Group in prison;
- check if there is any information which needs to be communicated to the prison or relevant others regarding self harm and/or public/staff protection concerns.

There may be occasions when an offender is given a DCS but, due to remand time, is time served and released at court. In these circumstances the offender will be given a copy of his/her licence by NIPS Licensing Unit including details of a first post release Probation appointment.

1. Allocation

Standard 1.1
The Prison Probation Manager shall ensure that an agreement is in place within the Offender Management Unit for PBNI to:

- receive timely information about each prisoner newly sentenced (or transferred) who is serving a DCS, ECS or an ICS
- request the relevant Area Manager to allocate a probation officer within the required time period.

Standard 1.2
The field Area Manager shall ensure that adequate arrangements are in place to allocate a probation officer within the agreed timescale and to ensure that a probation officer shall be actively involved during the custody phase of the sentence including:

- temporary release;
- in advance of consideration for release by the PCNI (preparing a home circumstances report);
- pre-release RMM/LAPPP;
- pre-release meeting.
Interim Standards

2. Committal

Standard 2.1
The purposes of the committal interview are to:

- Confirm that the prisoner is clearly aware of the sentence received/reason for recall. It is important to be alert to the possibility of self harm resulting from a recall to prison.
- Where relevant, provide information from the ORU regarding reason for recall and the process of review;
- Provide the prisoner with information about services delivered by the Offender Management Unit;
- Advise of the advantages of participating in sentence planning;
- Discover what practical problems, if any, that the prisoner will face at the point of release; and
- Establish whether or not the prisoner intends to participate in sentence planning and related activities during the custodial part of his/her sentence.

3. Record keeping

Standard 3.1
As stated in the Standard.

4. Information Sharing

Standard 4.1
Essential documentation relating to the current sentence on the PBNI Case Management System and, where only available in paper form, within the paper file, shall include the following:

- Complete and up to date ACE;
- Complete and up to date RA1/r and RM1 as applicable;
- PSR;
- Depositions;
- Victim impact statements (where available);
- Specialist reports and assessments; and
- Recall report, where appropriate.

* Access to the Criminal Record shall be in accordance with the approved arrangements.

Standard 4.2
It should be understood by all concerned that the family has the right to choose whether or not to accept an offer of service from the Service Provider for Family Services.

Standard 4.3
The essential documentation outlined in 4.1 above together with a summary of other information pertinent to the formulation of a sentence plan, shall be available to the Offender Management Unit (OMU) of each prison establishment in accordance with the
Interim Standards

approved arrangements for accessing, sharing and using information to inform the sentence planning process.

5. Sentence Planning

Standard 5.1
The induction interview, in some instances, may be conducted in partnership with the Sentence Manager, shall be sentence specific, i.e. dependent on the type of sentence the prisoner is serving, and shall:

- explain clearly and thoroughly the process and purposes of sentence planning;
- check the prisoner’s understanding of the sentence imposed/reason for recall;
- encourage participation in the sentence planning process;
- if the prisoner is assenting, begin the process of drawing together details relevant to the sentence plan/recall review;
- explain to recalled prisoners any update of section 5 of the recall report (see Standard 10.2).

Where a prisoner does not consent to engage with sentence planning, the reasons for the refusal shall be recorded. The following shall also be explained to the prisoner:

- that a sentence plan will be drawn up and shared with him/her;
- details of any further opportunities which may be offered to him/her to engage with the sentence plan during his/her sentence; and
- the possible implications of the decision not to engage with his/her sentence plan.

Standard 5.2
It is the responsibility of the case manager to ensure that each case contains a full set of essential documents required and that each of these documents is recorded and up to date in keeping with the stage of sentence. Documents shall only be considered complete and up to date if, where appropriate, they bear the signatures required and are dated.

Standard 5.3
Set out at sub-section (a) below are the quality indicators which shall be applied by all PBNI staff when formulating sentence plans related to any prisoner subject to one of these sentences. Set out at sub-section (b) below are the quality measures by which progress in the implementation of sentence plans may be demonstrated.

(a) Initial and subsequent sentence plans shall fully reflect the outcomes of up to date risk assessments. Plans should be solution oriented, build on identified strengths of the individual and have S.M.A.R.T. objectives which are prioritised in terms of managing risk of serious harm as well as managing any likelihood of re-offending by:

i) resolution of practical/survival issues at the point of release and beyond;
ii) pursuit of personal resettlement needs as identified in assessments;
iii) building/strengthening family and social support networks;
iv) challenging offending behaviour.

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Plans should be benchmarked for progress toward individual objectives and:

• have a specific victim awareness focus;
• detail frequency, nature and places of contact and with whom;
• be written in the first person, stating what the offender will do;
• identify the levels of guidance, assistance, support or service to be provided by the OMU;
• set out the role and contribution of the family\(^{18}\), and/or other significant persons in terms of actively assisting the offender’s progress;
• include feedback arrangements for receiving progress reports from all agencies, and individuals involved, including the offender;
• set out specific objectives to secure successful completion of the sentence plan;
• state the number of the review;
• include the date by which the current sentence plan will be reviewed; and
• include the date the review and revised plan were agreed together with the signatures of all parties concerned.

(b) The vehicle for identifying and demonstrating progress is the review of plans which shall be carried out at the required intervals. Reviews of plans shall be preceded by a thorough review and updating of risk assessments, then a review of S.M.A.R.T. objectives by:

• clearly reflecting the prisoner’s view of progress or lack of progress toward achievement of sentence plan objectives;
• clearly reflecting the OMU’s judgment of progress or lack of progress toward achievement of sentence plan objectives;
• taking full account of feedback reports from all other parties concerned;
• where appropriate, identifying practical problems which have been resolved or improved upon;
• where appropriate, identifying barriers to resolving practical problems together with renewed approaches;
• describing any progress or otherwise in terms of personal development;
• describing any learning/training opportunities undertaken and their impact;
• describing any regular leisure/social/spiritual activities engaged in and how these have assisted personal development;
• describing any improvement/deterioration in family and or social relationships;
• describing participation in, and impact of, offending behaviour activities including victim awareness elements;
• evaluating overall progress/deterioration against any changes in assessed levels of risk;
• directly informing the revised plan for the next period of sentence;

\(^{18}\)In the case of a young offender the active participation and contribution of parent(s) or responsible adult(s) is critical to the exercising of proper parental influence and control following release.
Interim Standards

• (if a final review in custody) engaging the offender, and relevant others, in setting plans for the community supervision phase which build on work completed/initiated during the custody phase.

Standard 5.4
All ECS and ICS cases are referred to the Sentence Plan Conference. PBNI staff shall familiarise themselves and comply with the criteria for referring other relevant cases to the Sentence Plan Conference as outlined in the NIPS Offender Management Practice Manual -Operational Guidance and Standards 2009.

Standard 5.5
Frequency of contact will vary depending on the particular resettlement needs of the case as outlined in the sentence plan. For the purpose of encouraging and supporting prisoner progress planned contact by the case manager should not be less than once per 20 working days.
Contact by the probation officer (community) is important before and during any periods of home leave, as well as playing a lead role in formulating the release plan.

Standards 5.6 to 5.8
It is sufficient to meet these Standards as they are written with the proviso that the requisite quality measures and quality indicators as set out in 5.3 above have been applied.

6. Management of Risk

Standard 6.1
It is sufficient to meet this Standard as it is written with the proviso that the requisite quality indicators for completion of the likelihood of re-offending assessment and, where required, the risk of serious harm assessment, have been applied.\(^{19}\)

Standard 6.2
A review RMM shall take place at 6 monthly intervals as well as at significant stages of the custody part of the sentence. Where the case is not included in the PPANI arrangements, a Review RMM shall take place:

- prior to consideration for release by the PCNI;
- when temporary release is being considered; and
- 1 month in advance of release.

\(^{19}\) See Northern Ireland Standards section 4 page 9 standard 1.3.
7. For ECS and ICS Prisoners.

Case Manager’s Report for inclusion in the Secretary of State’s Dossier to the Parole Commissioners Northern Ireland (PCNI).

General Guidance- Case Manager’s Report to the PCNI.

These Standards apply to Extended and Indeterminate Custodial sentence cases where the prisoner is being considered for release by the PCNI. It is important that case managers and probation officers understand that all reports and assessment outcomes will be disclosed in full to the prisoner and his/her representative. This should not result in any salient facts and/or opinions being omitted and care should be taken in verifying facts and supporting all opinion with reasoned argument.

Should the case manager and/or the Prison Probation Manager consider that there is important information which should be included in the report but which should not be disclosed to the prisoner the reasons must be clearly stated with a direct reference to Rule 9 of The Parole Commissioners’ Rules 2009. In the event of such circumstances arising the Offender Management Group shall be consulted, the areas of concern discussed and a decision taken as to whether a case should be made to the Secretary of State to certify the information as confidential under Rule 9.

Standard 7.1
It is essential that the case manager has up to date risk assessments and home circumstances to hand and should satisfy himself/herself that assessments reflect the prisoner’s current position and circumstances.

At least 8 weeks prior to the submission date for the reports, the case manager shall request, through the relevant field Area Manager, a Home Circumstances Report (HCR) indicating, where appropriate, requirement to undertake an Electronic Monitoring suitability assessment. The probation officer shall forward the completed HCR within the required time period using the approved HCR template.

In addition the case manager shall liaise with the PBNI Victims Unit in all cases and, where required, request a report covering the victim’s attitude and concerns.

Standard 7.2
As stated in Standard.

Standard 7.3
The approved section headings are set out at 7.4 below together with content and quality guidance.

Standard 7.4
The purpose of the case manager Report is to assist the PCNI in its deliberations and to arrive at well informed decisions. The Case Manager Report provides one important

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20 The power to certify information as confidential rests with the Secretary of State and in practice would only be exercised exceptionally.
Interim Standards

dimension to the totality of information/reports which the PCNI will consider in arriving at their decisions.
The report writer must distinguish between fact and opinion. As a general rule facts must be verified. If verification has not been possible then this shall be made clear. Opinion must be supported by reasoned evaluation of information at the disposal of the report writer. Reports shall be written in plain English and be free from excess material, irrelevancies and jargon. It is the responsibility of the report writer to ensure, before submission, that the final report is free from typing errors, misspellings or any other presentational flaws.

The guidance which follows should not preclude the inclusion of other material in any particular section providing that it is of relevance to the case and pertinent to the purpose of the report.

Case Manager’s Report to the PCNI.

1. **Author’s credentials**
   - Details of length of service, previous relevant experience, qualifications and experience as well as registration with Northern Ireland Social Care Council.

2. **Sources used to compile the report**: This section shall state the basis on which the report is written—
   - number of formal interviews with the prisoner including dates;
   - observed behaviour;
   - documents, records or reports which have been accessed in preparing the report;
   - contacts with other individuals and/or agencies in relation to this report which might include: family, friends, victims, relatives of victims, elected representative from the prisoner’s home area, minister of religion, potential employer, hostel manager and appropriate others;
   - home circumstances report from probation officer.

3. **Knowledge of the prisoner**: This section shall state:
   - the length of time you have been the case manager for the prisoner;
   - the level of contact you have had with him/her.

4. **Analysis of the Risk of Serious Harm and likelihood of re-offending at the time of sentence**: This section shall identify:
   - any risk factors which were identified as contributing to the prisoner being assessed as posing a risk of serious harm at the time of sentence.
   - any other offending related factors identified as contributing to the commission of the offence(s).
   - the offender’s personal needs which contributed to any offending behaviour.

5. **Attitude to the index offence**: From your knowledge of the prisoner explain:
   - how open the prisoner has been in discussing the index offence;
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- attitude towards the offence, victim and sentence and others involved in the offence;
- any changes in attitude over the course of the sentence;
- degree of remorse expressed by the prisoner.

6. Previous offending history: This section shall:
   - summarise the previous offending history;
   - analyse any patterns of offending including any previous offences which directly relate to the behaviours and actions that led to the index offence;
   - prisoner’s response to previous periods of supervision.

7. Risk Assessment

   7.1 Risk Assessment history: This section shall:
      - provide a review of the risk assessment history of the prisoner from the pre sentence stage and during custody;
      - explain the risk assessment review history and any changes there have been during this period.

   7.2 Reduction in risk: Based on your knowledge and assessment of the prisoner this section shall:
      - identify the evidence that he/she has demonstrated that there has been a reduction in the risk of serious harm to the public and likelihood of re-offending.
      - explicitly state, and identify the evidence, where there has been no perceived reduction in risk.

   7.3 Current risk assessment. Based on up to date risk assessments this section shall indicate:
      - The assessed risk of serious harm and likelihood of re-offending with supporting evidence from sentence planning, Review Risk Management Meetings/LAPPP and ACE Reviews.

8. Response to Sentence Plan. This section shall:
   - reflect the progress or lack of progress towards achievement of sentence plans objectives and targets;
   - describe how the prisoner contributed to the sentence plan and his/her overall response to the plan since the date of sentence;
   - describe any significant events or changes in circumstances and any consequent impact on progress towards achieving the sentence plan objectives;
   - prisoner’s behaviour during any temporary release from prison during the current sentence.

9. Relevant information about the prisoner. This section shall describe:
   - family background, personal history together with past relationships and associates;
Interim Standards

- the current personal circumstances of the prisoner including relationships, associates, accommodation and employment/training potential;
- how these issues relate to any risk factors outlined at the time of sentence and relevance to any current release plans;
- local community’s attitude towards the prisoner (if known).

10. Victim information: This section shall identify:
- details of all information about the victim(s) that were known at the time, including the views of the victim, their attitudes and concerns at this time;
- consultation with PBNI Victims Unit and the NIPS Prisoner Release Victim Information Scheme to ensure “attitudes and concerns” of the victim are included or attached;
- if victim representations already provided to the NIPS Prisoner Release Victim Information Scheme, these are made available;
- meeting with Victim’s Family in relation to attitudes and concerns carried out by member of PBNI Victims Unit.
- a separate PBNI Victims Unit report covering the victim’s attitudes and concerns may be provided separately to the PCNI.

11. Progression: This section shall set out:
- the nature of any further action/interventions which are required to reduce the risks cited; and
- provide an estimate of the period of time that would be needed to complete any necessary actions/interventions in preparation for release.

12. Release Plan

12.1. Details of prisoner. This section shall provide details of:
- the prisoner’s home address, family circumstances, family attitudes towards the prisoner, and local community attitude towards prisoner, if known;
- alternative options if the prisoner cannot return home;
- opportunities to find or and/or resume work or training;
- facilities for, and accessibility to, activities relevant to the prisoner’s personal development needs including leisure activities, interests and opportunities.

12.2 Risk in the community. In this section the case manager is required to expressly state whether or not, if released immediately, the prisoner would pose a risk of serious harm to others. If it is considered that such a risk still exists the case manager shall clearly cite reasons for arriving at this view. A view on the suitability of the prisoner for release shall be given.

12.3. Attitude to release. This section shall provide a balanced summary which objectively evaluates the extent to which present attitudes and functioning of the prisoner together with known social support networks, confirmed development opportunities and responses to assessed risks can combine to either support or inhibit successful reintegration into the community.
Interim Standards

12.4. Requirements and objective of supervision. This shall specify:
- intended programme and outcomes of supervision – both long and short term;
- frequency and locations of planned contact between supervisor and prisoner if released;
- frequency and nature of planned contacts between the prisoner, if released, and any other contributors to the supervision process;
- the prisoner’s participation in planned ways of making constructive use of time during sentence;
- intended relapse strategy; and
- specific measures to reduce assessed risks.

12.5. Summary of licence conditions as recommended by the Court (if applicable).

12.6 Licence recommendations. This section shall detail:
- any additional Licence conditions over and above the standard conditions and those recommended by the Court or LAPP where applicable.

13. Additional information. This section shall provide any further information or comments relating to your knowledge of, or contact with the prisoner which are relevant to the report.

14. Issues arising from disclosure. This section shall report any issues raised by the prisoner when the content of the report was shared with him/her.

Standards 7.5, 7.6, 7.7, 7.8 and 7.9
The gatekeeper role is critical to assuring high quality reports which fulfil the purpose of assisting the PCNI in its deliberations and to arrive at well informed decisions.

It is essential that only officers who have relevant experience and proven ability to fulfil the role adequately are assigned as gatekeepers.

In undertaking the task of evaluating and commenting on the draft report the gatekeeper automatically accepts responsibility for fulfilling the task within the guidance provided, using the approved gatekeeping documentation and completing the task within the deadlines set.

The gatekeeping function shall normally be carried out by the Prison Probation Manager or a designated substitute.

Standard 7.10
Where the report has been subjected to the approved gatekeeping process and there remain unresolved issues which cannot be resolved by the Prison Probation Manager, the AD (Prisons) or, when AD (Prisons) is unavailable, another AD, shall determine whether the report meets the service requirements

Standard 7.11
The principle of consent applies. If a prisoner withholds consent he/she should be advised that a letter to this effect will be forwarded to the PCNI. The prisoner should be given as many further opportunities to participate in the process as time allows. Only when time is
Interim Standards

too short for a report to be submitted on time shall a letter in lieu be forwarded. All contacts with the prisoner about this issue shall be recorded and countersigned by the prisoner. If the prisoner declines to provide a signature this fact shall be recorded and witnessed.

Standard 7.12
The case manager should be prepared to be questioned about his/her report and to orally amplify or clarify any specific part of the report. If called as a witness the case manager should take with him/her the up to date case record and any other documentation which has been drawn upon in the course of preparing the report or in evidencing any particular statements included in the report. In the event of the case manager not being available the Prison Probation Manager shall attend the hearing.

8. Pre-release

For DCS Prisoners only.

Standard 8.1
The licence conditions for each prisoner serving a total Determinate Custodial Sentence of 12 months or more include standard licence conditions and any additional licence conditions considered necessary to secure the purposes of the release on licence:

a) the protection of the public;
b) the prevention of reoffending;
c) the rehabilitation of the offender.21

The case manager shall provide the required Release Plan details using the approved pro forma and, if requested, attend the NIPS Licensing Panel meeting.

It is important to note that the licence conditions need to be set in advance of a pre release meeting with the prisoner.

For DCS, ECS and ICS Prisoners.

Standard 8.2
The pre release meeting shall be attended by the case manager, Sentence Manager and the probation officer, along with other relevant members of the Offender Management Unit as necessary. There may be circumstances where it is not possible to hold a pre release meeting at least 15 days prior to release as in a case where the time period between a decision by the PCNI about release and the release date itself is less than 15 days.

Interim Standards

Standard 8.3
It is sufficient to meet this Standard as it is written with the proviso that the requisite quality indicators as set out in 5.3 above have been applied to the plan.

Standard 8.4
Final instructions must be given in writing and shall detail the date, time and place at which the prisoner must report to his/her probation officer on the day of release. A copy of these instructions shall be signed by the offender and entered in the case records. It is essential that the prisoner is made aware of the possible consequences of failure to comply with the written instruction including the possibility of a request for an emergency recall to prison.

Standard 8.5
As stated in Standard.

9. Post-release supervised Licence phase of sentence

Standard 9.1
In the event that the prisoner fails to report for the first post custody interview the probation officer shall immediately:

- check with the OMU of the releasing prison to establish whether or not the prisoner was released and, if release took place, at what time that happened; and
- where it has been confirmed that the offender has been released from custody, consult the Area Manager (or, in his/her absence, the relevant AD) to decide whether to seek recall to prison at the earliest opportunity. If the decision is to seek an emergency recall, as may be the case for an ECS or ICS released prisoner, the process as outlined in Standards 11.1-11.5 shall be initiated.

Standards 9.2 and 9.3
As stated in Standards.

Standard 9.4
In addition to notifying the Offender Recall Unit where an offender has been charged, remanded for, or convicted of, a further offence the probation officer shall review the ACE and where applicable, the RA1 assessment. Depending on the seriousness of the further offence, outcome of the ACE /RA1 review and circumstances of the case the probation officer shall take any necessary actions to protect the public and/or prevent further offending which may include:

- triggering an Initial or Review Risk Management Meeting;
- a referral to PPANI;
- discussion with the Area Manager regarding recall, variation or other enforcement actions.


Interim Standards

10. Standard Recall

Standard 10.1
The discussion between the probation officer and his/her Area Manager regarding the offender who has reached the threshold of breach shall focus on the level of assessed risk of serious harm and judgement as to whether the offender can, or cannot, be managed in the community.

In the case of a DCS the discussion with the Area Manager shall include consideration of a notification to the ORU, where it is decided that this action may secure compliance with the Licence Conditions and achievement of the Licence Objectives (see Standard 8.1)

Standard 10.2
If and when the occasion arises for the probation officer, or in other authorised PBNI person, to request recall a succinct and verifiable account of the licensee’s misconduct, failure to comply with conditions of licence and/or concerns about the Risk of Serious Harm to others shall be discussed with the Area Manager.

At the time of submission of the request for recall, if the relevant AD has not already been consulted, the probation officer shall inform the relevant AD that a request for recall has been made.

When preparing a recall report and it is important to be alert to the possibility of self harm resulting from a recall to prison.

The recall report to the PCNI (ORU in an Emergency Recall) shall use the approved template which covers:

1. Offender details
   - Name, address, date of birth, prison number

2. Sentence details
   - Name and location of Court;
   - Sentence;
   - Additional Licence conditions;
   - Date of release
   - Licence commencement and expiry dates;
   - Date(s) of previous recall(s) during this sentence.

3. Offence details
   - Index offence for which main sentence received;
   - Date of original offence;
   - Verified details of any further offences for which the offender has been charged, committed for trial, or convicted subsequent to his/her release on licence.
4. **Circumstances and details of Breach**
   - Date recall initiated;
   - Reasons for requesting recall at this stage (including, where applicable, reasons why an emergency recall requested);
   - Details of circumstances leading up to breach of licence conditions including details of any formal warnings and actions by the probation officer and/or others to secure compliance of the offender.
   - Summary of the offender’s response to supervision which outlines
     - progress or otherwise towards planned objectives;
     - level of co-operation and conduct;
   - Details of planned contacts and those kept/not kept by offender.
   - Any known circumstances which may have contributed to the offender’s non-compliance.
   - Current ACE assessment of the likelihood of re-offending and Risk of Serious Harm including Stable and Acute (Harris) where available.

5. **Future actions to reduce risks**
   - Details of what the offender still needs to do to address offending behaviour and consideration of any variation to licence conditions;

Recall reports shall be accompanied by:
- Copy of the PSR;
- Copy of the original Licence;
- Copies of appropriate correspondence with offender; including, where applicable in DCS cases, Warning letter requested through ORU.
- Relevant extracts from contacts recorded on PBNI’s Case Management System;
- Any other evidence pertinent to the request for recall; and
- Criminal Record

**Evidence from an external source.**
In relation to evidence from a source outside of PBNI, this needs to be presented in the form of a written statement and accompanied by any additional documentation. For example, where a member of staff at an approved hostel has reported a breach of licence condition, the tendered written evidence from that hostel staff member along with a copy of the written log/incident report should be provided. There may be occasions when the person providing the written evidence is required to attend a PCNI recall hearing in person.

**Standard 10.3**
The time period set for the submission of these reports to the PCNI by the Area Manager is short and it is therefore important for the probation officer to ensure that the report is complete and accurate and that all relevant accompanying documentation is available to the Area Manager in sufficient time for the submission deadline to the PCNI to be met.
The Area Manager shall submit copies of the authorised recall report to the PCNI and copy to the Offender Recall Unit and Probation Manager at the relevant prison.

Standard 10.4
The probation officer shall forward the letter explaining the decision to request a recall to the case manager and Probation Manager within the relevant prison along with any concerns regarding the possibility of self harm.

The probation officer may have personal safety concerns and/or concerns about the safety of others relating to how and when the offender is dealt with if he/she makes contact with PBNI after a request for recall has been made and agreed. These concerns shall be discussed with the Area Manager and appropriate actions agreed to safeguard PBNI staff and others.

Notification to the Offender Recall Unit- DCS only

Standard 10.5
The probation officer shall forward the Notification Report to the Area Manager using the agreed template.

Standard 10.6
As stated in the Standard.

Standard 10.7
Where a Notification Letter has been issued the probation officer shall discuss this with the offender at the next appointment.

11. Emergency Recall

Standard 11.1
A decision to request a recall of a licence can be made at any time in the course of the period of a licence. Protection of the public is paramount and the threshold for breach can be reached prior to any previous written warnings being issued to the offender particularly where the probation officer and/or the Area Manager have reason to believe that public safety, or of probation or other staff may be threatened.

The probation officer shall consult with the Area Manager without delay, (or relevant AD in the absence of the Area Manager) to consider actions to address the increased risk of serious harm including the decision to initiate emergency recall. Among the grounds for considering an Emergency Recall are that:

- the offender’s behaviour causes concerns about the risk of serious harm and safety of others;
- contact with the offender is lost and his/her whereabouts is unknown and it is unlikely that contact will be renewed quickly;
- gross misconduct occurs;
Interim Standards

- an ECS or ICS offender fails to report for first interview on release from custody;
- the offender fails to report and does not respond to a request for an explanation.

The Area Manager shall consult with the relevant AD to seek authorisation to request any Emergency Recall through the Offender Recall Unit.

Standard 11.2
The ORU will require relevant and up to date details and evidence to support the request for an emergency recall22 and will inform the relevant Area Manager at the time of the phone request whether or not recall will follow the emergency process. If the emergency process is initiated the Area Manager shall request the probation officer to provide a recall report within the agreed timescale to facilitate the report being authorised and forwarded to the ORU within 24 hours of the initial phone request.

Where the threshold for breach has been reached but the relevant AD is of the opinion that an emergency recall is not required, the probation officer shall be advised to follow the standard recall process (see Standards 10.1-10.4 above.)

Standard 11.3
The approved headings for recall reports are detailed in Standard 10.2 above.

Standard 11.4
As stated in the Standard

Standard 11.5
The letter informing the offender of the recall request shall be forwarded to the relevant Offender Management Unit and available to share with the offender within 1 working day of his or her recall to custody.

12. Variation of licence conditions

Standard 12
All requests to vary, cancel or insert a licence conditions shall be made through the NIPS Licensing Unit using the approved template. It is important for the probation officer and Area Manager to be aware of how variation to, or insertion of a licence condition can be used to strengthen and reinforce the licence objectives in cases of non compliance.

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22 See Annex C Offender Recall Unit Operational Guidance  NIO 2009
Monitoring Form – Custody Phase of DCS/ECS/ICS

Name of Prisoner:  
(Block capitals)
Client No:          Prison Number:  
Name of Case Manager:  
(Block capitals)

PART A

All sections in Part A are to be completed by the prison P.O.

Part A1: To be completed by the Case Manager before preparing the PBNF contribution to the sentence plan or when the prisoner has stated that’s/he does not intend to participate in sentence planning.

I affirm that the risk assessments (ACE & RA1/r*) received by me or, initiated/updated by me, have been completed in accord with all of the quality indicators which are set out in the Service Requirements section of the Standards for Risk management. (*Delete as appropriate) If risk assessment(s) have been delayed please explain why.

Signature of Case Manager:  
Date:

Part A2: To be completed by the Case Manager no later than the date agreed for completion of the sentence plan.

The prisoner intends to participate in sentence planning YES/NO
(If a participating prisoner) I affirm that the PBNF contribution to the sentence plan is in accord with all quality requirements set out in DCS/ECS/ICS Service Requirements.

Signature of Case Manager:  
Date:

Part A3 (i): To be completed by the Case Manager by the end of the fourth week of sentence.

With the exception of any explanations that I have entered at Part A3 (ii) below, I affirm that I have completed all routine requirements, in relation to this case in accord with all relevant Standards and Service Requirements.

Part A3 (ii): To be completed by the Prison P.O. concurrently with Part A3(i), making a separate entry for each Standard or Service Requirement which has not been met.
I affirm that it has not been possible to meet the requirements entered below for the reasons stated. (If all requirements have been met enter N/A below)

Signature of Case Manager:  
Date:

- Yellow MF/ DCS/ECS/ICS
Part A4: To be completed by the Case Manager at intervals of 6 months; 8 weeks in advance of consideration by Parole Commissioners for release; prior to consideration for home leave and/or one month prior to the prisoner’s final release.

**First review:**

I affirm that I have carried out a joint review of progress during the first period of the sentence plan in accord with all quality measures which are set out in Service Requirements for DCS/ECS/ICS and have, concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date, which also meets with all quality requirements. I also affirm that all routine requirements have been completed to date, in accord with Standards or, explanations why not entered below.

**Signature of Case Manager:**

**Second review:**

I affirm that I have carried out a joint review of progress during the second period of the resettlement plan in accord with all quality measures which are set out in Service Requirements and have, concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date and which also meets with all quality requirements. I also affirm that all routine requirements have been completed to date, in accord with Standards or, explanations why not entered below.

**Signature of Case Manager:**

If the period of custody is for more than 12 months use approved Review Follower Sheets as appropriate. Then when a point one month prior to release is reached complete the final review section below.

**Final review:**

I affirm that I have carried out a joint review of progress during the final period of the sentence plan in accord with all quality measures which are set out in Service Requirements. The final summary includes the prisoner’s aims and objectives to be included in the Initial Post Custody Workplan. I also affirm that all routine requirements have been completed to date in accord with Standards or, explanations why not entered below.

**Signature of Case Manager:**
Part A5: To be completed by the “sending Case Manager” in the event of responsibility for management of the case being transferred.

First transfer:
I affirm that a complete and up to date record of the management of the Order has been passed to the new responsible officer/prison

(Name of receiving Case Manager or prison)

Signature of sending Case Manager: Date:
Agree/Disagree* (*delete as appropriate)

Signature of receiving Case Manager: Date:

NB: If subsequent transfers of responsibility become necessary use an approved follower sheet and firmly attach to the monitoring document.

Part A6: To be completed by the Case Manager 8 weeks prior to consideration for release by the PCNI and/or prior to any home leave being approved. If there is no home leave application this section should be completed prior to preparation of the Initial Post Custody Workplan at the Pre Release meeting.

I affirm that risk assessments in this case have been reviewed and updated in readiness for Consideration by the PCNI / Consideration for Home Leave/Pre release meeting * (*delete as appropriate).
(In the event of home leave being granted I affirm that a Home Leave Plan has been agreed with the prisoner and the supervising P.O. (copy on file).

Signature of Case Manager: Date:

Part B: Area Manager Reviews

To be completed by the Area Manager on all occasions when reviewing all or part of the case. State the scope of the review together with any action required-date and sign each entry. If necessary firmly attach an approved follower sheet.
Part B: cont

Part C: To be completed by an AD if the case is selected for senior management review.
I have reviewed the management of this case and have forwarded my written comments to
the Area Manager in respect of my assessment of Area Manager monitoring of the case
together with suggestions/no suggestions required* (*delete as appropriate) as to how the
effectiveness of monitoring oversight of the case may be improved.

AD signature: Date:

Part D: - Termination: To be completed by the Case Manager no later than the prisoner’s day of
release.
I affirm that, prior to release, the prisoner was given written instructions (copy on file)
detailing when and where to meet his/her supervising officer following release. I also affirm
that the case record has been updated and forwarded to the supervising Probation Officer.

Signature of Case Manager: Date:

- Yellow MF/DCS/ECS/ICS
Follower Sheet for 6 monthly reviews of DCS/ECS/ICS during the Custody Phase

To be used for third and subsequent reviews up to but excluding the final review which should be entered in Part A4 of the main monitoring document. Firmly attach the follower to the main document.

Name of prisoner: 
(Block Capitals)
Client No:                                                    Prison Number:

review: (Enter ordinal number of review. eg; Third, Fourth etc)
I affirm that I have carried out a joint review of progress during the period of the sentence plan in accord with all quality measures which are set out in Service Requirements for DCS/ECS/ICS and have, concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date, which also meets with all quality requirements. I also affirm that all routine requirements have been completed to date, in accord with Standards or, explanations why not entered below.

Signature of Case Manager:                                                                      Date:

review: (Enter ordinal number of review)
I affirm that I have carried out a joint review of progress during the period of the resettlement plan in accord with all quality measures which are set out in Service Requirements for DCS/ECS/ICS and have, concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date, which also meets with all quality requirements. I also affirm that all routine requirements have been completed to date, in accord with Standards or, explanations why not entered below.

Signature of Case Manager:                                                          Date:

review: (Enter ordinal number of review)
I affirm that I have carried out a joint review of progress during the period of the resettlement plan in accord with all quality measures which are set out in Service requirements for DCS/ECS/ICS and have, concurrently, agreed a plan for the next period which takes full account of progress (or otherwise) to date, which also meets with all quality requirements. I also affirm that all routine requirements have been completed to date, in accord with Standards or, explanations why not entered below.

Signature of Case Manager:                                                       Date:

- Yellow FS/ DCS/ECS/ICS Review
Follower Sheet for second and subsequent transfers of DCS/ECS/ICS during Custody Phase

(Continuity of supervision is important so transfer of management responsibility for the case should be only made where absolutely unavoidable)

**Second transfer:**
I affirm that a complete and up to date record of management of the case has been forwarded to the new Case Manager/prison.  

( Name of receiving Case Manager/prison in block capitals)

**Signature of Case Manager:**  
Date:

Agree/Disagree* (*delete as appropriate)

**Signature of the Case Manager:**  
Date:

**Third transfer:**
I also affirm that a complete and up to date record of the management of the case has been forwarded to the new responsible officer/prison.  

(Name of receiving officer/prison in block capitals)

**Signature of Case Manager:**  
Date:

Agree/Disagree* (*delete as appropriate)

**Signature of receiving Case Manager:**  
Date:
Follower Sheet for Area Manager Reviews of DCS/ECS/ICS
(State the scope of the review together with any action required – date and sign each entry.)

Part B (continued)

(Use further Follower Sheets as necessary)

- Yellow FS/DCS/ECS/ICS/AM
Name of Offender:  
(Block capitals)  
Client No:  Prison No: 

Name of Supervising Officer:  
(Block capitals) 

Part A  
All sections in Part A are to be completed by the supervising officer.  
Part A1: To be completed by the supervising officer before commencing preparation of work plans.  
I affirm that the risk assessments (ACE & RA1*) received by me or, initiated/updated by me, have been completed in accord with all of the quality indicators which are set out in the Service Requirements section of the Standards for Risk Management. (*Delete as applicable)  
If risk assessment(s) have been delayed please explain why below.  

Signature of supervising Officer:  
Date: 

Part A2: To be completed by the supervising officer no later than the date required by the Standards for completion of initial Workplans.  
I affirm that the initial work plan for the supervision of this case has been completed in accord with all of the quality indicators which are set out in the planning section of the Service Requirements related to the Standards relevant to the Licence which applies to this case. If the initial work plan was delayed please explain why below.  

Signature of supervising Officer:  
Date: 

Part A3 (i): To be completed by the supervising officer at the end of the fourth week of Supervision.  
With the exception of any explanations that I have entered at Part A3(ii) – next page - I affirm that I have completed all routine requirements, in relation to this case, in accord with all relevant Standards and Service Requirements.

-Yellow MF/DCS/ECS/ICS
Part A3 (ii): To be completed by the supervising officer concurrently with Part A3 (i). Make a separate entry for each Standard or Service Requirement which has not been met.
I affirm that it has not been possible to meet the requirements listed below for the reasons stated. (If all requirements have been met enter ‘Not Applicable’ below)

Signature of supervising Officer: Date:

Part A4: To be completed by the supervising officer at intervals of 16 weeks.
First review:
I affirm that I have carried out and recorded a joint review of progress during the first period of supervision in accord with all quality measures for implementation of supervision plans and have, concurrently, prepared and agreed a work plan for the next period of supervision which takes full account of progress (or otherwise) to date and which meets with all quality indicators for supervision planning. I also affirm that all routine requirements have been completed to date.

Signature of Supervising Officer: Date:

Second review:
I affirm that I have carried out and recorded a joint review of the second period of supervision in accord with all quality measures for implementation of supervision plans and have, concurrently, prepared and agreed a work plan for the next period of supervision which takes full account of progress (or otherwise) to date and which meets with all quality indicators for supervision planning. I also affirm that all routine requirements have been completed to date.

Signature of Supervising Officer: Date:

If the Licence is for more than 12 Months use approved Review Follower Sheets as appropriate Then when the Licence is time expired or revoked through recall then complete the final review section below.

Final review:
I affirm that I have carried out and recorded a joint review of the final period of supervision in accord with all quality measures for implementation of supervision plans. The final summary includes the supervisee’s plans to maintain personal progress including efforts to remain offence free.

Signature of Supervising Officer: Date:

-Yellow MF/DCS/ECS/ICS
Part A5: To be completed by the ‘sending officer’ in the event of supervision being transferred.

First transfer:
I affirm that the transfer of supervision to:

(Name of new supervisor in block capitals)

was carried out in accord with all quality indicators required for the transfer of supervision. I also affirm that a complete and up to date record of supervision has been passed to the new supervising officer.

Signature of the Sending Officer:  
Date:

I Agree/Disagree* (* delete as appropriate)

Signature of Receiving Officer:  
Date:

NB: If subsequent transfers become necessary use an approved follower sheet and firmly attach to the monitoring document.

Part B: Area Manager Reviews
To be completed by the Area Manager on all occasions when reviewing all or part of the case. State the scope of the review together with any action required – date and sign each entry. If necessary firmly attach an approved follower sheet
Part C: To be completed by an AD if the case is selected for senior management review.
I have reviewed this case record and have forwarded my written comments to the Area Manager in respect of my assessment of A.M. monitoring of the case together with suggestions/no suggestions required* (delete as appropriate) as to how the effectiveness of monitoring oversight of the case could be improved.

AD Signature: Date:

Part D: Termination
Part D(i): To be completed by the Supervising Officer and the case record submitted to the Area Manager no more than 5 days after the termination date of the licence.
During the period of supervision the offender has been convicted of a further offence(s)? YES/NO

If ‘YES’ please record:

<table>
<thead>
<tr>
<th>Date of Offence</th>
<th>Type of Offence</th>
<th>Date of Court</th>
<th>Sentence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
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<tr>
<td>2</td>
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<tr>
<td>3</td>
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</tr>
</tbody>
</table>

I affirm that the Licence is *time expired/has been revoked through recall and/or offender subject to an arrest warrant at the time of expiry (*delete as appropriate) and that the case record has been closed in accord with all quality requirements for termination of a Licence.

Signature of Supervising Officer: Date:

Date submitted to Area Manager for verification:

Part D(ii): To be completed by the Area Manager within 5 days of submission by the Probation Officer.
I agree that this Licence is amenable to closure, that the case record is complete and has been properly prepared for closure in accord with all quality requirements.

Area Manager Signature: Date:

-Yellow MF/DCS/ECS/ICS
Follower Sheet for 16 Week Reviews of DCS/ECS/ICS where the Licence element exceeds 12 months duration

(To be used for third and subsequent reviews up to but excluding the final review which should be entered in Part A4 of the main monitoring document.) (Firmly attach to main monitoring document).

Name of Offender:
(Block capitals)
Client No: Prison No:

review: (Enter ordinal number of review. eg; Third, Fourth etc)
I affirm that I have carried out and recorded a joint review of the period of supervision in accord with all quality measures for implementation of supervision plans and have, concurrently, prepared and agreed a work plan for the next period of supervision which takes full account of progress (or otherwise) to date and which meets with all quality indicators for supervision planning. I also affirm that all routine requirements have been completed to date.

Signature of Supervising Officer: Date:

review: (Enter ordinal number of review. eg; Third, Fourth etc)
I affirm that I have carried out and recorded a joint review of the period of supervision in accord with all quality measures for implementation of supervision plans and have, concurrently, prepared and agreed a work plan for the next period of supervision which takes full account of progress (or otherwise) to date and which meets with all quality indicators for supervision planning. I also affirm that all routine requirements have been completed to date.

Signature of Supervising Officer: Date:

review: (Enter ordinal number of review. eg; Third, Fourth etc)
I affirm that I have carried out and recorded a joint review of the period of supervision in accord with all quality measures for implementation of supervision plans and have, concurrently, prepared and agreed a work plan for the next period of supervision which takes full account of progress (or otherwise) to date and which meets with all quality indicators for supervision planning. I also affirm that all routine requirements have been completed to date.

Signature of Supervising Officer: Date:

- Yellow FS/DCS/ECS/ICS/REVIEW
Follower Sheet for second and subsequent transfers of a DCS/ECS/ICS

(Continuity of supervision is important so second and subsequent transfer of supervision should only be made where absolutely unavoidable.)

Second transfer:
I affirm that the transfer of supervision to (name of new supervising officer in block capitals) was carried out in accord with all quality indicators required for the transfer of supervision. I also affirm that a complete and up to date record of supervision has been passed to the new supervising officer.

Signature of the Sending Officer: Date: Agree/Disagree* (*delete as appropriate)

Signature of Receiving Officer: Date:

Third transfer:
I affirm that the transfer of supervision to (Name of new supervising officer in block capitals) was carried out in accord with all quality indicators required for the transfer of supervision. I also affirm that a complete and up to date record of supervision has been passed to the new supervising officer.

Signature of the Sending Officer: Date:

Agree/Disagree* (*delete as appropriate)

Signature of Receiving Officer: Date:
Follower Sheet for Area Manager Reviews of DCS/ECS/ICS
(State the scope of the review together with any action required – date and sign each entry.)

Part B (continued)

(Use further Follower Sheets as necessary)

- Yellow FS/DCS/ECS/ICS/AM