

PRISON  
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Ministry of  
JUSTICE

# PRISONERS' INFORMATION BOOK

male prisoners  
and young offenders

*“Arriving at prison can be a bewildering and stressful experience. This handbook is like having a friend to guide you through the first steps inside.”*

Martin (prisoner, HMP Wandsworth)

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The Prison Reform Trust works to create a fair and decent prison system. We do this by looking at how prisons are working, giving information to prisoners, staff and people outside and by asking the government and officials to make changes.



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For further information, contact:

Prison Reform Trust  
15 Northburgh Street  
London EC1V 0JR  
020 7251 5070  
[www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

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# Who works in prison?

The **governor** or **director** is in charge of the prison. We use the word governor in this book.

**Prison officers** - work in lots of jobs around the prison and are the staff you will see most.

**Offender supervisor** - your offender supervisor will work with your offender manager to help you complete the goals in your sentence plan.

**Personal officers** - this is a prison officer who takes time to help you and who will write reports on your progress. They may also work with you on your sentence plan.

**Probation officer** - someone who works with you to help you to not re-offend after you leave prison.

**Psychologists** - make assessments of you and work with other staff to run offending behaviour courses.

**Chaplains** - will help you practice your religion. They will be from a number of different faiths. You can talk to them about how you are feeling as well.

**Education and workshop staff** - run classes and workshops.

**Healthcare staff** - these are nurses, doctors, dentists and so on.

**CARAT workers** - help prisoners with drug problems.

**IMB members** - are people who check prisons are run fairly. They are volunteers from the local area.

**Official prison visitors** - these are local people who can visit prisoners who may not have many people to visit them.

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# About this book

**This book will tell you the main things you need to know about being in prison such as**

- ✓ Prison rules and ways of doing things.
- ✓ Your rights.

**Ask a prison officer if you are not sure about anything in this book**

## Who is this book for?

This book is for male prisoners including young offender aged 18 or over.

## What is this book about?

- It will tell you what you need to know about prison life.
- The rules and how things are done may be different in each prison. Sometimes prison rules change quickly. You will be told about any changes to rules that affect you.
- There are copies of the rules in the prison library.
- You can ask to see these rules even if you cannot get to the library.

## Where to get copies of this book

- The prison library.
- Prison staff may print off a copy of this book, or parts of it, if you can not get it from the library.
- If you do have a printed copy, you may be allowed to keep it or share it with others on your wing.
- If you have a copy please take care of it as it may not be easy to get another.

# When you first arrive

## This is what will happen when you first arrive in prison

- ✓ You will be taken to the reception area of the prison.
- ✓ Tell staff if you have been taking drugs or alcohol and need help with this.
- ✓ Prison staff will sort out with you what clothes to wear. You may have to wear prison clothes if you are a convicted prisoner.
- ✓ A member of prison staff will make a list of everything you brought with you. You may be able to keep some things. Everything else will be kept in a safe place for you. You will get back everything when you leave, apart from anything dangerous or against the law. For example, knives or drugs.
- ✓ A member of prison staff will search you. You can ask to see a doctor if you have a medical problem which means it is difficult for you to have a full body search.
- ✓ You can ask to see a doctor or nurse if you have a health problem. Tell the doctor or nurse if you are taking any medicine, or if you have a problem with drugs or alcohol. Also tell them if you feel very upset or worried about things.
- ✓ You will be allowed to phone your family. You will also be told how to arrange for them to visit you.
- ✓ You will be given a prison number.
- ✓ You will be taken to the cell you will sleep in.
- ✓ You can have a bath or shower if you want one.
- ✓ You will meet other staff. You may have an interview with someone called a personal officer.
- ✓ Staff may take your fingerprints and your photograph.
- ✓ Staff will tell you more about prison life and what you need to do. This is called an induction.

## More information

### Where you will sleep (your cell)

- You may have to share a cell with someone else. If so, prison staff will think about who would be the best person for you to share with. You can tell them if you have any problems with this. You will not be asked to share with someone who smokes if you don't. Tell staff if you are concerned or feel unsafe.
- Some prisons have a special area where prisoners sleep for the first night so they can get used to being in prison.

### What to do if...

#### **You feel very upset or worried when you get to prison**

It is important to talk to someone if you feel like this.

You can tell

- ✓ prison staff. You may have someone called a personal officer. Or you can talk to the officer in charge of your area of the prison (this is called the wing or landing)
- ✓ the doctor or nurse who gave you a health check
- ✓ the chaplain
- ✓ a prisoner called a listener or buddy
- ✓ the Samaritans.

#### **You are worried about children or other people you look after**

- Talk to any of the people in the list above.

#### **You need to see a solicitor – if you have not had a chance to before you left court**

- Ask the prison officer on reception to help you arrange a visit from your solicitor.

# Unconvicted Prisoners

## Who are unconvicted prisoners?

- ✓ **Unconvicted** prisoners are those who are waiting to go to court for their trial.
- ✓ Unconvicted prisoners are treated as if they are **not guilty**. This is because they have not yet been to court to be tried for their offence.
- ✓ There are some things that unconvicted prisoners can do that convicted prisoners cannot do. For example, they can still vote and can usually wear their own clothes.
- ✓ Unconvicted prisoners still have to follow most of the same rules as other prisoners.

As an unconvicted prisoner, you should get help and support to

- ask for bail
- keep your home and job
- get ready for your trial
- keep in touch with family and friends
- carry on being involved with or running a business, as long as it is legal
- get help with any problems you may have.



## Asking for bail if you are an unconvicted prisoner

Asking for bail means you are asking to be released from prison while waiting for your trial.

There is more information in **Prison Service Orders 6100 and 6101**.

There is a copy of both in the library.

### How to ask for bail

#### Main points

- ✓ You can ask the same court, or someone called the Judge in Chambers, more than once for bail, if they say no the first time. But you can only do this if you can give them a new reason why they should let you have bail.
- ✓ When you ask for bail, give all the reasons you can for why the court should let you have bail.
- ✓ If the court says no to your bail, look at the reasons why before you ask for bail again. Ask the bail information officer or the legal services officer or your solicitor if you are not sure why you did not get bail.
- ✓ You can also talk to the bail information officer if you need any help with asking for bail. There is a scheme called Clearsprings to help with housing.
- ✓ If you need any help to apply for legal assistance (money to help with the cost of legal advice or representation), speak to the legal services officer.
- ✓ You need to have an address of somewhere to live before the court will let you have bail.

## **Somewhere to live**

- If you ask for bail, you will need to give the court an address of somewhere you can live if you are released on bail. This could be in your own home or with friends or family. (Your friends or family will have to tell the court it is ok for you to live with them first.)
- If you have nowhere to live, ask the bail information officer or legal services officer for help. They may be able to help you find somewhere to live like a hostel.

## **If your trial will be heard at a Magistrates' Court**

You can ask for bail each time you go to the Magistrates' Court about your case. Or you can ask your solicitor to do this for you.

1. You have to fill in some forms to ask for bail. Your solicitor or the legal services officer should help you do this.
2. If the court does not give you bail, you will get a letter to explain why this is. Keep the letter as it may be useful if you want to ask for bail again.
3. If the Magistrates' Court decides not to give you bail at all, they will send you a piece of paper called a certificate to tell you this.
4. If the Magistrates' Court sends you this certificate saying they have heard all the facts, you can then send the certificate to the Crown Court to ask for bail.
5. If the Crown Court says no, you can write to someone called the Judge in Chambers at the High Court to ask for bail.

## **If your trial will be heard at a Crown Court**

1. Write to the clerk of the Magistrates' Court that sent you for trial at the Crown Court. Or ask your solicitor to do this for you.
2. You can ask your solicitor to apply direct to the Crown Court.
3. If you do not have enough money for a solicitor and you do not have legal assistance you can ask someone called the Official Solicitor to help you. Ask the legal services officer how to do this. There is more information in **Prison Service Order 2600** about the Official Solicitor and other legal things. You can get a copy from the prison library.

## **If the Magistrates' Court and the Crown Court has said no to your bail**

You can ask the **Judge in Chambers** at the High Court for bail.

This is how you can ask the Judge in Chambers for bail

1. Ask your solicitor to do this for you. If you are paying for a solicitor, you will have to pay them to do this for you.
2. If you do not have enough money for a solicitor or cannot get legal assistance, you can ask the Official Solicitor to ask for bail for you. You will need to fill in a form to say how much money you have. This is to show the Official Solicitor that you do not have enough money to pay for a solicitor.

## **If you are going to Crown Court to be sentenced**

You can ask the Crown Court to give you bail. If the Crown Court does not give you bail you can ask the Judge in Chambers at the High Court.

## **What happens if you do get bail?**

There are some rules you need to follow if you do get bail.

For example

- You must come back to the court when you are told to, unless you have a very good reason not to.
- You may have to do certain things like live at a certain address, go to a police station every day or wear a tag.
- You may have to find friends or family who agree to pay some money if you do not turn up at court. These people are called **sureties**.

If you break the rules then you may be arrested or charged with an offence. If you do not turn up at court, your family or friends who are sureties may have to pay all the money they agreed to pay, or go to prison themselves.

## **Sureties**

- Sureties are friends or family who agree to pay some money if you are released on bail and do not turn up at court when you are told to.

## **How your family or friends can be sureties**

### **If you think you may get bail while appearing at Magistrates' Court**

Make sure the family or friends who agree to be sureties are at court with you. If you get bail and the court says the people are ok to be sureties, you will be released there and then.

### **If you get bail when you are not at court**

- 1.** Your friends or family must go to the court or police station to be checked to make sure they are ok to be sureties. They will have to take some documents with them to show they could pay the money if they had to.
- 2.** Your friends or family will have to sign a document to say they agree to be sureties.
- 3.** The court or police station will then give your friends or family a document called a certificate if they think they are ok to be sureties.
- 4.** Your friends or family must take the certificate to prison before you can be released. This is to show the prison that the courts or police have said it is ok for them to be sureties.

## **Transport from the prison if you do get bail**

- If you get bail and you have no money to travel home from the court, the staff who brought you to court can arrange for you to get something called a travel warrant. This is a ticket that allows you to travel for free to the address where you will be spending your bail.
- You can also get a travel warrant from the staff who took you to prison. Or from prison staff if you are in prison and you spoke to the court by a video link.

## **Getting ready to go to court**

You should speak to the legal services officer in prison for help with getting ready for your trial at court and finding a solicitor.

### **1. Getting witnesses for your trial**

- Ask your solicitor for help to get witnesses to speak at your trial.
- If you do not have a solicitor you can ask the legal services officer for help.
- The legal services officer cannot get witnesses for you. But they can help you write a letter to your friends or family asking them to try to get witnesses for you.
- You can write to the police to ask them to try to get witnesses for you. But the police cannot promise that these people will come to the trial.

## 2. Using a computer to help you with your legal work

- You cannot use your own personal computer for this.
- Ask the governor if you want to use a prison computer to help you with your legal work.
- The governor will arrange for you to use a prison laptop computer if they think you need one to make your trial fair.
- You will have to follow some rules if the governor does let you use a prison laptop.
- There is more information in **Prison Service Instruction 2/2001**. There is a copy in the library.

## 3. Your things

- Take all your personal things with you to court in case you are released. If there are still things left in prison after you are released you will have to contact the prison to arrange to pick them up.

## Other things about being an unconvicted prisoner

### Your health

- You do **not** have to get NHS healthcare from the healthcare staff in prison if you do not want to.
- You can get healthcare from a private doctor or dentist but you may have to pay.
- Ask the healthcare staff if you want to do this. They and the governor will usually let you do this.

## Voting

You can still vote while in prison if you are

- unconvicted
- convicted but you have not been sentenced yet
- a civil prisoner who is in prison for not paying fines or not doing what the court has told them to do (this is called contempt of court)

Your name must be on a list called the **electoral register** before you can vote.

If your name is not on the electoral register already

1. You will need to fill in a form and send it to someone outside the prison called an Electoral Registration Officer. The addresses to send forms to are in **Prison Service Order 4650**. There is a copy of this in the prison library.
2. Ask your personal officer or another prison officer for the form or for more information about voting.
3. **Prison Service Order 4650** has more information about voting. It also tells you about things like postal voting (where you vote by post) or proxy voting (where someone else casts your vote for you).

## Work and getting paid

- You do **not** have to work in prison if you do not want to.
- If you want to work but there is no work for you to do, you will be paid a small amount of money each week to buy the things you need.
- If you say no to work you are offered you may not get any money from the prison. And you may not be offered any more work.



# Civil prisoners

Civil prisoners are people who are sent to prison for things like

- not paying maintenance money to look after their children
- not paying money called fines or debts
- not paying money they agreed to pay if someone they know was on bail and did not turn up at court
- not doing what the court has told them to do.

Civil prisoners are mostly treated the same as convicted prisoners. But there are some differences. For example, if you are a civil prisoner

- You have the same rights to visits, letters and phone calls as unconvicted prisoners. **See page 40.**
- You do not have to mix with other prisoners if you do not want to.
- You can wear your own clothes. If you do not have enough clothes you can ask prison staff for some.
- You may be allowed to vote if you have been sent to prison for contempt of court or for not paying a fine. There is more information in **Prison Service Order 4650**. There is a copy in the library.

## **Other things about being a civil prisoner**

### **Being released early from prison**

- It may not be possible for you to be released early from prison depending on the reason the court sent you there. You may even have to serve the whole of your sentence. Prison staff will look at this when they work out the date you will be released.
- Ask your personal officer, another prison officer or probation staff for help if
  - you are not sure if you can be released early
  - you think you should be released early but prison staff have not taken this into account when working out the date you will be released.

### **Appealing against being sent to prison for contempt of court**

- Contempt of court means not doing what the court told you to do. You can appeal if you were sent to prison for contempt of court. To appeal means to try to change the decision that the court made.
- You should speak to the legal services officer in prison first to get some advice about how to do this.

### **If you were sent to prison by a Magistrates' Court**

- Appeal to the Crown Court or ask your solicitor to do this within 21 days of getting your sentence.

### **If you were sent to prison by a Crown Court or County Court**

- Appeal to the Civil Appeal Court or ask your solicitor to do this within 14 days of getting your sentence. The address to send your appeal to is

Civil Appeal Court  
Royal Courts of Justice  
Strand  
London  
WC2N 2LL

# Immigration detainees

**Immigration Detainees.** Immigration detainees are people who are not originally from the United Kingdom (England, Scotland, Wales and Northern Ireland).

These are usually people who are being held in prison for breaking immigration rules or committing an offence and are now waiting to see if they will be sent back (deported) to the country they come from.

The Border and Immigration Agency decide what should happen to immigration detainees.

**Border and Immigration Agency.** This is a group of people who work for the government. They are in charge of managing who comes in to the country to work, visit or live.

- ✓ The Border and Immigration Agency will be in contact with you while you are in prison. They will be looking into your case while you are in prison.
- ✓ You will have to follow the same rules as unconvicted prisoners while you are in prison. **Go back to page 7 for more information**
- ✓ You should try to get help from a solicitor. Get in touch with a group called the Immigration Advisory Service if you do not have a solicitor. **Their address is on page 20.** You should be able to phone, write to or even fax your solicitor. Or they can come to visit you.
- ✓ Ask these people for help if you need it
  - your personal officer if you have one
  - the prison officer in charge of your wing
  - someone called the race equality officer in prison
  - or someone called a foreign national prisoner coordinator if there is one in your prison.
- ✓ You may be able to get an interpreter if you need one. (This is someone who can help you understand something said in English).
- ✓ You can look at a leaflet called **Information and Advice for Foreign National Prisoners** for more information. There is a copy in the library.

## **Keeping in touch with staff looking into your case**

- People from the Border and Immigration Agency will be in touch with you while you are in prison. They may already work in your prison, or they may come to visit your prison.
- You can also get in touch with them if you need to.
- You can also ask your solicitor, a prison officer or the governor to get in touch with the immigration staff looking into your case.

## **Asking to be released on bail (this means asking to be released from prison while your case is being looked into)**

- You may be able to ask to be released from prison on bail.
- You need to fill in a form called **IS 91R** to ask to be released on bail.
- There is more information on the form about being released on bail.
- You can get help to ask for bail from
  - a group called the Immigration Advisory Service (**their details are on page 20**)
  - immigration staff who work at or visit your prison
  - your solicitor or staff at the prison. They can get in touch with the immigration staff looking into your case.

# People who can help you

## 1. The Immigration Advisory Service

These people give free advice and help to immigration detainees.

Immigration Advisory Service  
Head Office  
3rd Floor  
County House  
190 Great Dover Street  
London  
SE1 4YB

General telephone 0207 967 1200

The helpline 0207 967 1299 (during working hours).

Fax 0207 403 5875

## 2. The Detention Advice Service

These people can give you advice and help about things to do with being an immigration detainee. They can help you see a solicitor and they often visit prisons.

Detention Advice Service  
Unit B3  
62 Beechwood Road  
London  
E8 3DY

Telephone 0207 254 6888

Fax 020 7254 8555

### 3. The Joint Council for the Welfare of Immigrants (JCWI)

These people give immigration detainees help, information and advice.

Joint Council for the Welfare of Immigrants  
115 Old Street  
London  
EC1 9RT

Telephone 020 7251 8706

Fax 0207 251 8707

**If you are an asylum seeker (someone who has left their own country because they are in danger and is waiting to find out if they can stay in the United Kingdom), get in touch with the**

### 4. Refugee Legal Centre (RLC)

Refugee Legal Centre  
Nelson House  
153-157 Commercial Road  
London  
E1 2DA

Telephone 0207 780 3200

Fax 0207 780 3201

You can also call these numbers

1. A **free phone** number 0800 592 3333 or 0207 780 3333

You can call this number on Monday, Wednesday and Friday from 10.30am until 1.00pm and from 2.00pm until 4.30pm.

2. In you need to speak to someone very quickly in an **emergency** you can call 07831 598057.

You can call this number during the week and at the weekend from 6.00pm until 8.00am.

# Appealing against your conviction or sentence

## Useful words

**Your conviction.** When the court decided you were guilty of the crime.

**Your sentence.** What the court says must happen to you because you are convicted.

**Making an appeal.** This is when you try to change the decision made by the court about your conviction or your sentence.

You can try to change the decision made about both your **conviction** and the **sentence** you were given. This is called an appeal. Your solicitor will be able to advise you if you can appeal and what you can appeal about.

## Main points

- Think carefully before you decide to appeal. Sometimes, if the appeal is not successful, the court may decide that the time you spend in prison to make your appeal will be extra to your sentence.
- Make sure you get advice from your solicitor or barrister before you decide anything.
- You may have to make your appeal quickly. Usually within 28 days of your conviction or sentence. You may be able to appeal after this. Ask your solicitor for advice.
- Ask to speak to someone in prison called a legal services officer. They can help explain how to appeal.
- If you make an appeal, you will need to get the money to pay for it. You can apply to get some money called Legal Services Funding.

## How to make an appeal

1. Speak to your solicitor or barrister. If you did not get the chance to speak to them at court, ask the governor if you can see them on a visit.

Your solicitor or barrister will

- tell you what they think your chances are of the appeal working
- fill in the forms if you decide to appeal.

2. Ask to speak to the legal services officer. They can explain how to make an appeal.

3. The legal services officer can tell you which forms to fill in and where to send them to. This depends on whether you were tried in a Crown Court or a Magistrates' Court.

4. If your appeal can go ahead, apply to get the money to pay for the appeal. The money you have to apply for is called **Legal Services Funding**.

The Legal Services Funding (money) that paid for your trial only allows you to get advice about how to make an appeal, not to actually make the appeal.

### What to do if...

#### **You want to change your solicitor or barrister.**

- Speak to the solicitor or barrister you have now and tell them why you want to change. They will ask the Judge if it is ok for you to change.
- Or you can pay to see a solicitor or legal advisor that you choose.

#### **You want to be released on bail while you are waiting for your appeal to happen?**

- You need to fill in a form called **Form B** and send it to the Court of Appeal.



## **If your appeal is turned down (this means not successful)**

- You can ask a group of people called the **Criminal Cases Review Commission** to look at your case.
- They can look at cases where they think a mistake has been made. They can send the case back to the Court of Appeal.
- You will need to show them **new information or evidence** that was not talked about at the trial or at the appeal.
- You may be able to get help from a solicitor.
- You may be able to get Legal Services Funding to help you. You will need to fill in forms called **CDS1** and **CDS2** to ask for this money.
- There is more information in **Prison Service Order 4400**, chapter 3. You can find a copy in the prison library.

# Working out how long you will be in prison

## Main points

- The court decides how long your sentence will be, but it takes time to work out the details.
- You will be told what date your sentence finishes when you get to prison. If the prison is waiting for information on how long your sentence will be, you may be told the information is **provisional**. This means it might change.
- If you break prison rules you may have to spend extra days in prison. This is not part of your sentence. **See page 83 for more information.**
- Speak to your personal officer or another member of prison staff if you need help to understand your prison sentence.

## About your sentence – this does not cover life or indeterminate sentence for public protection prisoners

### Your sentence is worked out by looking at

- the date you were sentenced
- how long your sentence is
- the date you committed the offence
- the prison service will take into account any time you spent in prison on remand for the offence if it was committed before 4 April 2005
- if your offence was after 4 April 2005 the court may tell the prison not to count the time you spent on remand.

## How long will you spend in prison?

This depends on the date the crime was committed. There is extra information in the starting on **page 145**.

### Adult sentences up to 12 months

- Your release will be unconditional (AUR).
- You will **not** be supervised by an offender manager.
- You will be given information called a notice. This notice will explain what this means and you have to sign it.

### Offences committed before 4<sup>th</sup> April 2005

#### If your sentence is less than 1 year long

- You will be released half way through with no licence (unless you are under 21).

#### If your sentence is more than 1 year and less than 4 years long

- You will be released when you have served **half** your sentence.
- When this happens, you have to see someone from probation who will make sure you are keeping to the rules in your licence.
- Your licence ends at three quarters of the way through your sentence.

#### If your sentence is more than 4 years long or more

- You can apply for parole when you have served **half** your sentence.
- If you get parole, someone from the probation service will keep checking on you after you are released.
- If you do **not** get parole, you may be able to apply again every year unless you have less than 13 months left to serve in prison.
- If you do **not** get parole at all, you will be released before the end of your sentence. The date you will be released is called your Non-Parole Date. You will have to see someone from probation that will work with you and check you are keeping to the rules in your licence.

## More about offences committed before 4<sup>th</sup> April 2005

### Extended Sentences

- You may have an extended sentence for a violent or sexual crime.
- The date you leave prison will depend on how long the judge says you should be in prison for.
- If you get parole you may also have to spend longer on licence.
- If you do **not** get parole, you may be able to apply again every year.
- If not, you will be released before the end of your sentence. The date you will be released is called your Non-Parole Date. You will have to see someone from probation that will work with you and check you are keeping to the rules in your licence.

## Offences committed on or after 4<sup>th</sup> April 2005

### If your sentence is more than 1 year but less than four years

- You will be released when you have served **half** your sentence.
- You will have to see someone from probation who will work with you and check you are keeping to the rules in your licence.

### Extended sentences

- If you have an extended sentence, you will have to **apply** to get parole. You can do this when you have served the prison part of your sentence.
- If you do **not** get parole, you may be able to apply again every year.

## Offences committed before 1<sup>st</sup> October 1992

- You can apply for parole after you have served **1 third** of your sentence.
- If you get parole you will be released from prison on licence until two thirds of the way through.
- If you do **not** get parole, you may be able to keep applying every year unless you have less than 13 months left to serve. If you never get parole, you will be released from prison after you have served **2 thirds** of your sentence.
- If you commit another crime while on parole you may have to serve the rest of your sentence.

**There is more information about release on licence and parole starting on page 141.**

# Things to sort out – outside prison

## 1. Children or other people you look after

- If you need to sort out care for children or other people you look after, tell prison staff straight away.

### Child Support Agency Payments

- If you have been paying child maintenance money, you need to let the Child Support Agency know that you are in prison.
- You must tell the Child Support Agency within 1 week about this. It is a criminal offence if you do not tell them within a week of any changes.
- You **do not** have to pay child maintenance if you are not working or getting benefits.

You can write to them at

Child Support Agency  
National Helpline  
PO Box 55  
Brierly Hill  
DY5 1YL

Telephone 08457 138 924

## 2. Benefits

### If you already get benefits

- Talk to your local Jobcentre Plus office as soon as possible to sort things out. Or ask someone in your family to do it.
- If you are in prison for over 21 days, the only benefit you will normally be able to get is Housing Benefit.
- If you think your Jobcentre Plus office owes you some benefit money then write to them and ask them to send you the money in prison. They will need to send a **giro** made out to the **governor**. The money will then be paid into your private cash.
- If you cannot get this money, you can claim it after you are released.

### If you were working

- Your family may need to claim benefits while you are in prison or on remand.
- They should contact the local Jobcentre Plus office as soon as possible.

**Make sure you contact your Jobcentre Plus office as soon as possible. If not, you or your family may have trouble getting benefits now and after you are released.**

## 3. Paying rent or mortgage

- You or your family may be able to get **Housing Benefit** to help pay the rent or mortgage.
- It is a good idea to get advice about this as it will depend on whether you have been convicted or are on remand.

## **Paying rent - what to do**

### **Write to your landlord or estate agent to let them know you are in prison. Tell them**

- How long you will be in prison.
- Whether anyone will be looking after your home.

### **If you were living with your family and already getting Housing Benefit**

- Write to the Housing Benefit Office to tell them you are in prison.
- Your family should also write to them to ask to take over your benefits while you are in prison.

### **If your family needs to start getting Housing Benefit**

- They should write to the Housing Benefit Office to make a claim for Housing Benefit.

### **If you were living on your own**

- You can claim Housing Benefit while you are on remand for up to 52 weeks. Or if you will be in prison for less than 13 weeks.
- If you were not getting Housing Benefit already, write to your local council to ask for a form to claim it.

### **If you cannot pay the rent and you cannot get housing benefit**

- You may want to give your home back to the landlord or the estate agent. This may be better than owing them lots of money and getting into debt.
- Your landlord may agree to find you somewhere else to live when you get out of prison.
- **Ask NACRO or the Citizens' Advice Bureau for advice first.**
- These organisations may visit the prison. If not, you can call NACRO on 0800 0181 259



## Your mortgage

You or your family may be able to get help with paying the **interest** part of your mortgage if

- you lived with your family and they are staying on in the home
- you have **not** been convicted or if you are waiting for your sentence, and you are buying a home by yourself.

### What to do

- ✓ You or your family should write to the local Jobcentre Plus office if you or they want to claim Housing Benefit.
- ✓ Make sure you tell your Mortgage Company, bank or building society you are in prison.
- ✓ Also tell them what you think will happen. For example, if you want to pay the interest part of your mortgage only. Or if you think you will not be able to pay at all.
- ✓ You may be able to stop the payments for a bit. Or sell the house.

### How the Housing Benefit will be paid

#### If you bought your home before 2 October 1995

- Week 1 to 8                      You will get **no** money for housing costs
- Week 9 to 27                    You will get half the money
- From week 27                    You will get all the money

#### If you bought your home after 2 October 1995

- Week 1 to 39                    You will get **no** money for housing costs
- From Week 39                    You will get all the money

## 4. Council Tax

### What to do

- ✓ Tell your local council you are in prison. You may not have to pay council tax or your family may have to pay less council tax.
- ✓ You should get a leaflet about council tax when you first get to prison. There should be some forms with the leaflet. Fill in the forms to contact your local council.

## 5. Bills like water, gas, electricity and telephone

You **cannot** get any help with these while you are in prison.

### What to do

- ✓ You could write to the companies to tell them you are in prison. Ask staff for help to write the letter.
- ✓ You could ask them if you could pay the bills when you leave prison. Or you could ask for the gas, water or electricity to be cut off.

## 6. National Insurance

### If you paid National Insurance before coming to prison

- You will **not** get paid any National Insurance while you are in prison.
- But if you are aged 16 to 18 years old you will get tax credits.
- You can also get credits if you are aged 60 to 65.

## National Insurance money you pay

While in prison

You **cannot** pay

- Types of National Insurance called Class 1 and Class 2 (to do with being in a job).
- But you **may be** able to pay this if you are on a special project while in prison. For example, where you get paid for doing work in the community.

You **can** pay

- A type of National Insurance called class 3.
- If you stop paying this type of National Insurance, your pension or bereavement benefit may be affected. This depends on things like how long your sentence is.

**To find out more get in touch with your JobCentre Plus office or write to**

HM Revenue & Customs  
National Insurance Contributions Office  
Benton Park View  
Newcastle on Tyne  
NE98 1ZZ

Telephone 0845 302 1479

## 7. Your state pension

You will **not** get your state pension

- If you have been sentenced.
- While you are on remand or waiting for your trial.

You **will** get your pension

- If you are released without being sentenced. You will get the money when you are released.

### If you have a partner

- Your partner will still get their pension when you are in prison unless they get something called **dependent's increase**.
- They should check with their Jobcentre Plus office if they are not sure.

**For more information, write to the Pension Service at**

National Pension Centre  
Tyneview Park  
Whitley Road  
Benton  
Newcastle-upon-Tyne  
NE98 1BA

Telephone 0845 6060 265

## 8. Income tax

- It is important that you keep a check on anything to do with your tax while you are in prison.
- An organisation like the Citizens Advice Bureau may come into your prison and be able to help you sort your tax out.

### What to do

- ✓ Contact your tax office if you need help. Tell them your National Insurance Number and reference number if you can.
- ✓ Ask the local tax office if you are not sure which tax office is yours.
- ✓ You will still need to fill in your tax forms if you are sent any. Or if you have any income you need to tell them about.
- ✓ Someone can contact the tax office for you. But you will need to put something in writing to say it is ok for them to do that.
- ✓ If your employer is keeping your job for you while you are in prison, ask them to put this in writing so you have a record of it.
- ✓ You can still get your **personal allowances** while you are in prison. Your personal allowance is the amount of income you can get every year without having to pay tax on it.

### You could contact your tax office to find out

- ✓ If you can change Children's Tax Credit money to your wife or partner's name, if they are working.
- ✓ If you can get back tax that is taken from your bank or building society interest. You have to fill in a form to do this.
- ✓ If you can get back income tax you have paid since 5 April, if you have a job and have a document called a P45.
- ✓ Or to get advice if you were working for yourself (self-employed).

# People who can help you in prison

- You can talk to prison staff about any problems you have while you are in prison.
- But there are other people who can help you too.
- Prison staff should tell you who else can help you. There should also be information about this on your prison wing.

**Here is a list of other people who can help you in prison. There are more people on the next page.**

**If you feel upset or worried or would like to talk to someone, you can speak to**

- ✓ **A chaplain or someone else to do with religion.**
- ✓ **The Samaritans.** Tell prison staff if you would like to speak to the Samaritans. The Samaritans are people you can talk to in private if you feel very upset or worried or if you feel you may want to harm or kill yourself. The Samaritans are available 24 hours a day. You can see a Samaritan, talk to them on the phone in private (you have to ask for the local number) or write to them at  
Chris  
PO Box 9090  
Stirling  
FK8 2SA
- ✓ **Other prisoners called a listener or a buddy.** Listeners are **prisoners** who are trained to listen and support you if you feel very upset or worried. They will **not** tell prison staff what you said unless they are worried you will harm yourself or someone else. Some prisons also have buddies. Buddies are prisoners who are there to listen to you if you need someone to talk to. Buddies may tell prison staff things you said if they need to.
- ✓ **Official prison visitors.** These are local people who can visit prisoners who may not have many people to visit them or who may just want to speak to someone else outside the prison. Speak to someone called an official prison visit liaison officer to ask for one of these people to visit you.

## Other people who can help you

### If someone is hurting you or being violent to you

- ✓ Speak to **any** member of prison staff straight away. They will be able to help you.

### Help with other things

- ✓ **Other organisations** help prisoners as well. For example, the Citizen's Advice Bureau gives help with things like money and the law. Alcoholics or Narcotics Anonymous gives help to do with drug or alcohol problems. Ask prison staff what help you can get at your prison.
- ✓ **The New Bridge Foundation.** This is an organisation that helps prisoners by coming to visit people in prison and helping them get ready for life after prison. Ask prison staff if you would like a volunteer to come to your prison. Or you can contact the New Bridge Foundation at

The New Bridge Foundation  
27a Medway Street  
London  
SW1P 2BD  
Telephone 0207 976 0779

### Who to speak to about problems in prison

- ✓ **The Independent Monitoring Board.** These people check prisons to make sure they are run in a good and fair way. They do not work for the prison. They are people from the local area who are volunteers. If you have a complaint to do with prison life you can ask to see someone from the Independent Monitoring Board or even the whole Board when they are next in prison. You will have to fill in a special form to do this. The form and a leaflet about the Independent Monitoring Board should be on your prison wing.
- ✓ You can also complain to prison staff or someone called the Prisons and Probation Ombudsman. **See page 115 for more information.**

# Keeping in touch with family and friends

Your prison must help you keep in touch with family and friends.

In prison you can

- write letters
- make telephone calls
- get people to visit you.

Ask a prison officer to help you with these things if you need to.

## Visits from family or friends

**Main points (there are some more on the next page)**

- ✓ You usually have to fill in a form called a **Visiting Order** before someone can visit you in prison (unless you are an unconvicted or civil prisoner)
- ✓ Visits happen in a hall in the prison. Prison staff will tell you which part of the hall to sit in.
- ✓ The governor of each prison decides the times and days that visits can happen. Visits **cannot** normally happen on public holidays (such as Christmas and Easter).
- ✓ Prison staff may have to decide if children can visit you or not. This depends on things like the offence you have committed and your behaviour while in prison. Prison staff will tell you if this happens.



- ✓ Up to 3 adults with any children can usually visit you each time. They must all visit at the same time. And their names must all be on the Visiting Order.
- ✓ Children usually need to be with an adult. But 16 to 18 year olds may be able to visit on their own in some prisons.
- ✓ It is a good idea to find out who is visiting you. If another group of people turn up on the same day, they may not be allowed to see you.
- ✓ There is more information in **Prison Service Order 4410**. A copy is in the library.

### **For unconvicted and civil prisoners**

- ✓ Your family will usually have to phone the prison to arrange a time to see you. You do **not** have to fill in a Visiting Order form.
- ✓ You are usually allowed 3 visits a week. These visits will be for 1 hour each time. 1 of the visits can be at the weekend.
- ✓ In some prisons, you can have a shorter visit on more days.
- ✓ You may be able to get more visits or longer visits. This depends on things like your behaviour and the prison you are in. **See page 64.**
- ✓ Up to 3 adults can come with any children for each visit.
- ✓ If teenagers are coming to visit you, check with prison staff. Some prisons count teenagers as adults.
- ✓ You may be able to visit someone in your family who is an unconvicted prisoner in a different prison. This can only usually happen if you are both likely to be in prison for another month. Ask prison staff if you want to do this.

## For all other prisoners

- ✓ You can have at least 2 visits every 4 weeks. The visits will last for 1 hour.
- ✓ You may be able to get more visits depending on your behaviour while in prison. **See page 64.**

## How to arrange a visit

1. Fill in a form called a **Visiting Order**. You will get a new Visiting Order every 2 weeks.
2. Write the names of all the people you want to visit you on the form. Include the names of any children you want to visit you.
3. Send the Visiting Order to 1 of the people you want to see.
4. The people visiting you must bring the form with them.

## Other information about visits

### Visiting someone from your family in another prison

You can visit a close member of your family who is in another prison. You can apply to do this once every 3 months. Both of you will need to fill in a Visiting Order form to do this. The visit may take a bit of time to sort out.

## **If you are moved to a prison a long way from your family or friends**

- You can also save up visits. You can save up at least 3 visits and maybe up to 26 visits. These are called **accumulated visits**. Ask prison staff about how to do this. You might have to wait for this to happen because prisons are busy.
- You can also ask the governor if you can be moved for a **short time** to another prison nearer your family or friends. You can do this 6 months after being in your current prison.
- You will have to follow the visiting rules of your new prison.
- You can start saving up visits again when you get back to your old prison.

## **Help with the cost of travel for visitors**

- People who visit you may be able to get some money to help pay for their travel costs when visiting you. They must be over 18 years old, on some benefits and not earning very much money to get this help.
- They need to fill in a **form** to apply to get the money from something called the Assisted Prison Visits Scheme.
- There is information about this in **Prison Service Order 4405** and in the hall where people come to visit you.
- You can get the form to fill in from the prison, the visitors centre and hall where people visit you or by contacting the Assisted Prisons Visits Unit at

Assisted Prison Visits Unit  
PO Box 2152  
Birmingham  
B15 1SD

Telephone 0845 300 1423 or 0121 626 2000  
(Monday to Friday from 10:15-11:45 and 14:15-15:45)  
Textphone: 0845 304 0800 (at the same times)

# Letters

## Main points

- ✓ **Prison Service Order 4411** tells you what can and cannot be in your letters. Ask prison staff to help you if you are not sure what the prison order says as you need to know the rules.
- ✓ You will be able to send 1 free letter every week. This means you do not need to pay for the stamp. If you are an unconvicted prisoner you can send 2 free letters a week.
- ✓ This will not change even if you get any punishments.
- ✓ You will have to pay to send any other letters.
- ✓ You can send a free letter instead of having someone visit you, if that person cannot come to visit you for some reason.
- ✓ You may be able to get an extra letter free if you need to send a letter because of something special or urgent. For example, if you have to move quickly to another prison and you have to tell your family.
- ✓ You can be sent as many letters as you want.

## How private are your letters?

- All letters that you send and that you get will be opened by prison staff. This is to check there is nothing sent with the letters that is not allowed. This is except for letters from solicitors, courts and some other confidential organisations. **See page 47.**
- Prison staff do **not** read most letters. But they will read a small number of letters from time to time.

## More about letters

- Prison staff **may** read all of your letters if
  - you are a Category A prisoner
  - they think you may escape from prison
  - they think you may be a danger to children (this will be checked at least every 6 months)
  - you are on remand for or have been convicted of a harassment offence
  - you have been given a restraining order or injunction (this may be checked every 6 months)
  - if for some reason prison staff think that what is in the letters may be a danger to the prison or to other people.

## Telephone calls

### Main points (there are some more on the next page)

- ✓ Prison staff will give you a form for you to write a list of telephone numbers you may want to call. For example, people in your family, your friends and your solicitor.
- ✓ Prison staff then have to say if this list is ok. In some cases, you may be able to phone a number without prison staff saying it is ok first. This depends on what your security category is.
- ✓ Prison staff will give you a number called a **PIN** number. You must type this number in before you make **every** phone call.
- ✓ You will have to sign a piece of paper to say you agree with some rules about using the phone.

- ✓ You pay for the calls by buying something called **credit**. This is where you pay money at the start. Every time you make a call the cost of the call is taken away.
- ✓ You can buy credit from the prison shop with your private cash or money you earn.
- ✓ You may be able to spend more time on the telephone depending on your behaviour while you are in prison. **See page 64.**
- ✓ You can ask to use another telephone that is more private if you need to speak to your solicitor urgently. Or if there is an important reason why. The governor will decide if you can do this.

There is more information in **Prison Service Order 4440 chapter 4**. There is a copy in the library.

### **If your family or friends live in another country**

- As well as any other calls you make, you can usually make 1 **free** phone call to them a month. The call can be 5 minutes long. You will **not** get this free call if your family or friends have visited you in the last month.
- Foreign nationals (people without a UK passport) or prisoners with close family in another country can use more of their private cash to phone family or friends in this country.

### **How private are your phone calls?**

- If you are a high or exceptional risk category A prisoner prison staff may listen to **all** your calls.
- If not, prison staff may listen to **some** of your calls.
- Prison staff can hear both of the people in the phone call. They can also tape phone calls so they have a copy of them.
- Prison staff will tell you if this can happen in your prison.
- Prison staff can stop your call if you say something you should not say.
- Staff will not listen to calls to your solicitor or some other private organisations.

## Getting married or having a civil partnership

- You can apply to get married or have a civil partnership while you are in prison.
- To do this, fill in a request form or write to the governor and give it to prison staff to pass on.
- The governor will decide if the wedding or civil ceremony should happen in prison or at a register office nearby.
- You and your partner will need to sort out all the arrangements. For example, you will need to contact the right people, fill in the right forms and pay for any costs.
- The chaplain can help you make some of the arrangements.

### More information

- There is more information about getting married in **Prison Service Order 4450**.
- There is more information about civil partnership in **Prison Service Order 4445**.

You can get copies of these in the library.

# Contact with your solicitor and other official people

## Letters to and from your solicitor, the courts or other official organisations

- Prison staff will **not** open or read letters to your solicitor or the courts about legal things unless there is a very good reason to do so. This is called **Rule 39** mail.
- This is the same for letters to some other organisations like the prison and probation ombudsman, your MP and the Samaritans. See **Prison Service Order 4411** for a list of these organisations. There is a copy in the library.

## To send a letter to your solicitor, the courts or other official organisations

As well as the name and address, you must write these things on the envelope before you give it to prison staff to send

- Write **Prison Rule 39** on the envelope of letters to your solicitor or the courts.
- Write **Confidential Access** on the envelope of letters to other official people.

## To get a letter from your solicitor, the courts or these other official organisations

The person sending you the letter should write these things on the envelope

- your name and prison number
- their address and phone number
- Prison Rule 39 or Confidential Access
- your solicitor should then sign the envelope. Then they should put it in another envelope and address it to the governor. Or they can write a short note to go with the letter instead.



- You should only write **Rule 39** on the letter if it is to do with legal things.
- You should **not** put anything in the letter you are **not** allowed to send.
- Prison staff may open the letter in front of you if they think that something is wrong. They have to ask the governor or director if they can do this first.

## **Visits and telephone calls from your solicitor or other official people**

- Your solicitor and other official visitors (such as people to do with the law) can visit you in prison.
- A prison officer will be there when these people visit you. But they will be far enough away so they cannot hear what you are saying.
- Prison staff will **not** listen to any phone calls you make to your solicitor or other legal people.

## **Contact with newspapers, TV, radio or magazines**

You can write to newspapers, TV, radio or magazines as long as

- you do not write about any offence you have committed or any offence someone else has committed (unless it is to say something serious about crime, conviction, justice, sentencing, or the prison service)
- you do **not** write about any prisoner or member of prison staff where it is clear who that person is. For example, you cannot write a person's name
- you follow all the rules about letters
- you do **not** get paid for anything you do (unless you are an unconvicted prisoner).

You have to ask the governor or director if you can get phone calls or visits from journalists.

There is more information in **Prison Service Order 4470**. There is a copy in the library.

# Prison life

## Your prison number

You will be given a prison number when you first come to prison. The number will stay the same if you move to another prison. The number helps prison staff keep track of you and your things.

## Your prison records

Your prison record is **information** the prison keeps about you on paper and on the computer.

It includes things like

- your name and date of birth
- which cell you are in
- information about when you went to court
- any adjudications you have had while in prison
- information about your health
- information about any work or education you are doing.

## Prison Service Orders (PSO) and Prison Service Instructions (PSI)

These explain the prison regulations (rules) and the way prisons do things.

## What prison staff do with information about you

- ✓ Prison staff will keep information about you private. But they may need to show other people like the police and the courts this information.
- ✓ You can look at the information the prison keeps about you. It will cost you £10 if you want to see **all** the information.
- ✓ To do this you have to fill in a form called a **Subject Access Request Form**. Ask a prison officer for this. Or you can write a note on paper to ask instead.
- ✓ Send the form or the note to the discipline/ custody office or the personnel department.
- ✓ The law says that the prison must keep certain information from you. For example, they cannot give you information that is being used to solve a crime.
- ✓ There is more information in **Prison Service Order 9020**. There is a copy in the library.
- ✓ To find out more about how prisons use information about you write to

The information manager  
H M Prison Service  
Room 330  
Bell House  
John Islip Street  
London  
SW1P 4LH

## Your security category

### Useful words

**Open prisons.** These are prisons where you have more freedom than other prisons to move around and do things. You may have your own cell with your own keys. You may be put in an open prison if staff think you can be trusted.

**Closed prisons.** Most people in prison are in closed prisons. These prisons are secure and people can not escape from them.

### What is your security category?

- Your security category is about what type of prisoner you are.
- Prison staff will look at things like whether you might harm others, or try to escape from prison, and how dangerous you would be if you did escape.
- Prison staff will decide which security category you should be in and then tell you.
- If you are in a high security category (like A or B) you will have less freedom in prison to do things than other prisoners. Prison staff will do more to check on you and to stop you escaping.
- Young offenders have different security categories to adult prisoners.

## Here are the security categories for adults

1. **Category A.** This is where prison staff think you will harm someone outside prison and/or you might try to escape so everything possible will be done to stop you escaping.
2. **Category B.** This is where prison staff think you should have no chance of escaping.
3. **Category C.** This is where prison staff think you will not escape, but that you cannot be trusted in an open prison.
4. **Category D.** This is where prison staff think they can trust you to be in an open prison.

## Here are the security categories for young offenders

1. **Category A.** This is where prison staff think you will harm someone and that everything possible must be done to stop you escaping from the young offender institution.
2. **Restricted Status.** This is where prison staff think you should be kept in a safe part of the young offender institution.
3. **Closed Conditions.** This is where staff think you are less of a risk but still not safe to be in an open young offender institution.
4. **Open Conditions.** This is where staff think they can trust you enough to be in an open young offender institution.

## Checking your security category to make sure it is right

Prison staff will keep checking you are in the right security category. They will change your security category if they think you have become safer or more dangerous.

- **If your sentence is between 1 year and 4 years**

Prison staff will look at your security category every 6 months.

- **If your sentence is more than 4 years**

Prison staff will check your security category every year.

- **If you are a category A prisoner**

Staff who work at Prison Service Head Office will check your security category.

- **If you are a category D prisoner**

Prison staff will not need to check your security category very much.

You can complain about your security category if you think it is wrong. **See page 110.**

## Where you will serve your sentence

- ✓ You will start your sentence in a local prison or young offender institution near to the court you were sentenced at.
- ✓ You may stay at the same prison all the time if your sentence is for a short time.
- ✓ If your sentence is for a longer time you will be moved to another prison soon afterwards.
- ✓ You **cannot** choose the prison you go to. But you can ask prison staff if you want to move to a prison nearer your friends or family. They **may** be able to help with this.
- ✓ It can be a long wait to move to another prison as there are lots of prisoners who want to move prison.

# The different types of prisons

## 1. Local Prisons

- You go to a local prison or young offender's Institution first if you
  - have just been convicted or sentenced at court
  - are on remand and waiting for your trial.
- You will be given your security category here.
- You will either stay here or move to another prison or young offender institution. This depends on how long your sentence is.
- Local prisons are all closed prisons.

## 2. Training prisons

- You may be moved to a training prison soon after you get to a local prison.
- Training prisons can be open or closed prisons.
- You can go on courses and training at these prisons to help stop you committing another offence when you leave. You may have to wait a while to get the training or courses.

## 3. Young offender institutions

- These are places for young people aged 15 to 21 who have committed an offence.

## **More about different types of prison**

### **4. High Security Prisons**

- These are for prisoners who have been given a category A or B security category.
- There are 8 high security prisons at the moment. They are: Belmarsh, Frankland, Full Sutton, Long Lartin, Manchester, Wakefield, Whitemoor, and Woodhill.

### **5. Prisons run by private companies (sometimes called Contracted Prisons)**

- These prisons are run by private companies.
- Prisoners follow the same rules and have the same rights as prisoners in other prisons.
- Some of the staff are different. For example, private prisons are run by someone called a director, not governor.
- Prison officers are called prison custody officers.
- There are 11 private prisons at the moment. They are: Altcourse, Ashfield, Bronzefield (women), Doncaster, Dovegate, Forest Bank, Lowdham Grange, Parc, Peterborough (men and women), Rye Hill and The Wolds.



# What you can and cannot keep in prison

## Main points

- ✓ You cannot keep many things in prison.
- ✓ You should give any extra things you cannot keep to visitors when they come to see you.
- ✓ It may be a good idea to send out or give visitors any expensive or valuable things you have. This is because the prison cannot do anything about it if your things are lost or broken, unless it can be shown that prison staff did it.
- ✓ Anything you cannot keep or give to visitors will be put into sealed bags and kept in a safe place inside or outside the prison until you leave.
- ✓ Prison staff will ask you to sign a form (property card) when
  - you get to a prison to say you have seen what prison staff have put into the bags and the bags have been closed in front of you
  - when you get to or leave a new prison to say that your things are still ok
  - when you are released from prison to say all your things are there.
- ✓ When you are released from prison you will get all of your things back, apart from anything you are not allowed to have or that is against the law.

## What you can keep in your cell

- You can keep enough things in your cell to fit into **2** boxes.
- You can also have
  - a stereo or something to play music on
  - something bigger. For example, a guitar
  - any legal papers you are allowed to have.
- Prison staff will often do checks to make sure you do not have too many things, or the wrong things.
- You may have to earn the right to keep some things in your cell. **See page 64.**

There is a list of things you **may** be allowed to keep in your cell below. This may be different for each prison and may depend on what your security category is.

### You may be able to keep these things

- ✓ Newspapers, books and magazines.
- ✓ Something to play music on and earphones.
- ✓ A computer and things to go with it, like floppy disks.
- ✓ Things you need for smoking. **Convicted** prisoners may be able to keep up to 62.5 grams of loose tobacco or 80 cigarettes or cigars, or a mix of both. **Unconvicted** prisoners may be able to keep up to 137.5 grams of loose tobacco or 180 cigarettes. You may only be allowed to smoke in your cell.
- ✓ Some games to play, including electronic games.
- ✓ Some things to do with hobbies. For example, art or writing.

## Other things you may be able to keep in your cell

- ✓ 1 birdcage and one small bird (only if the prison allows caged birds, not many prisons do).
- ✓ A watch.
- ✓ An electric shaver.
- ✓ Things to help you if you have a disability.
- ✓ Batteries.
- ✓ Toiletries (things like a toothbrush, toothpaste and deodorant).
- ✓ A wedding ring or another plain ring.
- ✓ A medallion or locket.
- ✓ Books and other things to do with your faith. And incense.
- ✓ Photos and pictures (if they are in a frame without glass).
- ✓ Greetings cards (things like birthday cards, if they do not have any padding on them).
- ✓ A calendar and a diary or personal organiser.
- ✓ An address book.
- ✓ Stamps and envelopes.
- ✓ Medicine (staff will tell you if you can keep it in your cell).

## If you move to another prison and have to stay somewhere overnight

You can take these things: soap, flannel, comb, toothbrush, toothpaste, razor, shaving cream, shampoo, deodorant, radio, book, pen and paper. It is your job to look after your things and make sure they are safe.

## Your money

### Main points

- ✓ Your friends or people in your family can send you money while you are in prison.
- ✓ This money is called your **private cash**.
- ✓ The money cannot come straight to you. It will be kept for you by the prison.
- ✓ You can spend the money. How much you can spend depends on how well you behave in prison.
- ✓ For example, if you are a **convicted** prisoner you will be able to spend either £4.00, £15.50 or £25.50 per week. This depends on how good your behaviour is.
- ✓ If you are an **unconvicted** prisoner you will be able to spend either £22, £47.50 or £51.00 a week depending on your behaviour.
- ✓ You can find out more about this on **page 64**.
- ✓ The governor may sometimes let you have more of your own money to spend. For example, if you need money for legal things, or if you are a foreign national prisoner and you need to phone your family in another country.

## How friends or family can send you money in prison

- They should try to send cheques or postal orders. These should be made out to **HM Prison Service** and sent to the **governor**.
- If they need to send money in cash they should write a note to go with the letter to say how much money is in the envelope.
- They should write these things on the envelope
  - their name and address
  - your name and prison number.

## The prison shop - also called the canteen

- You can buy things in the shop each week like tobacco, batteries, sweets and toiletries (things like toothbrushes and deodorant).
- Shops in each prison will have different things.
- If you need anything like something special like something for your skin or hair then ask the shop if they can order it for you.
- You may be allowed to buy things from some companies by mail order (this is when companies send what you have bought in the post). Ask prison staff for information about this.

## Smoking

- The only place you can smoke inside the prison building is in your cell. You will have to keep the door of your cell closed when you smoke.
- If you do not smoke, you do **not** have to share a cell with someone who smokes.

## More about smoking

You cannot smoke at all

- in places for people under 18 years old
- in prison service vehicles
- in cells with lots of beds (dormitories)
- in cells or areas which prison staff say you cannot smoke in.

Ask healthcare staff for help if you would like to stop smoking.

## Food

- Prisons have to do checks to make sure the food they give you is good enough. For example, that it is healthy, safe to eat and that you get enough food.
- Speak to catering staff (staff who work in the kitchen) if you have a problem with the food.
- Before meals, you will be able to choose the food you want to eat from a menu.

The menu should include

- something with meat or fish
- vegetarian food
- vegan food
- Halal food
- Kosher food
- You can choose to eat rice instead of potatoes.
- If you need to eat special food because of your health, healthcare staff will tell you about this.
- The prison may be able to get special food to do with your faith for you when there is a religious festival or event.

# Clothes

## Convicted prisoners

- You will have to wear clothes that the prison gives you. These clothes include underwear, socks and shirts.
- Prison staff must make sure these clothes are clean, in good enough condition and keep you warm and healthy.
- Prison staff must make sure they give you clean clothes often.
- In some prisons you may sometimes be able to wear your own clothes if you behave well in prison. **See page 64.**

## Unconvicted prisoners

- You can wear your own clothes as long as they are ok to wear in prison and are clean and tidy.
- But you may have to wear clothes the prison gives you if
  - you are a security category A prisoner
  - the governor thinks you may try to escape. You may then have to wear clothes that make it easy for staff to see you if you try to escape
  - you are on your way to court. If this happens, prison staff will do everything they can to stop other people seeing you in these clothes.
- Your family and friends can bring clothes in for you and take clothes away to wash.
- You have to wear your own clothes when
  - you are at court
  - you leave prison if you have not been convicted.
- Ask prison staff for clothes if you do not have enough of your own to wear.

## **Bedding - sheets and blankets for your bed**

- Bedding should be
  - clean and in good enough condition
  - warm.
- Mattresses and bedding should be aired for at least 1 hour a week.
- There is a laundry (where you can wash clothes) in the prison. You should be able to put clothes and bedding there once a week.

## **Baths, showers and toilets**

- You should be able to use the toilet and sinks at any time.
- You should be able to have a hot bath or shower at least 3 times a week.
- Prison staff may be able to give you toiletries (things like toothpaste, a toothbrush and deodorant) if you do not have enough money to buy your own.

## **Time outside in the open air**

- All prisoners should be able to spend between 30 minutes and 1 hour outside in the open air each day. The time you are allowed outside is different for each prison.
- Sometimes this may not happen. For example, if the weather is bad, or there is another reason to keep you inside.
- You should be able to do some exercise like walking. Prison staff will tell you what exercise you can do at your prison.
- Many prisons have time set aside when you can do PE (things like sport) and other things as well so that you can spend time away from your cell.



## Incentives and earned privileges (also called IEPs)

This is about extra things you can get or do if you

- keep to the rules
- take part in work and other activities like your sentence plan in a good way
- the extra things you can have or do are different in each prison.

For example, if you follow the rules and do good things for yourself in prison you may be able to do things like

- spend more of your money
- get more visits from your family and friends
- earn more money
- have a TV in your cell
- wear your own clothes
- spend more time outside of your cell.

**But, you can have these things taken away from you if you do not follow the rules.**

### How it works

Prison staff will tell you how many extra things you can get or do depending on your behaviour. There are **3** IEP levels

**Basic level.** If you are on basic level it means you can have certain things that the law says you can have, like some letters and visits. You will not be allowed anything extra.

**Standard level.** This means you may be allowed more visits and letters. You may be allowed to have a TV in your cell and to spend more of your money.

**Enhanced level.** This means you can have even more extra things. For example, you may be allowed more visits, a TV in your cell, or to spend more of your money.

# Your health

**Main points – there are more on the next page.**

## Your physical health

- ✓ Prisoners can get the same healthcare as anyone outside of prison.
- ✓ There will be an area in the prison for healthcare. There may also be a hospital in the prison.
- ✓ There will be a healthcare team in prison. These are people who give you healthcare like doctors, nurses and dentists.
- ✓ You should be able to get lots of information about healthcare in the prison.
- ✓ All healthcare staff are trained to the same high standards as healthcare staff outside prison.
- ✓ Tell healthcare staff if
  - you have any problems with things like drugs and alcohol
  - you have HIV or AIDS
  - you need to take medicine.

## **Your mental health**

Many people in prison have mental health needs. There are people that can help you.

Tell healthcare staff if

- ✓ You had a psychiatrist or community psychiatric nurse or spent time in hospital because of mental illness.
- ✓ You were taking medication in the community for your mental health.
- ✓ You feel worried or upset.
- ✓ You feel low or depressed.
- ✓ You feel anxious or frightened.
- ✓ You have difficulty sleeping or feel very tired.
- ✓ You think people are talking about you.
- ✓ You are hearing voices inside your head.
- ✓ You feel very angry.
- ✓ You feel confused or forgetful.
- ✓ You keep thinking the same thoughts over and over.

## Prison healthcare staff

Some of the healthcare staff who work in prisons are

- doctors
- nurses
- dentists
- pharmacists (these are the people who work in chemists and can give you medicine you have been prescribed by your doctor)
- staff to help with drug and alcohol problems
- staff to help with problems to do with your mental health. These staff are called psychiatrists and psychologists
- staff to help you with your sexual and general health.

## Seeing a doctor or nurse

- Tell a prison officer on your wing if you need to see a doctor or nurse. Nurses and pharmacists will be able to deal with many problems without you needing to see a doctor. But ask to see a doctor if you are still worried.
- You can ask to see someone else in the healthcare team if you are not happy with what the doctor, nurse or other member of healthcare staff has told you about your health problem.
- If your health problem cannot be dealt with by healthcare staff at the prison, one of these things may happen
  - the prison may get a specialist healthcare person to come into the prison to see you
  - you may be moved to another prison to get the healthcare you need
  - you may be taken to a hospital outside the prison. If this happens, the prison will still be in charge of you.

## Seeing a dentist or an optician (for your eyes)

- Tell prison staff if you need to see a dentist or an optician.
- Any treatment you get will be free unless it is not for medical reasons.
- You will be able to get free glasses or other things for your eyes if you need them.

## Medicine

- You **cannot** keep any medicines you bring with you into prison.
- Tell the staff on reception, a doctor or a member of the healthcare team if you are taking any medicine.
- A doctor in the prison will prescribe you any medicine you need. You can get this medicine from the chemist in the prison.
- You may be allowed to keep your medicine with you after this. Prison staff will decide if you can do this and let you know.

## Your health records (healthcare staff keep a record on paper and computer of your health problems and any healthcare you get)

- The prison will usually start a new health record for you when you get into prison. The prison will **not** usually have your old health records from outside the prison.
- Doctors in prison can get information from your old health records if they need to. But this is only if you say it is ok first.
- You can ask to see your health records if you want to. Usually you can see the information the prison keeps about your health. But there may be some information that you cannot see.
- Ask a member of the healthcare team if you want to see your health records. Or fill in a form to ask to see your health records.
- It should not take more than 40 days for prison staff to give you the information you have asked for. If your health records are at another prison, they will be sent on to your prison.
- You **can** see information about your health that doctors give to the courts or the Parole Board unless a doctor says you can not see it.

## Health problems and illnesses

### HIV and AIDS

- AIDS is caused by a virus called **HIV** (Human Immunodeficiency Virus).
- People get HIV first before they get AIDS.
- AIDS happens later on when a person's body is not able to stop itself from getting ill.
- People who have HIV may look and feel well. But they can still pass on HIV to other people.

### How you can catch HIV/ AIDS

- You could catch HIV if the blood or semen of someone with HIV gets into you.
- The main ways you can catch HIV are through
  - sex without a condom
  - sharing needles or works (for example, for taking drugs, getting tattoos or piercing your ears or body). Works is another name for needles and equipment to inject street drugs.

You **cannot** catch HIV from someone by doing everyday things like

- speaking to them
- shaking their hand
- touching them as you go past them
- using the same plates and knives or forks
- using the same toilets

## Cures and medicines

- There is **no** cure for HIV or AIDS. But there are medicines you can take to control HIV and if you have AIDS.

## What you can do

### To keep yourself safe from HIV/ AIDS

- ✗ Do **not** have sex without a condom.
- ✗ Do **not** share needles with anyone else for **any reason**.

### If you are worried about HIV/ AIDS

- ✓ You can speak to any member of the healthcare team in private.
- ✓ Or you can ask to speak to a counsellor or a member of a team in prison called the Communicable Disease Management Team.
- ✓ You can have an HIV test in prison. The results of this test will be **private**.
- ✓ Ask the healthcare team for condoms, dental dams (for oral sex) or lubricants to have sex with if you need them. Healthcare staff must give you these things if they think there is a risk you could catch HIV otherwise.
- ✓ If you are sharing needles with other people for any reason, speak to someone in the healthcare team. They may be able to give you something to make the needles and other things (works) clean.



## **Hepatitis B and Hepatitis C**

- These are viruses that you can catch from someone else. You can catch them from someone's blood and through having sex with them.
- There is a vaccine you can take for Hepatitis B but not for Hepatitis C. A vaccine is something you can take to help stop you getting the virus in the first place.
- Speak to someone in the healthcare team if you are worried about Hepatitis B or C or if you want more information.

## **Sexually Transmitted Diseases and Infections - illnesses you can get through having sex with someone. Also called STDs**

- There are quite a few different sexually transmitted diseases and infections. Some examples are chlamydia and genital herpes.
- Most of these can be treated and cured if you see healthcare staff straight away.
- Most prisons will have special healthcare staff you can go to with any health problems to do with sex. But many doctors and other healthcare staff can also treat sexually transmitted diseases and infections.
- Speak to the healthcare team if you are worried you may have caught an illness through having sex. You can speak to them in private.

## Drug and alcohol problems

### Main points

- ✓ If you have a problem with alcohol or drugs, speak to a member of the healthcare team for help as soon as possible.
- ✓ They can make sure you get the right sort of help.
- ✓ You can get lots of help to stop using drugs or alcohol in prison.
- ✓ Tell your personal officer or another member of prison staff if other prisoners are trying to get you to use drugs or alcohol or to bring these things into the prison.

## Testing you for drugs

Prison staff can do a test on you to see if you have taken drugs. To do this they will take a sample of your urine and test it to see if it shows any signs of you taking drugs.

- You can be tested for drugs while in prison if
  - staff choose to test you. Prison staff will choose a small number of prisoners at random to check each month
  - prison staff think you may have taken drugs
  - you have used drugs a lot in the past and have had tests to show you have taken class A drugs while in prison. If this happens you may get tested quite often.

## More about drugs testing

- Staff want to make sure you have not taken drugs before they let you have certain things. For example, before they let you out of prison for a short time, or before they let you have a job that involves people being able to trust you.
- You might be tested if you move to another prison or when you first arrive at prison.

## What will happen when you have a drugs test?

1. Prison staff will tell you what will happen and why you are having a drugs test.
2. You will have to give prison staff a sample of your urine for them to test.
3. You can do this in private but prison staff must be able to see to make sure you are not doing anything to your urine sample.
4. Your urine sample will be checked in a place called a laboratory to make sure there are no drugs in it.
5. Prison staff will give you the result of the test as soon as possible.
6. Prison staff will tell the healthcare team if the results show you have taken drugs. This is to make sure that you are not taking any medicine that could affect the result of the test. You have to say it is ok before prison staff can tell the healthcare team.
7. If the test shows you have taken drugs you will have to say if you are **guilty** or **not guilty** of taking drugs. You will have to go to an adjudication to talk about this (there is more information about this below).

## **If you say you are not guilty**

- You will have another drugs test to see if the results of the first test were right or wrong.
- If the results of this test are still the same you can send the sample to a laboratory outside the prison to test it again.
- Prison staff will give you some documents if the results of the tests show you have taken drugs or if you want to pay for the extra test. These documents are called
  - Information to Prisoners on Mandatory Drug Testing
  - Information for Solicitors and Prisoners on Obtaining the Independent Analysis of a Mandatory Drug Test Sample.

## **If you say you are guilty or if the tests still show you have taken drugs**

1. If you have taken drugs, it means you have broken **Prison Rule number 51(9)** or **Young Offender Rule number 55(10)**.
2. You will usually be charged with an offence and will have to go to an adjudication. An adjudication is where you and the governor or a judge from outside the prison talk about the offence and decide if you are guilty.
3. If you are found guilty, the prison will decide the best thing to do. You may get a punishment or have some of your privileges taken away. Or you may get sent to get help for your drug problem. For example, to a group called CARAT (Counselling, Assessment, Referral, Advice and Thoroughcare).

## Asking staff for drugs tests (this is called voluntary drug testing)

You can ask to have drug tests if you want them. You may want to do this because you want to stop using drugs. Prison staff will help you as much as possible if you say you will stop using drugs.

There are 2 things you can do

1. Ask to go to a part of the prison called a **voluntary drug testing unit**. This is a safe part of the prison where you can stay and get help to stop using drugs. You will have to sign a form to say you agree to some rules about being in this part of the prison. You will also have to have some drugs tests.
2. You can still get help to stay off drugs without moving to another part of the prison. You can ask to be part of something called the voluntary drug testing programme. You will have to sign a form to say you will follow some rules about this. You will also have to have some drugs tests.

- ✓ You will have to sign a form to say you agree to follow some rules if you want to stop taking drugs.
- ✓ The form will tell you what will happen if the tests show you are still taking drugs.
- ✓ You will not get a punishment if you are found to be taking drugs. But prison staff can do other things like take you away from that part of the prison.

- In some prisons, you can get extra things called privileges if you agree to have drugs tests and the tests show you are not taking drugs. For example, you could get extra visits or be allowed to spend more of your money.
- Ask prison staff about this. You will have to sign a form to say you agree to some rules and that you will not take drugs. The form will tell you what you need to do and what will happen if you are found to be taking drugs.

## Help you can get for drug and alcohol problems

**Any** prisoner can get help to stop using drugs or alcohol

You can get help from

- 1. The healthcare team.** There is a lot they can do to help you stop using drugs or alcohol.
- 2.** You can get help while you are on your prison wing or by moving to another part of the prison called a voluntary drug testing unit. **See page 76.**
- 3. The CARAT service** (Counselling, Assessment, Referral, Advice and Thoroughfare). These are people who are either from outside the prison or they are prison officers. They work to help prisoners stop using drugs. You can see someone from CARAT soon after you get to prison. They will work with you to make a plan to help you stop using drugs.
- 4. Drug rehabilitation programmes.** The person you are working with from CARAT can tell you about these other types of help you can get. Your CARAT worker will need to say it is ok for you to get this help first. You may be able to move to another prison to get this help.

With these types of help, you may have to have drugs tests. If you are found to be using drugs, you may stop getting this help.

- Do not feel worried about talking to the person who helps you about using drugs. They will tell you what information they can keep private and what information they have to tell other people.
- If you are worried about someone in your family taking drugs, or about how your drug problem is affecting them, talk to someone from CARAT about it. The person from CARAT may be able to arrange for your family to get some help or information.

## Your faith

- ✓ You will be able to practice your faith in prison.
- ✓ You can tell prison staff what your faith is when you first get to prison. They will then help you get what you need to practice your faith.
- ✓ The prison must make sure there is a place you can go to practice your faith. For example, to say prayers or to go to religious meetings.
- ✓ Every prison will have a team of people to help you practice your faith. This is called a **chaplaincy team**.
- ✓ You can ask to see a chaplain even if you have no religious faith. Chaplains are there to listen to **any** prisoner who wants someone to talk to. For example, if they are feeling upset or worried.
- ✓ The prison will take notice of dates and times for prayer and religious services holidays and festivals.
- ✓ You can always go to the main service for your faith. For example, you can still go if you are on segregation, on the escape list or in hospital. Tell a chaplain before the service if you still want to go to the service.
- ✓ Speak to one of the chaplains or to someone called a **diversity officer** if your religious needs are not being met in prison.
- ✓ More information in **Prison Service Order 4550**. There is a copy in the library.

## People to help you practice your faith

- The chaplaincy team is a team of people from different faiths who are there to help you practice your faith.
- The team is different in every prison but usually there will be chaplains who are from these religions and faiths
  - Church of England
  - Roman Catholic, Methodist and Free Churches
  - Muslim
  - Buddhist
  - Jewish
  - Hindu
  - Sikh

People from other religions or faiths can also come to the prison if needed.

Rastafarianism is not recognised as a religion in prisons. But, the chaplaincy team will try to help you if you are a Rastafarian. You will be able to eat vegetarian or vegan food and have other things you need, like books.

## Making sure prison staff know about your faith

- You must tell prison staff when you first get to prison if you want to practice a faith. This is so prison staff can make sure you have what you need to practice your faith.
- When you first get to prison you will be asked to say what your faith is. You can tell prison staff what your faith is, or you can say that you do not have one.
- This is called **registering** your faith.



## **More about your faith**

- If you want to take part in religious services or activities after that, you will go to the services for the faith you registered as.
- A chaplain will come to see you soon after you first arrive in prison to make sure the correct faith has been registered for you and to find out if you have any religious needs.

## **If you want to change your faith**

- You can change the faith you have been registered as to another faith.
- You will have to fill in a form and sign it to say you want to change to another faith.
- The chaplaincy team will help you find the right chaplain for your new faith.

## **If you want to see a chaplain from another faith without changing your faith**

You can do this as long as

- the governor and the chaplains are happy that you really do want to find out more about, or practice, another faith
- the governor and the chaplains think that you are doing this for a good reason and not to cause any problems.

## **Going to religious services or to other faith activities**

- The prison must allow at least 1 hour each week for religious services.
- The chaplaincy team will tell you the dates and times of religious services, meetings or activities.
- You can go to the main service of the faith you have registered as.
- You can go to other groups or activities for your faith as long as there are enough spaces left.
- You can go to a religious service even if you have told the prison you have no faith.
- You may be able to go to meetings of a different faith. Speak to your chaplain about this first.
- Sometimes other things you do in prison, like daily exercise or having visits, happen at the same time as important things to do with your faith. Prison staff may be able to help you get to your religious event if this happens.

## **What the Chaplain can do for you**

- Chaplains may be able to help you keep in touch with the world outside prison. For example, they may be able to arrange for a religious person from your home church, mosque, temple or community to visit you in prison.
- They may also be able to help you keep contact with your family. They may work with your family or other people like the probation service to do this.
- If you are from another country (a foreign national prisoner) the chaplain may be able to help you keep in touch with your family in that country.

## **Other help. For example, with things like getting parole**

- You can ask your chaplain to say something or write something about you for any reports that are made about you while you are in prison.
- Prison staff will write reports about you with information in them about things like your behaviour, and things you have done like work or education. These reports will be used to make decisions about you. For example, people from the Parole Board will look at the reports to decide if you can get parole or not.

# Prison Rules

## Main points

- Prison Rules apply to every prison but the governor may have local rules as well.
- When you break Prison Rules it is called an **offence**.
- You can be charged for an offence and given a punishment.
- **Prison Rule number 51** and **Young Offender Institution Rule number 55** talk about the offences.
- The Prison Rules can be difficult to understand. You may want to look them up in a book called the Prison Discipline Manual. This is also called **Prison Service Order 2000**. There should be a copy of the book on each wing and in the library.

**If you do any of the things on the next pages, it means you have broken Prison Rules and committed an offence.**

## **Behaving in a way that could offend, threaten or hurt someone else**

- If you offend or hit anyone or get into a fight with anyone.
- If you offend anyone or hit them because of their race (race is things like the colour of a person's skin and their background or culture).
- If you say anything or do anything that could upset, threaten or frighten anyone else. And if you do this because of someone's race.
- If you keep someone away from other people, if they do not want this. For example, if you lock them up somewhere.
- If you behave in a way that could put someone else in danger or damage their health.
- If you are rude to anyone who works at the prison or young offender institution or anyone who is visiting there.

## **Stopping prison staff from doing their jobs**

- If you stop anyone who works in the prison from getting where they need to go in the prison. For example by building a barricade to stop someone coming into your cell.
- If you stop anyone who works at the prison from doing their job.

## **Escaping from prison**

- If you escape from prison or custody. For example, if you run away from an escort.
- If you do not come back when you have been allowed out of prison for a short time. This is called absconding.

## **Drugs and alcohol**

- If you are ordered to have your urine tested and it shows you have taken any drug you are not allowed to take, even if you have taken it while you were out of prison for a short time.
- If you choose to drink alcohol or are found to be drunk after drinking alcohol.

## **Causing damage to the prison or young offender institution**

- If you set fire to any part of the building or anything in it.
- If you damage or destroy any part of the building or anything in it that is not yours.
- If you put up anything on the walls or write or draw anything that could upset, threaten or frighten anyone.
- Or if you do any of these things because of anyone's race.

## **Things you can and cannot have**

- If you have something you should not have. For example, a mobile phone, a knife or drugs.
- If you have more of a particular thing than you are allowed to have.
- If you accept from someone who visits you something you are not allowed to have in prison. For example, drugs.
- If you sell or give something to a person that you are not allowed to have.
- If you sell or give a person something only you can have.
- If you take or steal anything that is not yours from another person or from the prison.

## **Being in a place in the prison you should not be**

- If you leave a place you should be in.
- If you go to a place you should **not** go to.

## **Not doing what prison staff tell you to do**

- If you are asked to do work and you do **not** do it properly or at all.
- If you do **not** follow an order or a rule that you should follow.
- If you break any of the prison rules or try to help someone else to.

## **Breaking the rules while you are out of prison for a short time**

- If you break the rules if you are let out of prison for a short time. This is about **Prison Rule number 9** or **Young Offender Institution Rule number 5**.

## Breaking prison rules

When you break the prison rules it is called an **offence**.

### What happens if you commit an offence?

1. A prison officer will tell you straight away (or within **48** hours) if they think you have committed an offence and what the offence is. They will give you a form telling you about the offence.
2. You will have to go to a hearing (also called an adjudication). This is where you and prison staff talk about the offence and what you all think happened. The hearing will be run either by the governor or by someone from outside the prison called an independent adjudicator.
3. At the hearing, you have to say whether you are guilty or not guilty of the offence.
4. The governor or the independent adjudicator will decide if you are guilty or not guilty of the offence. They will do this after listening to you and other people who know about what happened.
5. If you are found guilty, you will be given a punishment. There is a list of punishments **on page 87**. If you are found not guilty, nothing more will happen.

# Punishments

## Main points

- ✓ The punishments you could get are talked about in **Prison Rule 55 & 55A** and **Young offender Rule 60 & 60A**.
- ✓ The punishment you get depends on how serious the offence is.
- ✓ The prison may get the police involved if they think the offence is serious.
- ✓ If you commit more than 1 offence you can be punished for each offence. The punishments may run one after the other.
- ✓ You may have to spend extra days in prison if the offence is serious enough.
- ✓ But, if you are given extra days, the number of extra days you are given for each offence must not be more than 42.
- ✓ Any punishment apart from a caution can be suspended for up to 6 months. This means your punishment may start if you commit another offence in that time.
- ✓ A governor can give you any punishment apart from extra days.
- ✓ An independent adjudicator (a district judge) is the only person who can give you extra days, as well as any of the other punishments.



## Here is a list of punishments you could get for committing an offence

- You could get a caution.
- Your privileges (like having a TV in your cell) could be taken away from you for up to 42 days. Or up to 21 days for young offender.
- Up to 84 days' worth of any money you earn could be stopped. Or up to 42 days' for young offender. But you will get enough money to buy stamps and make phone calls to keep in touch with your family.
- You could be locked in a cell by yourself away from other prisoners for up to 35 days. Or for up to 16 days for young offender over 18. This is called cellular confinement. You will have a check first by a doctor or nurse to make sure you are well enough to do this.
- You could be stopped from doing work with other prisoners for up to 21 days.
- If you are on remand, your privileges could be taken away.
- You could be taken away from the prison wing or living unit for 28 days. Or for up to 21 days for young offender.

These punishments are for **young offender only**

- You could be stopped from taking part in activities for up to 21 days.
- You could have to do 2 hours extra work a day for up to 21 days.

## Extra days

- If the offence is serious enough, you may be given as many as 42 extra days in prison as well as any of the other punishments.
- Extra days are not part of your sentence but you will spend the extra time in prison.
- Only independent adjudicators (they are district judges) can give you extra days.

## More about extra days

- If you are on remand, you will serve your extra days only if you are convicted and given a sentence.
- You will not be given extra days if you are a life sentence prisoner, an imprisonment for public protection prisoner, are a civil prisoner, or a foreign national being held in prison while your immigration is sorted out.

## Prison adjudications – also called hearings

### Main points

- ✓ You will have to go to a prison hearing to talk about the offence.
- ✓ The hearing will be run by either a governor or a district judge from outside the prison (called an independent adjudicator).
- ✓ The hearing will usually happen the day after prison staff tells you about the offence they think you have committed.
- ✓ You will have at least 2 hours to get ready for the hearing.
- ✓ You may be kept apart from other prisoners until you have your hearing.
- ✓ You will have a chance to say what you think happened.
- ✓ You can also get witnesses to come and talk at the hearing.
- ✓ You may be able to get some other people to help you. For example, a solicitor or someone called a McKenzie friend. **See page 94.**
- ✓ Speak to a prison officer or your solicitor if you do not understand what is happening or need to ask questions.

## What will happen before the hearing?

- You will be put **on report**. This is where a prison officer will tell you what offence they think you have committed.
- The prison officer should tell you straight away (or within 48 hours) what offence they think you have committed.
- The hearing will usually happen the day after this (unless it is a Sunday or a Public Holiday).
- You will have at least 2 hours to get ready for the hearing.

You will be given **2** forms before the hearing

1. **Form 1127A**. This tells you about the offence the prison officer thinks you have committed. You **must** say if you do not understand what is written on this form.
2. **Form 1127C**. This tells you what will happen at the hearing.

On this form you can

- write a statement about what you think happened. Do this on the back of the form. Ask for more paper if you need it
- write the name of any witnesses you want to come to the hearing, if you know who they are at this stage. You can say at the hearing who you want your witnesses to be if you prefer.

## More about hearings

- You may have your health checked by a doctor or nurse before the hearing to make sure you are well enough to go to the hearing.
- You may be kept apart from other prisoners until your hearing.

## What to do before the hearing

- ✓ Think about what you want to say at the hearing.
- ✓ Think about whether anyone else saw what happened. They could be a witness for you at the hearing.
- ✓ It may be useful for you to look at a book called the Prison Discipline Manual before the hearing. This is also called **PSO 2000**. There should be a copy of it on your wing and in the prison library. Ask to see a copy of it if you cannot get to the library.
- ✓ You could ask for the hearing to be put back to a later date if you do not get to see the Prison Discipline Manual before your hearing.
- ✓ If you find it difficult to read or write, or do not understand something then ask a prison officer or your solicitor for help.

## What will happen at the hearing?

1. The governor will check if
  - you have got forms **1127A** and **1127C**
  - you understand why you are at the hearing and what will happen
  - you have had enough time to get ready for the hearing. For example, to think about what you want to say.
  - you want any help, like legal advice or an interpreter
2. Someone will read out the charge. The charge is the offence the prison staff think you have committed.
3. You will be asked to say whether you are **guilty** or **not guilty** of the offence.

## If you plead guilty

- The prison officer who put you on report will read out a statement about what happened.
- You then have to say what you think about this. For example you can ask questions.
- Say if you do **not** agree with what the prison officer has said. You can also ask to call witnesses if you do **not** agree with what the prison officer has said.
- The governor must look into anything you say you do not agree with.
- The governor may decide that the facts are right and that there is nothing more to look into. If so, he or she will ask you if you want to make a **plea in mitigation**. This is where you can tell the governor anything you think would make your offence look less serious.
- A member of prison staff will then read out information about how you have behaved since you came to prison. And about any hearings you have had before.
- You can then say what you think about the information they have read out.
- The governor will then tell you what your punishment is. Then you will be given a copy of a form that tells you what your punishment is. The form is called **Form 256D**.
- At any point, if the governor thinks your offence is serious enough for you to get extra days, they will ask an independent adjudicator to look at your case.
- You may have to wait up to 28 days to see the independent adjudicator.

## If you plead not guilty, or if you are not sure how to plead

- The prison officer who put you on report will read out a statement about what they think happened.
- You can say what you think about this or ask any questions.
- The governor will ask the prison officer some questions. They may also ask to hear from some witnesses.
- You and the governor can ask the witnesses questions.
- Then you will be asked to say what you think about the charge (what prison staff think you have done) and the evidence they have given.
- You can call witnesses to speak in your defence if you want to (unless the governor thinks there is a very good reason why not).
- You, the prison officer and the governor can ask the witnesses questions.
- You will be able to say the main reasons why you think you are not guilty.
- The governor will then tell you the decision he or she has made. This is called the verdict. The governor must be very sure that you have committed the offence before he or she finds you guilty.
- If you are found guilty, the governor will tell you what your punishment is. The governor will then give you a copy of a form that tells you what your punishment is. The form is called **Form 256D**.
- At any point, if the governor thinks your offence is serious enough for you to get extra days, they will ask an independent adjudicator to look at your case.

## Other help you can get at the hearing

You may be able to get these types of help at your hearing

- legal advice
- legal representation (a solicitor comes to the hearing to represent you)
- a friend or adviser to come along (this person is called a McKenzie friend). This person can come and take notes for you and give you advice. But they **cannot** represent you and can only talk if the governor says it is ok. Your McKenzie friend could be someone like the chaplain, a prison officer or another prisoner.

## If the hearing is run by a governor

You **can** get legal advice. This could be by telephone, letter or at a visit with your solicitor.

You **cannot** get legal representation unless the governor says you can have it because of things like

- how serious the offence is and the punishment you could get
- possible questions about the law that may come up
- how much you understand about what is happening
- things that may slow the case down or cause any problems. For example, if you have had problems getting your defence ready because you have been kept apart from other prisoners.

You **cannot** usually have a McKenzie friend or an advisor at this type of hearing.

But you may be able to have a McKenzie friend or advisor if you do not understand what is happening, the case is very difficult or the governor thinks it is fair to allow this.

## **If the hearing is run by an independent adjudicator (a district judge)**

- You **can** always get legal representation (a solicitor comes to represent you).
- The governor or legal services officer can help you with any problems you have getting legal representation.

## **Asking for a review about the hearing or the punishment**

You can

- ✓ Ask for a review if you think the hearing was done in the wrong way or if you think your punishment was too harsh.
- ✓ The governor can do something about it if he or she thinks the hearing was done in the wrong way.
- ✓ Apply to get extra days you were given back.

## **What happens if the hearing is done in the wrong way or you think the punishment you were given is too harsh?**

### **1. If the governor thinks the hearing was done in the wrong way**

#### **If the hearing was run by a governor**

- The governor can change the result of the hearing. For example, they can change the fact you were found guilty and change the punishment you were given.

#### **If the hearing was run by an independent adjudicator (a district judge)**

The governor can

- give the case back to the senior district judge to look at.



## **2. If you think the hearing was done in the wrong way or your punishment was too harsh.**

### **If your hearing was run by a governor**

- Ask a prisoner officer on your wing for a form called **Form ADJ1**.
- Fill in the form and send it to the governor within **6** weeks of the hearing.
- Someone called an area manager will decide about your case.
- If the area manager thinks your hearing was wrong, he or she can change the fact that you were found guilty or change the punishment.

### **If your hearing was run by an independent adjudicator**

- Write to the governor on **plain paper** to explain why you want the result of your hearing to be looked at. Do **not** fill in Form ADJ1. You must write to the governor within 14 days of the hearing.
- Your paper will be sent to a judge called the senior district judge to look at. The judge is from Westminster Magistrates' Court.
- The senior district judge can decide to change your punishment. But they **cannot** change the fact you were found guilty.

### **If you are still not happy after this**

- You can ask someone called the **Prisons and Probation Ombudsman** to look at your case. This person does not work for the prison. Their job is to look at complaints by prisoners about prison life.
- You can write to the ombudsman to ask them to look at your case. Or you can ask your solicitor to do this for you.
- The ombudsman will try to sort out the situation between you and the governor first.

## More about the ombudsmen

- If this does not work, the ombudsman will write a report about what they think should happen.
- You will **not** be able to have your hearing again. But the ombudsman can suggest that the prison changes the fact you were found guilty or the punishment you got.

Write to the ombudsman at

Prisons and Probation Ombudsman  
Ashley House  
2 Monck Street  
LONDON  
SW1P 2BQ

## A judicial review

- You could ask a judge to look at your case. But this may not be allowed to happen. So it is best to make a complaint in the ways that have just been talked about first.
- If you want to ask a judge to look at your case, write to your solicitor to ask for this to happen.

## Getting extra days back

- You can apply to get some of the extra days back you were given.
- You can normally apply to get up to **half** of the days back.
- You can apply to get the extra days back **6 months** after you were last found guilty of committing an offence. Or 6 months after the last time you applied to get the extra days back.
- If you are a young offender, you can apply **4 months** after.

## How to apply to get extra days back

- Speak to a member of staff on your wing. The member of staff will check to see if you may be able to get the extra days back.
- You will then be asked to put something in writing to say why you think you should get your extra days back.
- A member of staff on your wing will then write a report about you and send it to the governor. They will also send information about any offences you have committed with the report.
- You will probably not get all the days back. But you may be able to apply again later to get more back.

## Segregation, searching your cell and other things prison staff can do to keep the prison safe

- ✓ There are other things that prison staff can do to keep control of what goes on in the prison.
- ✓ These things **cannot** be used as punishments. But they can be used when necessary to stop other people being hurt and to keep the prison safe.
- ✓ These things are hardly ever used.

## **Segregation** (more information in **Prison Service Rule 45**)

### **What is segregation?**

- Segregation is when you are kept apart from other prisoners.
- The governor decides if you should be put on segregation or not.
- You may be kept in another part of prison called the segregation unit. You will be kept away from other prisoners. You may be kept with other prisoners who are also on segregation.
- You may not be able to work and may have to stay in your cell for longer than other prisoners.

### **Why would you be put on segregation?**

- If you or prison staff think you are in danger. For example, you may want to be kept apart from other prisoners if you think they will hurt you because of the type of offence you committed. For example, if you committed a sexual offence. Your lawyer or the police may have given you advice about this.
- If you behave in a way that prison staff think would put other people in danger or cause problems for the rest of the prison.

### **How long will you be on segregation for?**

- The governor can put you on segregation for up to 3 days at first.
- After that you could be put on segregation for up to 1 month. Then for up to 1 month each time after that.
- Prisoners under 21 years old can be put on segregation for up to 14 days at the most.
- After the first 3 days, the governor must check at least every 14 days to see if you should still be on segregation.

## Things to think about if you want to go on segregation

- ✓ Going on segregation is a very serious thing to do. Think very carefully before you ask to be put on segregation.
- ✓ You can only go on segregation if the governor agrees it is the right thing to do.
- ✓ If you go on segregation, other prisoners may start thinking things about you that would make it harder for you to go back on to the wing.

## Help you can get while on segregation

If you are worried about anything while on segregation, speak to a prison officer or the governor.

These people visit the segregation unit **every day**

- a prison officer
- the governor
- a doctor or nurse.

These people also visit the segregation unit – but not every day

- the chaplain
- someone from the Independent Monitoring Board (these are the people who check prisons to make sure they are run in a good and fair way).

## Special accommodation and mechanical restraints

These things are not often used. But prison staff can use them if

- you are behaving in a violent way
- you could hurt or damage yourself, other people or the prison.

**Special accommodation** is a cell prison staff can lock you into if you are behaving in a violent way. The cell may not have any furniture in it. You will be locked in the cell until you calm down.

**Mechanical Restraints** are things that can be put on your body to stop you hurting yourself or others. A **body belt** is the type of mechanical restraint that will be used. It is a belt that goes around your waist with handcuffs attached to it.

- You will be put in a body belt if locking you in a special cell has not worked.
- You can only be put in a body belt if you are over 17 years old.
- Prison staff will check to see how you are getting on every 4 hours.
- Someone from the Independent Monitoring Board (the people who check prisons to make sure they are run in a good and fair way) will visit you within 1 day. This person will also be there where possible when prison staff check to see how you are getting on.

### Main points

- ✓ The governor must say it is ok before prison staff lock you in a special cell or put you in a body belt.
- ✓ Prison staff must tell the healthcare team this has happened.
- ✓ A doctor or nurse will check on you as soon as possible.
- ✓ Someone from the Independent Monitoring Board (the people who check prisons to make sure they are run in a good and fair way) should visit you within 1 day.
- ✓ The Independent Monitoring Board will also check to make sure it was right for prison staff to lock you in a special cell or put you in a body belt.
- ✓ Staff will check on you often to see how you are doing. As soon as your behaviour stops being dangerous, prison staff will take you out of the special cell and / or the body belt.

## **Prison Mutiny**

If you take part in a serious prison disturbance, you may be charged with **prison mutiny**.

Prison mutiny is where you and other prisoners do things to try to take over the prison and to stop the governor and other prison staff from being in charge and running the prison.

You could be charged with prison mutiny if

- staff or prisoners are hurt
- the prison is damaged
- the governor loses control of part of or all of the prison.

If you are charged with prison mutiny you could

- get a prison sentence of up to 10 years
- get a fine where you have to pay some money
- or both of these things.

### **If other prisoners around you start to cause a prison mutiny**

- **do not** join in
- leave the place where it is happening
- if not, prison staff may think you were taking part in the mutiny and charge you with prison mutiny.

## Searching your cell and your things

- Prison officers can search your cell and your things at any time to keep the prison safe.
- There is no rule about how often this may happen. It depends on the prison you are in or how safe prison staff think you are.

## What will happen when your cell or your things are searched?

- You will get a full body search in your cell before your cell is searched.
- You will have to give anything you are not allowed to have to prison staff.
- You will be taken to another area of the prison while your cell is being searched.
- Prison staff may take things away from your cell to look at them. X-ray machines may be used to look at your things more closely.
- Staff may check your legal documents but they will not read them.

## Searching you

### There are 2 types of searches that prison staff can give you

#### 1. A rub down search

This is where prison staff may

- ask you to take off your shoes and empty your pockets
- check in your mouth, nose (your nostrils), ears and hair.

- ✓ Prison staff can give you a rub down search at any time.
- ✓ Any member of prison staff, including women staff, can give you a rub down search. Tell prison staff if you do not think you should have a rub down search by a woman. For example, for religious reasons.
- ✓ A rub down search may happen before and after you move from one area of the prison to another.



## 2. A full body search

This is where staff may

- Search your clothing.
- Search your body. Staff could also ask you to bend over or squat so they can look to check nothing is hidden in your anal or genital area. They should not touch your body to do this.
- You will always have some clothes on during the search. Prison staff will check half of your clothing at a time and you can put these clothes back on before they check the other half.

### More about a full body search

- ✓ Any prison officer, senior officer, principal officer or governor can give you a full body search.
- ✓ The search will always be done by a male member of prison staff.
- ✓ Full body searches can be done at any time. For example
  - every time you leave or come into the prison
  - just before your cell is searched
  - when you get to the segregation unit
  - after visits to friends or family or to your solicitor
  - after every visit if you are a high security category A prisoner.
- ✓ Prison staff should explain exactly what will happen before they give you a full body search.
- ✓ Full body searches should be done in a good and safe way.
- ✓ Only prison staff doing the search should normally be there while the search is happening.

## How you should be treated in prison

In prison, you should be treated in the right way. If you are not, you can try to do something about it.

On the next page is information about some of the laws that are there to keep you safe, and the things the prison should be doing to make sure you are treated in the right way.

### Human Rights Act 1998

- This law is about human rights. Everyone has human rights such as the right to be alive or to have a fair trial.
- If you think you have not had your human rights you can take your case to court.
- To find out more about the Human Rights Act look at a leaflet called **Guide to the Human Rights Act** and an information pack called **The Human Rights Act**. Both of these will be in the library.

### Violence or bullying

- Every prisoner has the right to feel safe.
- If someone is being violent to you or bullying you, tell prison staff straight away. You can tell any member of staff in prison like prison officers, the chaplain and education staff.
- Violence and bullying are things like people hitting you or threatening you (for example, saying they are going to hurt you or do something to you).
- Staff will help you if this is happening to you.

## Race equality – people from different races

- A person's race is about lots of things like their background and culture and the colour of their skin.
- By law, prisons must make sure people from all different races are treated in a good and fair way. The governor and the senior managers are in charge of making sure this happens.
- **Prison Service Order 2800** talks about what the prison must do to make sure that people of all different races are treated in a good and fair way. There is a copy in the prison library.
- You can also read a copy of the prison's plan about making sure people from all races are treated in a good and fair way. This is called the **Race Equality Action Plan**.

## How you should be treated

The prison should make sure you

- are treated in a good and fair way
- can do things to do with your faith and culture. For example, wear clothes to do with your faith, keep religious books and follow religious events
- can eat food to do with your religion and culture
- can get information like this book in other languages if you need to or get help from a language interpreter.

## What to do if you have been treated badly because of your race, or if you see this happen to someone else

- ✓ Speak to a member of staff or fill in a form called **COMP 1** or a form called a **Racist Incident Reporting Form**.
- ✓ If you do not feel able to do these things, you can ask the governor, area manager, or the chair of the Independent Monitoring Board in a more private way to look at what happened.
- ✓ Fill in a form called **COMP2 confidential access complaint form** to do this. You can put the form in a sealed envelope which will be kept private.
- ✓ If you are still not happy after this you can contact someone called the Prisons and Probation Ombudsman.
- ✓ Or you can contact an organisation called the Equality and Human Rights Commission. They give advice and help to prisoners who think they have been treated badly because of their race. You can contact them at

The Equality & Human Rights Commission  
3 More London Riverside  
Tooley Street  
London SE1 2RG

Telephone 0203 117 0235

## Who can help you do this?

You can get help from

- ✓ any member of prison staff
- ✓ a member of staff called a race equality officer
- ✓ a team of staff called the Race Equality Action Team
- ✓ prisoner representatives. These are prisoners who go to meetings to do with race and are there to represent the views of other prisoners
- ✓ other staff called the anti-bullying co-ordinator or the safer prisons co-ordinator
- ✓ a member of the Independent Monitoring Board (the people who check prisons to make sure they are run in a good and fair way).

If you are a **foreign national prisoner** (this means you do **not** have a UK passport)

You can get help from

- ✓ a member of staff called a race equality officer
- ✓ a member of staff called a foreign national liaison officer
- ✓ your embassy. You could write to them to ask for help or you could ask the race equality officer or foreign national liaison officer to do this for you
- ✓ some addresses to write to are in the prison library. You can ask for a list called the **London Diplomatic List** or look at **Prison Service Order 4630**
- ✓ you can also get information, like this book, in other languages.

## Disabled prisoners

A law called the Disability Discrimination Act is there to keep disabled people safe from being treated in a bad way.

The prison must follow this law. It should do what it can to make sure

- you can take part in prison life
- you are treated in a good and fair way.

There is more information in **Prison Service Order 2855**. There is a copy in the library.

## Who can help you if you are a disabled prisoner?

- ✓ Your personal officer or your wing officer. Talk to them about anything you need to do with your disability. For example, if you need information given to you in another way.
- ✓ A member of staff called a disability liaison officer.
- ✓ Someone from the healthcare team.
- ✓ Or you could write to the governor (you will probably need to fill in a form called **COMP1** to do this)
- ✓ Or you can get in touch with an organisation called the Equality and Human Rights Commission. They give advice and help to prisoners who think they have been treated badly because of their disability. You can contact them at

The Equality and Human Rights Commission  
3 More London  
Riverside  
Tooley Street  
London SE1 2RG

Telephone 0203 117 0235

# How to make a complaint or a request

There is more information in **Prison Service Order 2510**. You can get a copy from the library.

## Making a request (this means asking for something)

- You can ask a prison officer something at any time.
- To ask for some things you may have to fill in a form. If prison staff decide you cannot have what you asked for, they should tell you why.

## How to make a complaint

- You can make a complaint if you think you have been treated in the wrong way in prison.
- You must make your complaint within **3** months of the problem happening.  
To make a complaint you can either
  - make a complaint to prison staff first
  - make a complaint to people **outside** the prison (like your MP).
- Try to solve the problem with people in the prison first. People outside the prison will usually expect you to have tried to solve the problem with prison staff first.

## 1. Making a complaint about things like

- Adjudications (hearings).
- The security category you have been given.
- Decisions about whether you can be let out of prison early because of things like having an illness you will die from or because the chances of you committing another offence are very small. This is called **compassionate release**.

- These types of complaint are called **reserved subjects**. They can only be decided by the area manager or other staff outside the prison.
- There is a list of reserved subjects in **Prison Service Order 2510 Annex H**. You will find this in the library.
- You can only make a request or complaint about these things by writing to the area manager.
- The area manager will write back to tell you what they have decided within 6 weeks of getting your letter.
- You can complain to the Prisons and Probation Ombudsman or your solicitor if you are still not happy. **See page 115**.

## 2. Making a complaint about other things

### How to make a complaint

1. Talk to a member of staff about the problem. If you have a personal officer, speak to them. This may solve the problem.
2. If this does not work, ask to speak to the landing officer or manager of your wing.



## More about making a complaint

3. If this does not work, put something in writing about your complaint. You have to fill in a form called **COMP 1** to do this. You should put your completed form in a **complaints box**. Do not give your form directly to a member of staff.
4. The form will be sent back to you with a reply telling you what prison staff say about your complaint. You should receive your reply within 3 working days.
5. If you are **not** happy with the reply prison staff have given you, you can ask for your complaint to be looked at again by completing a **Comp 1A** form.

## Making a complaint in a more private way

- To make a complaint in a more private way, you can fill in a form called **COMP2 Confidential Access Complaint Form**. Write on the form why you are complaining in this more private way.
- You can send the form in a sealed envelope to the governor, the chair of the Independent Monitoring Board or the area manager.
- You should only do this if your complaint is very serious or very difficult to talk about with prison staff.
- The person you send the form to will decide the best way to look into the complaint. They may need to speak to other people, including the person you are complaining about.

## **Making a complaint about staff**

- If you think prison staff have broken the rules of the prison and treated you in a bad way, you can complain to the governor or the area manager. In private prisons, you should complain to the controller about complaints to do with prison custody officers.
- Fill in a complaint form called **COMP1** or you may feel happier to fill in a **COMP 2** form. Write the details of what you think staff did wrong on the form. For example, say what happened, where it happened and when and if anyone else saw it happen.
- A senior member of staff will look into the complaint. They will talk to you, the person you complained about and anyone who saw what happened.

## **If you are found to be right, the governor will**

- Take action with the member of staff you complained about.
- Call the police if necessary.
- Write to you to tell you what has been decided. This usually takes about 2 weeks. The area manager will write to you if you have complained in the more private way called confidential access.

## **Changing your mind about a complaint**

- If you change your mind you can stop the complaint at any time.
- Tell a member of staff. They will ask you to write on the form to say you want to stop your complaint.

## Other people you can speak to in the prison

- You can also speak to a group called the **Independent Monitoring Board** about your complaint, after you have tried to solve it with staff. This group checks prisons to make sure they are being run in a good and fair way.
- The people in the Independent Monitoring Board are volunteers from the local community. There is a leaflet you can look at about the Independent Monitoring Board. It is on your wing.
- You need to fill in a form to ask for the Independent Monitoring Board to look at your complaint. You can find the form on your prison wing.

### The Independent Monitoring Board **can**

- Ask the governor to explain a decision about your complaint.
- Advise the governor on what else could be done.
- Point out information that has not been looked at.

### They **cannot**

- Change a decision that the prison has made.

## People outside the prison you can send your complaint to – after you have tried to solve the complaint with prison staff

### 1. The Prisons and Probation Ombudsman

- You can write to someone called the Prisons and Probation Ombudsman if you have already tried to solve your complaint with prison staff and you are still not happy.
- The ombudsman does not work for the prison. Their job is to look at complaints from prisoners about prison life.
- The ombudsman can only look at complaints that **you** have sent.
- You must write to the ombudsman within **1** month of you getting an answer from prison staff about your complaint.
- Tell the ombudsman as much as you can when you write to them. They will not normally come and speak to you themselves so you need to tell them as much as you can in your letter.
- The ombudsman should usually take **12** weeks or less to look into your complaint. You will get something in writing to say what decision has been made.
- If the ombudsman thinks you were not treated in the right way, they may ask the governor to change their decision or recommend changes to the head of the Prison Service.

Write to the ombudsman at

Prisons and Probation Ombudsman  
Ashley House  
2 Monck Street  
London  
SW1P 2BQ

There is a leaflet you can look at about the ombudsman and how to complain. It is in the library.

## 2. Complaints about health

- If your complaint is to do with health you should speak to the healthcare team in the prison first.
- If this does not work, you can write to your Primary Care Trust to tell them about your complaint. Primary Care Trusts are in charge of health services like doctors, dentists and opticians in their local area.
- If you are still not happy you can ask the Healthcare Commission to look at your complaint. This group works to make sure healthcare services are run in a good way.

Write to them about your complaint at

Healthcare Commission  
FREEPOST NAT 18958  
Complaints Investigation Team  
Manchester  
M1 9XZ

- If you are not happy with the decision made by the Healthcare Commission, you can then ask the Parliamentary and Health Service Ombudsman to look at your complaint. Write to the ombudsman at

The Parliamentary and Health Service Ombudsman  
Millbank Tower  
Millbank  
London  
SW1P 4QP

- If you need any help with making a complaint about health, ask an organisation called the Independent Complaints Advisory Service (ICAS) for help.
- You can get their contact details from prison staff, the prison library or by phoning NHS Direct on 0845 4647.

### **3. Your MP**

- You can write to the MP for your home area.
- Make sure you write your home address on your letter to them.
- You can ask your MP to pass on your complaint to the Parliamentary and Health Services Ombudsman for them to look at as well.

### **4. Your solicitor.**

Your solicitor can help you with any questions to do with the law.

### **5. The Chief Officer of Police.**

You can write to the local police if you think that a crime has been committed. Ask someone called the police liaison officer in prison for the right address to send your letter to.

### **6. You can send a petition to the Queen, parliament or your member of European Parliament.**

There is more information in **Prison Service Order 2510**. There is a form in there you can copy to make your petition.

### **7. The Criminal Injuries Compensation Authority.**

If you have been injured because someone committed a violent crime against you, you can write to this organisation. They work to give people compensation (money) for injuries they get because of violent crime or for some other reasons. You can write to them at

CICA  
Tay House  
300 Bath Street  
Glasgow  
G2 4LN

# Offender management, sentence planning and getting ready for release

## Offender management

This is about how the time you spend in prison or under supervision in the community is managed.

Offender management is done to try to make sure that you are less likely to offend in the future.

It is being put in place for all offenders in stages.

## Your assessment and sentence plan

Prisons and probation services use the Offender Assessment System. This is called **OASys** for short.

It helps them to find out why you offend and what you need to do to stop offending.

It is also used to find out if you are likely to harm yourself or other people and to work with you to help you not to.

Everyone who is going to be in prison for 12 months or more has a plan made through OASys.

You take part in the assessment and you are shown everything that is written down.

The assessment is used to make an action plan. This action plan is called your **sentence plan**.

For example, the sentence plan may show what you are going to do to change the way you behave sometimes or how you are going to tackle problems to do with drugs or alcohol.

Your sentence plan affects most decisions and changes during your sentence and after you are released.

## **Offender manager and other staff**

The offender manager is someone from the probation service. They work in the community and will usually work with you all the time you are in prison or under supervision in the community.

They will help you to make changes to your life so that you are less likely to offend in the future.

When you are in prison you may also have an offender supervisor as well as a personal officer.

They will help you to keep to your sentence plan.

Your offender supervisor and/or personal officer will work with your offender manager. In some places, the offender supervisor and personal officer is the same person.

If you have any questions about OASys or offender management, talk to the prison staff.

## **Multi-Agency Public Protection Arrangements (MAPPA)**

This is used by the police, probation and prison services to work with other professionals to manage violent and sexual offenders. It is used to protect the public from harm.

**You will be told** if this applies to you.

If you do have a MAPPA assessment, it will be used to make a risk management plan. The assessment will also help staff decide if you are a risk to other people, like children.



## Your sentence plan

Your plan will have goals in it.

These are things you want to do or change.

For example, you might have goals to do with education such as

- ✓ literacy – reading and writing
- ✓ numeracy – maths and managing money
- ✓ learning a new skill so you are better able to get a job when you leave prison
- ✓ taking exams and getting qualifications.

As part of your plan you may have to go to groups or courses to help you think about why you offend and to help you change your behaviour.

### Some examples

There are courses you can go on to help you think through situations and to control how you react. For example

- Courses called Enhanced Thinking Skills and Cognitive Skills Booster. Cognitive means to do with the way you think.
- A course to help you manage your emotions called Controlling Anger and Learning to Manage It (CALM).
- Sex Offender Treatment Programmes (often called SOTPs).

## More about programmes

There are programmes to help you if you have problems with being violent.

For example

- The Healthy Relationships Programme if you have abused your partner.
- The Cognitive Self Change Programme if you are often violent.
- The Chromis Programme for people who are violent and have particular problems that they can not be helped with at other groups.
- Programmes to help you to settle back into the community after prison.

## Education

There is a library and education department in every prison.

The **library** is there for you to use like the public libraries outside prison.

- You can borrow and order books.
- You should get the chance to go to the library for at least 20 minutes each week.
- Most libraries have books in other languages.
- There is more information in **Prison Service Order 6710**.

## Learning

Before you start any classes you have an interview and a check to see what support you might need with things like reading and writing. This helps you to choose the courses that are right for you.

You get a timetable and your own learning plan that you have agreed with the education staff.

## More about learning

You can do classes in many different subjects. For example

- reading and writing
- maths
- english lessons for people who speak other languages
- art
- business studies.

All the courses you do should lead to qualifications that are recognised outside prison, like GCSEs or NVQs. This is so you can carry on with your education when you leave prison if you want to.

You might be able to get help with distance learning courses, like Open University (OU) courses.

Prisoners **over 21** should get the chance to take part in sports or PE sessions for at least an hour each week.

## Work and training

### Training

The Prison Service works with the Learning and Skills Council. Contact the education officer to find out more about what the Learning and Skills Council can offer you while you are in prison and when you get out.

Training is about helping you learn skills that will help you to get a job. This is called **vocational training**.

Vocational training is often linked to education classes. In this way, you can go to a training course and get qualifications.

For example, you might go on a training course in painting and decorating. At the same time, you might go to classes in maths and reading so you can get GCSEs or a National Vocational Qualification (NVQ).

Each prison has a book called a **directory of education and training** that will tell you what training courses are run in your prison.

## **Work**

Work should be one of the main things you do during your day when you are in prison. Work should be a big part of helping you to get skills and qualifications so that you can get a job when you leave prison.

Soon after you get to prison, you will have an assessment to see what type of work will be best for you.

Work in prison is usually through industrial workshops and/or agriculture (farming) and horticultural (gardening) units. You will make goods and run services that are needed in prison and for sale in the community.

Work in these units should give you skills and experience in trades like

- textiles
- engineering
- woodwork
- printing
- data entry
- plastic moulding
- computer aided design
- ground maintenance.

You will be paid for your work in prison. You will also be paid if you are willing to work but there is no work suitable for you in your prison. This pay is usually half of what you get if you are working.

## **Community work**

Working for the local community near the prison is called **working out**. It is a chance for you to build up your self confidence before you leave prison. It will also help you to understand more about being responsible for your community and the people who live and work with you. Working out will include working

- on environmental projects
- with older people
- with people with disabilities
- on sports activities.

## **Job clubs**

Some prisons run their own job clubs to help you to get a job when you leave. Job clubs will help you with things like preparing for interviews and how to search for jobs.

Ask the prison staff if there is a job club in your prison.

Most prisons have staff that are trained to give you advice and support with employment.

## **Volunteering**

You may be able to volunteer in prison as a listener.

Or you may have a special job such as speaking up for other prisoners at meetings or helping in the chapel or library.

## Getting ready to leave prison

Before you leave prison you will need to know

- ✓ Where you will live.
- ✓ How to sort out your benefits.
- ✓ What grants you can apply for to help you get somewhere to live.
- ✓ If you worked before you went into prison whether you need to send off tax forms.
- ✓ If your clothes that you wore in to prison still fit.
- ✓ If you have to see the probation service and you are on licence.

### Your property

When you leave prison all the private property, like the clothes that you had on when you came in, will be given back to you. In most prisons you get a chance to try on your clothes a few days before you leave. If they do not fit or are for the wrong time of year, you can ask friends or family to bring clothes in for you.

If this is not possible, the Prison Service has to give you **liberty clothing**. This is clothing to leave prison in that fits you and is right for the time of year.

**Ask about clothing a few days before you are due to leave.**

### Travel warrant

You will get a travel warrant to take you back to your home or another address in the UK. This will let you travel on a train, bus or coach.

## Discharge grants

This is a grant to keep you going until you get Income Support or Jobseekers Allowance. It is a small amount of money – about £46.

You will **not** get a discharge grant if you

- are under 18
- you are serving 14 days or less
- are in prison for not paying a fine
- are a civil prisoner
- are on remand or awaiting deportation
- are going straight to hospital
- are going to live somewhere outside the UK
- are not eligible to get Income Support
- have been recalled for less than 14 days.

The governor may also pay another small grant to a housing provider (landlord) to help you find somewhere to live.

This grant is up to the governor, and the prison will check out if the place you want the money for is suitable.

## Housing

If you will be homeless when you are released, there are organisations that can help you find accommodation. Most of the accommodation will be in hostels or shared houses. If you have an offender manager, they will also discuss this with you.

Ask the resettlement unit in the prison for help with this.

Some prisons can use NACRO's Easily Accessible Service Information database. Ask if your prison can do this. This is information on a computer.

## More about housing

NACRO is a charity that works with people who have been in prison.

You can contact them on 0800 0181 259.

Shelter is a charity that helps people who are homeless.

You can contact Shelter on 0808 800 4444.

## Money and benefits

You apply for benefits through **Jobcentre Plus**.

You can ask the Jobcentre Plus and Benefit Surgery advisers working in your prison for help with applying for benefits **before** you leave prison.

If you can not see an advisor before you leave, phone or go into your Jobcentre as soon as you can after leaving prison.

- Tell them you need to see an advisor under the **Freshstart Scheme**. This is a scheme for people who have been in prison.
- You need to get this sorted out within **7 days** of getting out of prison. This is so you can claim benefits from the day you leave prison.

When you go for your appointment at Jobcentre Plus you will need to **take with you**

- Some sort of identification (ID) like your passport, driving licence or birth certificate.
- Your National Insurance number.
- An official letter from the prison.

If you are not going back to your home area, or these documents are with friends and family, make sure you sort out how you will get them. Make sure you have done this **before** you leave prison.



## **Income tax**

If you do not have a **P45** form from your last job, you will be given an Inland Revenue form **P80-1** before you leave prison.

You need to fill this in and send it to the tax office that dealt with your last job.

You need to fill it in for Jobseekers Allowance and Income Support.

If you are going to be self employed, get in touch with your local tax office.

## **Grants and loans**

If you are going to be getting Income Support or Income Based Jobseeker's Allowance you may also be able to get a **Community Care Grant**.

This grant is to help you if you do not have any clothing or furniture. They will take into account how long you have been in prison. They will also take into account if you have had clothing stolen, lost or damaged or if you have gained or lost lots of weight so your clothes really do not fit.

You do not have to pay this grant back.

## **Other grants**

If you can not get a Community Care Grant you may be able to get a **Crisis Loan**. You have to pay this back. Payments will be taken straight out of your benefits until it is paid back.

## **Your health**

You can ask to see the doctor or nurse before you leave if you have any worries about your health or medication.

Using street drugs is always dangerous. If you have been using illegal drugs in prison, remember they will probably be lower strength than those outside. You will have more of a risk of an overdose with drugs outside prison.

If you are having treatment for drug problems, you will be referred to a community drug treatment service to carry on your treatment.

## **Release time**

On the day of your release, you will most likely leave prison before 8.45am.

If your release date falls on a Saturday or Sunday, you will leave on the Friday before.

If your release date falls on a Bank Holiday, you will leave on the last working day before the Bank Holiday. This will usually be a Friday.

If you are getting out on parole and your release date falls on a weekend then you will get out on a Monday. If it falls on a Bank Holiday, you will usually get out after the Bank Holiday. This will usually be a Tuesday.

## **Licence and supervision**

If you had a sentence of more than 1 year you will be released on licence. Young offender look at **page 159** as you will have a licence if you are under 21. You will have to do the things your licence tells you, like stay in a certain place and see your offender manager.

## **Gate arrest**

If you are likely to be arrested on your release, you will be told this by the governor before you leave, unless the police say you should not know. If the governor tells you that this will happen, you can tell your friends, family and your lawyer.

## **Rehabilitation of Offenders Act**

This is a law about criminal convictions that can be spent from (taken off) your record after a period of time.

The period of time is called a **rehabilitation period**.

- The rehabilitation period is a fixed length of time from the date you were convicted.
- How long it is depends on the sentence you have been given, not the offence or how long you have been in prison.
- When a conviction is spent, you do not have to mention it when you apply for a job, get insurance or are involved in criminal or civil proceedings.
- Once a conviction becomes spent it stays spent, even if you are convicted of other offences later.

**Sentences of more than 2 ½ years are never spent.**

These tables show you what a rehabilitation period is likely to be for different lengths of sentence. These are for sentences where you go to prison.

<b>Sentence</b>	<b>Rehabilitation period 18 years and over</b>	<b>Rehabilitation period Under 18 years old</b>
More than 2 ½ years	<b>These are never spent</b>	<b>These are never spent</b>
More than 6 months and up to 2 ½ years	10 years	5 years
6 months or less	7 years	3 ½ years
Fines, probation, community service, compensation, combination and curfew orders	5 years	2 ½ years
Absolute discharge	6 months	6 months

**For some sentences the rehabilitation period can vary**

<b>Sentence</b>	<b>Rehabilitation period 18 years and over</b>	<b>Rehabilitation period Under 18 years old</b>
Probation, supervision, care order, conditional discharge or bind-over	1 year or until the order expires (stops), whichever is longer	1 year or until the order expires (stops), whichever is longer
Attendance centre order, hospital orders (with or without a restriction order)	5 years or 2 years after the order expires (whichever is longer)	1 year after the order expires

## When you have to declare spent convictions

You **do** have to mention spent convictions if you do certain jobs.

- lawyer
- doctor
- dentist
- accountant
- nurse
- chemist

**You have to declare spent convictions if you apply for a job or to be a volunteer for any work that is with children and young people under 18.**

You **do** have to mention spent convictions if you want to work in jobs like

- firearms dealers
- casino operators
- directors and managers of insurance companies and trusts
- nursing home manager
- some civil service jobs
- defence contractors

You **do** have to mention spent convictions if you apply for certificates for

- firearms
- shotguns
- explosives

If you are applying for a job and the application form asks you about any **unspent** convictions you should declare them.

If you do not and are found out, you may get the sack for not telling your employer about them.

If you are going to move abroad you should check what the rules are in that country about declaring convictions. You can find this out from the country's embassy.

## **Criminal records**

All offences, spent and unspent, stay on your criminal record. These records are on the Police National Computer.

They may be taken off if you have not come to the attention of the police after many years.

**Some records will never be taken off, even if you have not come to the attention of the police for many years. This is because of the offence that you committed.**

## Release on Temporary Licence

Release on temporary licence means being able to leave the prison for a short time.

For example you might be granted a release on temporary licence

- ✓ because a parent or partner is seriously ill
- ✓ to help you settle back into the community when you finish your sentence

Release on temporary licence is usually shortened to ROTL.

- ✗ Not everyone gets ROTL.

There is more information about it in **Prison Service Order 6300**.

Not everyone can get ROTL. Prisoners who can **not** leave on a temporary licence are

- Category A or on the escape list.
- Unconvicted and convicted but with no sentence yet.
- Subject to extradition proceedings – wanted by another country because they may have committed an offence there.
- Sentenced, but on remand on further charges or waiting to be sentenced for other convictions.
- Category B prisoners can not get a resettlement day or overnight release but may be allowed to leave if a close family member is dying.
- If you are serving a sentence and then get another on top for not paying a confiscation order, you can only apply for ROTL during this later bit, not on your original sentence.
- Prisoners serving a life sentence will usually only be released on a temporary licence if they are in open or semi-open prisons.
- Prisoners serving a life sentence in closed conditions will be able to be released on temporary licence if they could be living in open or semi-open prisons but can not be moved because of medical reasons.

## **If the governor thinks you are safe to go out of the prison there are 4 main types of licence**

### **Special purposes licence**

This is for a few hours and is given for

- visits to dying relatives who are close family members
- going to funerals of close family members
- marriage or religious services
- medical treatment – for as long as the hospital appointment or treatment is for
- going to court, tribunal or an inquiry.

### **Resettlement day release licence**

This is for

- taking part in community service projects or other things you have to do outside prison as part of your sentence to get ready for release
- keeping in touch with your family
- training or education courses about life and work skills.

### **Resettlement overnight release licences**

This is for similar things to the day release, but also for you to spend time at the place you will be living once you are released from prison.

### **Childcare resettlement licence**

This is for certain prisoners who are the only parent or carer for a child under 16. This leave can be taken once every 2 months – so 6 times a year.



## End of custody licence scheme (also called ECL) This is a temporary scheme which started in 2007.

- ✓ This is for all prisoners who are suitable and have sentences of 4 weeks or more, but less than 4 years.
- ✓ The end of custody licence scheme means you can be released up to 18 days before your automatic release date.
  - × Some people can not have ECL.

There is more information in **Prison Service Instruction 42/2007**. This will be in the prison library.

If you are released under the ECL scheme you must follow the rules of your sentence. You will be recalled to prison if you break the conditions (rules) of the licence.

You may get some help with money if you are released under the scheme. You can not claim benefits until your original release date.

For example, if you were released under the scheme on March 1st, but your sentence was due to end on March 18th, you could not claim benefits until March 18th.

Prisoners who **can not** be released under ECL

- Registered sex offenders.
- Prisoners serving a sentence for serious violence.
- Prisoners who have escaped from custody before.
- Prisoners who have broken any of the other temporary release conditions before.

## **More about prisoners who can not be released under ECL**

- Prisoners who do not have a place to live sorted out.
- Prisoners who will be deported at the end of their sentence.
- Prisoners who are to be extradited.
- Prisoners on remand for more charges or waiting to be sentenced for something else.
- Prisoners who have been recalled back to prison from a home detention curfew or other licence.
- Prisoners on a treatment programme that they should follow when they are released, unless your offender manager can arrange it for another suitable time.

# Release and supervision

There are lots of abbreviations to do with release and supervision

- SED – Sentence Expiry Date
- LED – Licence Expiry Date
- SLED – Sentence and Licence Expiry Date
- ACR – Automatic Conditional Release
- ADA – Additional Days Added
- AP – All Purpose Licence
- HDC – Home Detention Curfew
- ARD - Automatic Release Date
- NPD – Non-Parole Date
- CRD – Conditional Release Date

The date you are released, with or without supervision, and how long that supervision goes on for, depends on the length of your sentence and when you were convicted.

It is quite complicated.

If you have any questions you should ask the prison staff or your offender manager.

## Home detention curfew (HDC)

Prisoners serving sentences of 3 months up to 4 years may be released early under home detention curfew. This is also called tagging.

This means you have an electronic tag which is used to check up on you.

You will have rules to follow about where you can go and what time you have to be back at home.

## More about HDC

If you are to be released on Home detention curfew, you **must** have somewhere to live when you leave prison. If you have nowhere to go you can ask if **Clearsprings Accommodation and Support Service** can give you somewhere to live.

They can give you somewhere to live in small houses or flats. It may be somewhere that you share with up to 4 other people. You have to do cooking, cleaning and pay rent.

Clearsprings housing is just for the time you are on Home detention curfew.

You must serve a quarter of your sentence or 30 days (whichever is longer) in prison. You can be on HDC for up to 135 days (4 and a half months).

Staff will check to see if HDC will be right for you. This will depend on whether you are safe to others if you come out of prison.

You can choose **not** to be let out on HDC.

If you are not given HDC you can appeal against this. Use the complaints procedure to do this.

If you break your curfew for reasons that you could not control, like not being able to carry on living at your agreed address, you can ask to be let out on HDC again.

If you are recalled to prison for breaking your HDC you may not be released on HDC in the future. This will depend on whether you come under the Criminal Justice Act of 1991 or 2003. If you are not sure speak to a member of staff.

## More about HDC

If you are recalled to prison you can appeal against it.

Some prisoners will **never** be granted HDC. For example

- Prisoners who have to sign the sex offender register.
- Violent and sex offenders currently on an extended sentence.
- Prisoners who do not return after Release on Temporary Licence.
- Prisoners in prison on a hospital order, hospital direction or transfer direction.
- Prisoners serving a sentence for not following a curfew order.
- Some prisoners recalled to prison for not following the HDC curfew conditions.
- Prisoners who might be removed from the UK.
- Some prisoners who, at any time, have been returned to prison for committing an offence before the 'at risk' period of their sentence ended.
- Prisoners who, at the point of sentencing, have less than 14 days left before the halfway point of sentence.
- Prisoners who have not paid a fine or not done what the court has told them to (contempt of court).

There is more information in **Prison Service Order 6700**.

## Parole

**There is separate information about parole for prisoners who are serving longer sentences – like life sentences or indeterminate sentences for public protection.** Ask prison staff or your offender manager for this information.

- ✓ Parole is when you are released early from prison under the supervision of the probation service before the end of your sentence.
- ✓ You can apply for (ask for) parole 6 months before the earliest date you could be released.
- ✓ Most decisions about parole are made by an independent group of people called a Parole Board.
- ✓ The rules on parole are different for prisoners who are UK citizens or foreign nationals.
- ✓ You can ask the parole clerk in the prison if you need information about your parole.

### Parole for prisoners who are UK citizens

Parole is one way you can be released from prison under licence. **See page 136.**

For most prisoners, parole is agreed to by a group of people called the **Parole Board**. The Board is not part of the prison service or the Ministry of Justice. They are totally independent.

To decide if you can be released on parole, the Board look at

- ✓ Reports from prison staff.
- ✓ Reports from probation staff.
- ✓ Details of your original offence (why you were sent to prison).
- ✓ Your behaviour in prison.
- ✓ If you have support from friends and family and a place to live.
- ✓ What the plan is for your release – things like, have you got a job?

## More about parole for UK citizens

You can apply for (ask for) parole 6 months before you are half way through your sentence. The date you can be released on parole is called your Parole Eligibility Date (PED).

You do not have to apply for parole if you do not want to.

**4 months** before your PED, you will be asked if you want to see all the reports that are to be sent to the Parole Board. These reports are called your **Parole Dossier**.

You can use these reports to help you write about why you want to get parole and what you will do if you are released.

**2 months** before your PED some people from the Parole Board will meet to look at your case. This small group is called a **Panel**.

They may want to talk to you before they make up their minds.

You will be told the date and time of this meeting. You will meet with 1 Panel member.

All this should be sorted out so that you get a decision from the Parole Board before your Parole Eligibility Date.

The Parole Board will think about the risks to the public and the benefits to you of getting out on parole.

<b>What</b>	<b>When</b>
Ask for parole	<b>6 months before your Parole Eligibility Date</b>
Parole Eligibility Date (PED)	<b>The earliest date you can be released on parole</b>
See your Parole Dossier and write about why you want parole	<b>4 months</b> before your PED
Panel from the Parole Board meets	<b>2 months</b> before your PED
Meeting with someone from the panel	Sometime during this 2 months
Get the Parole Board's decision	Before your PED in enough time so you can get ready to take your parole

## Finding out about your parole

The Parole Board will tell you and the prison as soon as it has made a decision about your parole.

There are 2 exceptions to this

1. If you are serving 15 years or more.
2. If you were sentenced before 1st October 1992.

If this is the case, the Parole Board have to tell the Secretary of State what they think. The Secretary of State then makes the decision about your parole.

## If you are refused (not given) parole

The reasons why the Parole Board refused you parole will be put in writing and sent to the prison. You can see a copy.

You **can not** appeal against this decision just because you disagree with it.

You **can** complain about the way your application was dealt with if you think this was not done correctly.

You can find out about complaints on **page 110**.

For example, you might complain if you feel that

- All the information to support your request for parole was not sent to the Parole Board.
- The procedures (how things should be done) for parole requests were not followed properly.

You should speak to a lawyer if you feel the decision was wrong.



## More about being refused parole

If your parole was refused you may be able to have your case reviewed every year. This will depend on things like how long you have left on your sentence before your Non-Parole Date (NPD).

You may also be given an early or special review. This means that your request for parole would be looked at again even sooner.

- Early or special reviews are not given very often.
- They are mostly used to check out how you are doing on courses for employment, drug rehabilitation and so on.
- You may also be given a special review if there was not enough time to review your request for parole before the end of your sentence.

## Parole and foreign national prisoners

There are 2 big differences with parole for foreign national prisoners

- If you qualify for parole you will automatically be considered for it. You do not get a choice.
- Decisions about your parole are taken by the prison governor unless you have been convicted of a sexual or violent offence, when the Ministry of Justice will decide.

If you are a foreign national prisoner, you may be taken back to your country early under the Early Removal Scheme. **See page 151.**

## **Young offender institution supervision – see page 159**

If you have a sentence of less than 12 months then on release you will be under supervision for at least 3 months, no matter how short your sentence.

- You will need to report regularly to your probation offender manager.
- Supervision will end at 3 months or when you reach your 22<sup>nd</sup> birthday, whichever comes first.
- If you break the conditions of your supervision you may be fined or sentenced to 30 more days in prison.

## **Adult sentences up to 12 months**

Your release will be unconditional (AUR).

You will **not** be supervised by an offender manager.

You will be given information called a notice. The notice will explain what this means and you have to sign it.

- **If you committed your offence before 4<sup>th</sup> April 2005 read the section that starts on page 146.**
- **If you committed your offence on or after 4<sup>th</sup> April 2005 read the section that starts on page 148.**

## ➤ Offences before 4<sup>th</sup> April 2005

### Main points

Sentence length	Type of release
12 months to 4 years	Automatic Conditional Release ARC
4 years and over	End of sentence or parole
Extended sentence	End of sentence or parole but there will be longer on licence.

### Over 12 months but less than 4 years (before 4<sup>th</sup> April 2005)

- The licence and supervision will last until you have almost finished your sentence – 3 quarters of the way through.
- Some prisoners convicted of sex offences are supervised until the end of their sentence.
- Any additional days added (ADAs) given at an adjudication will be added on.  
**See page 89.**
- The date your licence ends is called your Licence Expiry Date.
- You might be returned to prison if you do not stick to your licence.
- The court may send you back to prison if you commit another offence before your Sentence Expiry Date.

Just before your release you will be given your Automatic Conditional Release licence.

This explains the conditions of your licence and gives you the name and address of your supervising officer.

The conditions will be

- Reporting regularly to your offender manager.
- Living at an approved address.
- Having visits from your offender manager.
- Keeping out of trouble.

If you break the conditions of your licence you may be recalled to prison.

If you committed the offence you were sent to prison for **before 1<sup>st</sup> January 1999** and you break your licence, this will be sorted out by the courts.

If you committed the offence you were sent to prison for **after 1<sup>st</sup> January 1999** and you break your licence agreement, the probation service has to apply to the Ministry of Justice to have you recalled.

#### **4 years and over (before 4 April 2005)**

- When you are released, on parole or on your Non Parole Date, the licence and supervision will last until you have almost finished your sentence – three quarters of the way through.
- For some sex offenders the licence and supervision lasts until the end of your sentence.
- You will be at risk until your Sentence Expiry Date.

## **Extended sentence (offences before 4 April 2005)**

An extended sentence has 2 parts

- Time in prison.
- Time on licence.

For example

If your sentence is 4 years, made up of 2 years prison and 2 years on licence.

You would serve half of the 2 years in prison – this is 1 year. You then have to do 6 months on licence, which is normal for this length of time in prison, plus an extra 2 years on licence. Your sentence ends at 4 years.

Early release will be decided by the Parole Board if your sentence is 4 years or more and can be from any time after you have done half your sentence.

If you break the conditions of your licence your offender manager can apply to have you recalled to prison.

## **➤ Offences committed on or after 4<sup>th</sup> April 2005**

### **Standard sentences of 12 months or more but less than 4 years (for offences on or after 4<sup>th</sup> April 2005)**

You will be released on an All Purpose Licence. You will be on licence and under supervision until the end of your sentence (SLED).

Just before you are released you will be given your All Purpose Licence. This tells you the conditions of your licence and gives you the name and address of your supervising officer.

## **The conditions for standard sentences of 12 months but less than 4 years will be**

- Reporting regularly to your offender manager.
- Living at an approved address.
- Having visits from your offender manager.
- Keeping out of trouble.

If you break your licence you may be fined or recalled to prison.

## **Extended sentences (for offences on or after 4<sup>th</sup> April 2005)**

An extended sentence has 2 parts

- Time in prison.
- Time on licence.

For example, your sentence is 8 years and made up of 3 years in prison and 5 years on licence. At the half way point of your time in prison (1 ½ years), the Parole Board will decide if you can be released.

If you are not released, you stay in prison until the end of the time in prison the court said you should serve.

When you are released, you are on licence for the whole of the rest of your sentence.

## **Recall or Revocation of Licence**

If you are recalled to prison you will be sent a pack called the **Representations Pack**. This pack is to help you appeal against being recalled to prison.

The Parole Board look at recalls to prison. They look at your case within 28 days of when you would be recalled to prison. The Parole Board decide if it is right for you to be recalled to prison or not.

If you want to appeal, do it quickly. You can write to the Parole Board and you may also be asked to go and talk to them.

## More about recall

If you have been released from prison with conditions, or on licence which says what you should do, you may be taken back to prison if you do not follow the rules. This may be because you offend again or break some other rules. This is also called breach of licence.

If you do not stick to your conditions or licence, this is what will happen

- Whatever sort of licence you were on will be revoked (cancelled) straight away.
- The police (both local and national) will be told, as well as the probation service and the prison you were last at.
- You will be arrested and returned to the nearest prison.
- The prison you are being held in, as well as the probation service, will tell people in Headquarters of your return to prison.
- A Representations Pack will be sent to you and you will be asked if you wish to appeal against the decision to recall you back to prison.
- The Parole Board should look at your case within 28 days of your return with or without your appeal. They will reject or agree with the decision to recall you, set a date for you to be re-released or set a future date for your recall to be looked at again.
- You can speak to a lawyer if you need help with this.

## **Foreign national prisoners**

### **The Early Removal Scheme for foreign national prisoners - ERS**

This scheme lets prisoners who are foreign nationals leave the UK before their sentence is finished.

Information will be sent to the Borders and Immigration Agency about you.

The Borders and Immigration Agency will tell you if you are going to be leaving the UK and sort out your travel back to your home country.

You will serve a minimum period in prison in the UK before going back.

The longest amount of time for ERS is up to 270 days. Some prisoners will not be granted ERS. For example

- Prisoners who have to sign the sex offender register.
- Violent and sex offenders currently on an extended sentence.
- Prisoners who are serving a sentence for not returning after a Release on Temporary Licence.
- Prisoners in prison on a hospital order, hospital direction or transfer direction.
- Prisoners serving a sentence for not following a curfew order.
- Prisoners who have at any time been recalled to prison for not following the HDC curfew conditions.
- Prisoners who have, during their current sentence, been released on HDC or given early compassionate release and have been recalled to prison.
- Prisoners who have, at any time, been recalled to prison for committing an offence before the 'at risk' period of their sentence has ended.
- Prisoners who, at the point of sentencing, have less than 14 days left before the halfway point of their sentence.
- Prisoners who have not paid a fine or not done what the court has told them to (contempt of court).

If you are not removed under the ERS, you will carry on with your sentence.



## Deportation

The Borders and Immigration Agency will tell you if you are to be deported at the end of your sentence.

They will serve (send) an Immigration Detention Order to the prison.

You will either stay in prison after the end of your sentence or be sent to an Immigration Detention Centre until you are deported (removed) from the UK.

If you do not want to be deported you need to talk to a solicitor to find out if you can appeal.

You can find more information in **Prison Service Order 4630**.

## Repatriation

The UK has repatriation agreements with some countries. This means that some prisoners can go to prison back in their own country.

You can be repatriated if

- You are a national of the country you want to go to.
- Your sentence is final and no appeal is outstanding.
- The offence you committed would also be an offence punishable by imprisonment in the other country.
- You have, at the time you make your application, at least 6 months of your sentence left to serve before release.

Prison staff can check if the UK has a repatriation agreement with your country.

You need to use the prison's request/complaints procedure to start the process to see if you can be repatriated.

The UK and your country have to make an official request for repatriation.

You can also ask official staff who work at your country's embassy to make an application for you.

You can find a list of embassies in **Prison Service Order 4630**.

It can take a long time to decide on requests for repatriation, sometimes up to 2 years.

The UK will usually only refuse requests for repatriation if

- you would serve less time in prison if you transferred abroad
- you have a fine or other judicial order for payment outstanding.

If you are repatriated, you must serve the amount of time that you have left to serve under the sentence you were given in the UK.

You will follow the rules of the country you go to on sentence review, release and supervision.

You will be told about any changes before you sign your repatriation agreement.

You can find out more from '**Repatriation of Prisoners Act 1984 – Information for Foreign Prisoners**', in the prison library.

This information is in Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Turkish.

## **Transfers to prisons in Scotland, Northern Ireland, Channel Islands or the Isle of Man**

Transfers from prisons in England or Wales to prisons in these countries are called **transfers to another jurisdiction**.

You can ask for a permanent transfer so you can have visits from family and friends. Prison services in both countries have to agree to the transfer.

There are 2 types of transfer

- Unrestricted – your sentence will be completely managed by the area you move to and you will follow their rules for release and supervision on release.
- Restricted – England and Wales will fix conditions to your transfer. These could be about release, supervision on release or recall.

## **More about transfers**

To stand a good chance of having a transfer request agreed you

- Need to have at least 6 months left to serve before your release date.
- Need to have no outstanding appeal against conviction or sentence.
- Must not be going back to court.

Things that will be looked at as part of your application to transfer are

- Why you want to transfer.
- If you were living most of the time in the country you want to go back to.
- If you have close family and friends there.
- If you have shown that you plan to live there after you are released.

You can also request for your licence to be supervised in Scotland, Northern Ireland, Channel Islands or the Isle of Man. Ask your offender manager how to do this.

# Young offender and young offender institutions

This part is for young offenders aged 18 to 21 years old. It tells you about some of the ways in which young offender institutions are different to other prisons.

- You will still need to know most of the things talked about in the rest of this book.
- Young offender institutions are usually called **YOIs** for short.

A member of staff called a **personal officer** will be there to help you while you are in the YOI. Talk to them if you have any questions or if you need any help.

## Where you will serve your sentence

- You will serve your sentence in a young offender institution (**YOI**). Your YOI could be on its own or part of an adult prison.
- If you are on remand, you could be in a YOI remand centre or a local adult prison until the outcome of your trial.

## Who decides where you will serve your sentence

### If you have any kind of life sentence

(custody for life, detention for life, at Her Majesty's Pleasure)

- Staff at the YOI you are first sent to after you have been convicted will have to complete a number of reports about you.
- Once these have been done you will be sent to something called the 'Lifer Centre' to await a final decision on where you will go. It will then be up to staff in Head Office to decide where you will finally be sent to serve your sentence.

## For sentences called a sentence of detention

- The local prison or remand centre where you are being held will decide which YOI you will go to.

## What will happen when you first get to the YOI

For the first few days after you get to your YOI you will have something called an **induction**. This is where

- You can ask prison staff questions or talk to them about anything you are worried about.
- You and prison staff will also talk about what you could do while you are in the YOI.

## Your sentence plan (if your sentence is 4 weeks or longer)

- Prison staff will work with you to make a plan called a **sentence plan**.
- This plan talks about the things you and prison staff have agreed you will do while you are in the YOI. For example, it will talk about your education and the work you will do.
- If you have less than 3 months left in the YOI, the plan will talk about what you need to do to get ready for life after you leave.
- Your sentence plan will usually carry on for at least 3 months after you leave the YOI. This is because someone from the probation service (usually your offender manager) will work with you to see how you are getting on after you leave the YOI.
- People called **offender managers** and **offender supervisors** will help you do all the things in your sentence plan. The offender manager is someone from the probation service outside the prison. The offender supervisor is someone inside the prison. Your personal officer will also help with this.

# Things you can do while in the YOI

## Education

- You will have the chance to learn new things while you are in the YOI.
- All YOIs have classes where you can go to learn things. For example, you can get help with things like reading, writing and using numbers if you need it.
- Most classes are during the day but some may be in the evening.

## Training

- There is lots of training you can get. The training can help you learn new skills or find a job.
- The training could also help you get some qualifications. Qualifications are things you get when you pass exams, like NVQs .
- You may also be able to work as a volunteer in the local community, but only if prison staff think this is safe to do.

## Physical education (things like sports or the gym)

- You will be able to do things like exercise and sport for at least 2 hours a week.
- You can do this during the day, in the evenings or at weekends.
- This may happen inside or outside the prison building. You should be able to spend some time outside in the open air each day.
- If you have an injury or need a special type of exercise then you should be able to get help with this.

## Free time (sometimes called association)

- In most YOIs you can have at least 1 hour a day to do things like spend time with other prisoners, play games or watch TV.

## Faith

- You can go to a religious service at your YOI every week.
- There should be services for different faiths. **See page 78.**

## Smoking

- You **cannot** smoke in areas for people under 18 years old.
- You may be allowed to smoke in **some** areas of YOIs for people aged 18 to 20 years old, probably outside and sometimes in your cell.

## Getting ready for life after the YOI

- You will get help from prison staff to get ready for life after you leave the YOI.
- They will talk with you about things like seeing your offender manager, where you will live, jobs, health, drugs, money and your family.

## What will happen after you leave

You will leave the YOI but you will still need to follow some rules for at least 3 months after you leave or until your 22<sup>nd</sup> birthday, whichever is sooner. It will be longer if you spend more time in a YOI.

This is called being on **supervision**. Someone from the probation service, probably your offender manager, will work with you to see how you are getting on after you leave the YOI.

- You will be on supervision unless
  - you were sentenced for not paying a fine or not doing what the court told you to do (this is called contempt of court)
  - you are 22 years old when you leave the YOI.
- Someone from the probation service will check on you for at least 3 months after you leave the YOI.
- You will be given a document called a **licence** when you leave the YOI. The licence will tell you the rules you need to follow after you leave.
- The law says you must do the things that the licence says. You must say if you do not understand what the licence says.
- If you break the rules of the licence you may have to pay a fine or you may have to go back to the YOI.
- If you are released on **parole**, you will have to follow the rules of the licence until the date that you would have been released anyway. This is called your Non Parole Date.



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**This book will be available in a range of other languages for staff to print off. Ask them about a book in your language.**



## What is this book about?

- What you need to know about prison life.
- Prison rules and ways of doing things.
- Your rights.

*“The handbook is like an A-Z of information for prisoners. We could never do without it.”*

Adeleke, prisoner HMP Wandsworth

*“When a prisoner first comes into prison he often doesn't know the questions he needs to ask. This guide is an invaluable aid.”*

Prison Officer



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Safer Custody and Offender Rights  
NOMS  
1st Floor, Fry,  
2 Marsham Street  
London, SW1P 4DF  
[www.hmprisonservice.gov.uk](http://www.hmprisonservice.gov.uk)

**PRISON  
REFORM  
TRUST**

Prison Reform Trust  
15 Northburgh Street,  
London, EC1V 0JR  
Tel: 020 7251 5070  
e-mail: [prt@prisonreformtrust.org.uk](mailto:prt@prisonreformtrust.org.uk)  
[www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)