

Headlines:

- **Offender Rehabilitation Act 2014** amends the existing framework to give greater flexibility
- Clause 1 extends **release on licence to custodial sentences of less than 12 months**
- Clause 2 creates a **period of additional supervision after licence for offenders serving custodial sentences of more than 1 day but less than 2 years – Post Sentence Supervision**
- Clause 3 (Schedule 2) creates a new system for breach of supervision requirements and identifies the available sanctions. A new sanction, the **Supervision Default Order**, draws on existing legislation rather than being created by the Act
- Clause 15 creates a new **Rehabilitation Activity Requirement**
- Courts can impose a range of requirements as part of a Community Order or Suspended Sentence Order. **Supervision is no longer included in the list of requirements!**
- Introduction of **Through The Gate**

Activities the courts can impose:

- UPW
- Curfew
- **Rehabilitation Activity – replaces supervision requirement & specified activities (PI 58/2014)**
- Programme
- Mental Health Treatment
- Drug Rehabilitation
- Alcohol Treatment
- Prohibited Activity
- Exclusion
- Attendance Centre
- Restriction on Travel Abroad

Rehabilitation Activity Requirement (RAR)

“ The RAR will be the primary mechanism through which the CRC’s are able to require offenders....to engage in rehabilitation activity ”.

(TOM, pg 16)

- Courts will decide the maximum number of days activity to be completed by the end of the order (date specified by the Court); CRC’s will direct offender to attend appointments with them and participate in activities that promote offender rehabilitation.

- For appointments, in contrast to activities, there is no limit set by the court on the maximum number of days on which the offender may be instructed to attend appointments.
- The Responsible Officer may instruct the offender to attend appointments with the Responsible Officer or someone else.

(PI 58/2014, section 1.7)

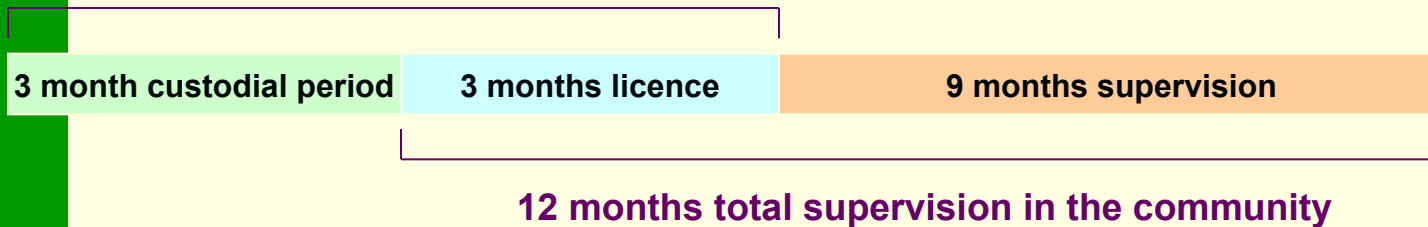
Example:

CO – 12 months + 40 days RAR

- Responsible Officer completes OASys defining sentence plan objectives to meet desistance needs of offender and plan RAR schedule
- CO remains in place until end date specified by the Court (appointments can be issued in excess of RAR days).

The ratio of licence to post sentence supervision

Total sentence of 6 months



Total sentence of 18 months



New sentencing provisions

- There are 10 available requirements for post sentence supervision, all of which are discretionary
- The first 7 are the same as the 6 standard licence conditions in slightly more modern drafting. The last three are:
 - Participate in activities as directed by a supervisor
 - Undertake drug testing
 - Attend drug appointments

The Act provides that: The purpose of the supervision period is rehabilitative

Through The Gate (TTG)

Release from custody is changing! The prison estate is being reorganised to give offenders continuous support by one provider from custody to the community through the introduction of 'through the gate' resettlement services

- Immediate assessment on induction into custody
- Compilation of Resettlement Plan and Provision of Resettlement Services to all low and medium risk offenders
- Meet at the gate on release and continue work in the community
- Host CRC has responsibility for all prisoners

Basic Custody Screening Tool (BCST)

- **BCST Part 1:** to be completed within 72 hours of reception to establishment by HMPS
- **BCST Part 2:** to be completed by host CRC within 5 working days after completion of Part 1, building Resettlement Plan
- **Resettlement Plan** to be reviewed with prisoner during last 12 weeks in custody

- Should focus on desistance
- Signposting to other services within the prison or in the community (e.g. accommodation, employment, financial advice)
- Support to offenders who have been subject to domestic or sexual abuse, or who have been sex workers (male or female)

Desistance – an introduction

YouTube Clip:

**Transforming Offender
Rehabilitation
(Prof. Shadd Maruna)**

<http://www.youtube.com/watch?v=NPkRwcGgeHo&sns=em>