



## PC05/2009 – REPORTING ARRANGEMENTS FOR OFFENDERS RELEASED ON LIFE LICENCE

**IMPLEMENTATION DATE:** Immediate

**EXPIRY DATE:** April 2014

**FOR ACTION:** Chairs of Probation Boards/Trusts, Chief Officers/Executives, Secretaries of Probation Boards/Trusts

**FOR INFORMATION:** Board/Trust Treasurers, Improvement and Development Managers, Directors of Offender Management

### CONTAINS MANDATORY ACTIONS

**AUTHORISED BY:** Michael Spurr, Chief Operating Officer

**ATTACHED:** Annex A: Template for Report  
Annex B: Guidance for completion of the Report  
Annex C: Equality Impact Assessment Form

### RELEVANT PREVIOUS PROBATION CIRCULARS

N/A

### CONTACT FOR ENQUIRIES

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## PURPOSE

1 This Circular sets out mandatory actions to be taken by Areas, following Ministerial agreement to revised arrangements for reporting on offenders on life licence or IPP licence, once released into the community.

2 Directors of Offender Management must ensure that, as part of their routine oversight of Probation Areas, arrangements are in place to complete post release supervision reports for all indeterminate sentence offenders on licence in accordance with the mandatory actions set out in this Probation Circular.

## MANDATORY ACTIONS

3 *Chief Officers must bring this Circular to the attention of all staff with responsibility for the supervision of life sentence and indeterminate sentence offenders on licence in the community, who must then follow the mandatory actions set out below (see in particular paragraphs 4 to 9).*

## SUMMARY

### Changes in the Reporting Arrangements

4 With immediate effect, Probation Areas are no longer required to submit supervision reports in respect of indeterminate (life and other indeterminate) sentence offenders on licensed supervision in the community to the Public Protection Casework Section (PPCS). Local Offender Managers must continue to complete and prepare such reports in a timely fashion and retain them as evidence of relevant offenders' sustained progress in the community. The reports will then be used by the PPCS and the Parole Board when considering applications for the cancellation of supervision or variation in licence conditions, if either action is requested at a later date. Directors of Offender Management must put in place auditing arrangements to ensure that reports are produced to a satisfactory standard.

5 Annex A to this Circular is a redesigned template that Offender Managers may use to complete reports. The template can be adapted locally to meet needs if probation areas prefer. The aim of the revised template is to use a tick box system where possible and concentrate on addressing areas that are deemed problematic. A copy of a current OASys assessment must be attached to the report so that information is not lost over the years or if a case is transferred to a new area or Offender Manager. As with current practice, the reports must be reviewed and signed off by ACOs or managers of an equivalent grade.

### Frequency of reporting

6 The first report must be a full report within the first 3 to 4 months of the offender being released unless specific licence conditions apply or significant changes in circumstances mean an earlier report must be prepared. After completion of a full report, then the template can be used for subsequent reporting at the 8<sup>th</sup> and 12<sup>th</sup> month point in line with the OASys that will be prepared at that time and within 2 weeks of that OASys being completed. After this, it is open to Offender Managers to consider the frequency of the reports and depending on the individual case this could be reduced to two a year. Offender Managers must keep the frequency of reporting under review, having regard to National Standards, and, if there are any on going concerns, the Offender Manager must consider whether it is necessary to increase the reporting cycle and/or complete a fuller report.

7 The frequency of the licensee reporting to the Probation Service will continue to be the responsibility of the supervising area to determine, subject to National Standards, and is a separate issue from the preparation of reports.

### Variation of Licence Conditions

8 Any request to vary a licence condition must be made to PPCS, as is the current practice. The request must be endorsed by the ACO and full details of every variation must be provided. If the variation is subsequently endorsed by the Parole Board, the PPCS will issue the appropriate variation order.

### Cancellation of Supervision

9 The arrangements for the cancellation of the supervision element of the life licence remain unaltered, in that an application to the Parole Board must be made via PPCS. It will be open to Offender Managers to apply after a minimum of 4 trouble free years in the community to have the supervision of those on life licence lifted. For sex offenders released on life/IPP licence, whilst each case will be considered on its own merits, cancellation will not generally be considered before 10 years have elapsed. Any request for cancellation must be supported by evidence, based on the reports prepared by Offender Managers of sustained progress in the

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community to enable the PPCS (on behalf of the Secretary of State) and the Parole Board to make a decision. Requests for cancellation of suspension must be sent to the PPCS in the usual way.

**To be completed by the OM, countersigned by the SPO and signed off by ACO**

**Name**.....  
**Date of Birth**.....**Prison Number**.....  
**Date of Sentence**.....**Date of Last Release**.....

**1** Has complied with Licence Conditions. Yes

**2** Behaviour has been of an acceptable standard. Yes

**3** Has there been any behaviour which might indicate a return to the pattern of behaviour which led to the index offence? No

**4** Presents an acceptable/manageable level of risk of harm. In terms of OASys state if risk is low/medium/high/very high and if ROSH has changed since last review. Attach relevant sections of OASys ie RMP & Risk of harm Summary.

**5** Domestic arrangements in order. Include here details ie in the same stable relationship, when it started or has been in a series of stable relationships. Accommodation appropriate? Relationships with other residents appropriate?

**6** Is gainfully employed/on a suitable training course/ voluntary service. Include here what the nature of employment is. Who is the employer? How long employed? If new job what was the reason for the change?

**7** Has no drugs / Alcohol issues/Gambling/other addictions No

**8** Any victim issues or concerns? No

**9** Likelihood of re-offending is assessed as low. Yes

**10** Any changes to the RMP? If so provide details ie programme now completed; additional agencies involved; agencies withdrawn.

Comment below about progress towards the sentence plan objectives, current level of contact and supervision and deletion of any licence conditions and any other issues that you think should be highlighted. For example, frequency of reporting? Frequency of progress reports?

Signed by OM .....Date.....

Comments by SPO

Signed by SPO..... Date.....

Comments by ACO

Signed off by ACO..... Date.....

**Guidance for Completion of Template for Indeterminate Sentence Offender (Lifer and Other) Progress Reports**

The following guidance is to assist Offender Managers in completing the template for progress reporting on lifers and other indeterminate sentenced offenders.

Question 1 If answer is Yes select that from dropdown menu. If answer is No then please provide details

Question 2 If answer is Yes select that from dropdown menu. If answer is No then please provide details

Question 3 If answer is No select that from drop down menu. If answer is Yes then please include details relating to the index offence and associated risk factors. For example. Index offence for Murder for killing bookmaker and offender has now started to gamble again.

Question 4 Comment here on level of risk and if this has changed since last review. Attach the relevant sections of OASys.

Question 5 Refer to prompts on template to see what information should be included here.

Question 6 Refer to prompts on template to see what information should be included here.

Question 7 If answer is NO select that from drop down menu. If answer is Yes please provide details.

Question 8 If answer is NO select that from drop down menu. If answer is Yes please provide details.

Question 9 If answer is Yes select that from drop down menu. If answer is NO please provide details.

Question 10 Please include here named agencies and contact details.



# Ministry of JUSTICE

National Offender  
Management Service

PC05/09 - Annex C

## EQUALITY IMPACT ASSESSMENT FORM

### Part 1 - INITIAL ASSESSMENT

1. Officer(s) & Unit responsible for completing the assessment:

Diana Greene, Public Protection Unit

2. Name of the policy, strategy, function or project:

PC05 2009 – Reporting Arrangements for Offenders released on Life Licence  
Changes in the reporting arrangements for offenders on life licence or IPP licence

3. What is the main purpose or aims of the policy, strategy, function or project?

Supervision reports in respect of those on life licence or IPP licence should be referred to local senior managers for consideration and no longer referred to NOMS Public Protection Casework Section.

4. Who will be the beneficiaries of the policy/strategy/function/project?

The Probation Service and PPCS will be the direct beneficiaries as changes will mean the reports will be kept by local probation areas and these will not be required to be submitted to the centre. This will free some of the resource used within this work to direct towards improvements in other areas of the process. No direct equality impact is expected on those subject to life licence being overseen by Probation Services.

5. Has the policy/strategy/function or project been explained to those it might affect directly or indirectly?

The policy has been explained to staff at the centre. Probation staff will be informed by way of a probation circular.

6. Have you consulted on this policy/strategy/function/ project?

Yes. We have consulted all probation areas and consulted internal staff. Initial consultation with the Probation Service was held via the Regional Liaison Officers through the National Recall Forum.

7. Please complete the following table and give reasons/comments for where:

- (a) The policy/strategy/function/project could have a positive impact on any of the diverse groups or contributed to promoting equality of opportunity and improving relations between groups.
- (b) The policy/strategy/function/project could have a negative impact on a diverse group, i.e. disadvantage them in any way.

Though no specific diversity quantitative and qualitative data was used in the development of this proposal we are aware of a number of factors, particularly on Race, Disability, and Age which can negatively impact on those within the criminal justice system. However this administrative change to the process will not influence these factors. This change will simply remove a step within the current process which is unnecessary now in the process for most cases while retaining this step as an option for those cases which would require referral to NOMS.

| Diverse Group                                   | E.g. of positive impact | E.g. of negative impact | Reason/comments |
|---|-------------------------|-------------------------|-----------------|
| Men   |                         |                         |                 |
| Women   |                         |                         |                 |
| Asian or Asian British people                   |                         |                         |                 |
| Black or Black British people                   |                         |                         |                 |
| White people (including Irish people)           |                         |                         |                 |
| Chinese people                                  |                         |                         |                 |
| Any other racial/ ethnic group (please specify) |                         |                         |                 |
| Mixed Race people                               |                         |                         |                 |



**NOTE: Evidence must be listed in questions 5 – 10 to show why a decision was made to not go on to a full impact assessment**

Date completed: 08/01/09

Signed by Unit or Directorate manager: Russell A'Court

Date approved by Senior Management: 22/04/09

A copy of this initial screening must be published along with the policy/ strategy/ function/ project outline. A signed copy must be retained by the Unit/ Department for audit purposes.