A MODEL OF SENTENCE PLANNING

Part 1 - What Are Regimes?

Part 2 - Sentence Management and Sentence Planning

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'We would like to see a move towards individual programmes for prisoners, incorporating more diverse activity than at present and geared towards the abilities and needs of the inmate himself. What we broadly envisage is that a long-term prisoner’s individually tailored programme would be put together from the available modules during the period of initial assessment. Throughout the sentence there would be routine reviews, with the prisoner personally involved, where his participation in the modules would be discussed and changes to his programme would be considered.

Encouragement of diverse activities and monitoring prisoners’ performance in them is in no way opposed to the need to keep establishments’ performance in delivering activities under close review too. The two objectives are complementary. Nevertheless, we do think that one factor that has hindered progress in this field is the tendency in this country to speak and think in terms of the regime. As we have noted, the concept of the regime is large and vague, and implies generally that every prisoner in an establishment is subject to the same process regardless of his needs or abilities; and measuring performance across its span raises complex questions. We would like to see the phrase “regime activities” replaced by some description that gives the accurate idea that what is at issue is a bundle of prisoner-orientated activities that are amenable to objective performance setting and efficiency audit. We suggest “prisoner programmes” or simply “programmes”.

We emphatically do not see such programmes as soft options. Properly organised programmes would make greater demands of prisoners than do present regimes. In particular, the whole rationale of programmes emphasises personal responsibility, and we are sure that this is healthy. Furthermore, we believe that programmes which involve prisoners personally must be more conducive to control than the present industry-centred regimes which leave many prisoners under-employed and resentful.

These suggestions for the development of programmes highlight the need for more timely and consistent management information about prison activities. This is but one example of the more general need to use new technology to up-rate management information in the Prison Department and that is already under active study.'


Paragraphs pp 27-30
Managing the System: Managing prisoners’ programmes

The work outlined below began in early 1990 when the HQ section responsible was drafting a Circular Instruction to introduce one of the deferred 1984 Control Review Committee recommendations, namely the introduction of Sentence Planning for Long Term prisoners.

The proposal was to begin with those inmates serving 10 years plus, with 5 or more years to their EDR. Our task was initially to assess whether Category A inmates, nearly all of whom are serving sentences of 10 years or more, could be included under the terms of the Circular Instruction or whether the special security constraints pertaining to this group rendered this impracticable.

An analysis of the movements of these inmates revealed that in the main, the Category A inmates moved as often as other long term prisoners, moving on average every 12 to 18 months. In the light of this, and other analyses of what was available in prisons in the form of possible programmes and activities, we began to look at what might be done proactively with Category As (assuming that what could be done for this group could be done for the others). Perhaps the heart of the report from Regimes, Research and Development Section in Autumn 1990 was:

‘It is important to ensure that the individual programmes should mesh together and overlap in their effects; indeed, it is through the scheduling of such programmes that Sentence Planning may be defined. In many ways, it is not so much that Sentence Planning or Inmate Programmes need to be established, since so many of the component parts already exist; it is rather that the present situation should be more systematically developed, with a clearer practical rationale informing the revision of allocation and assessment procedures. And the assessment is not just of the prisoner. The gaps in our existing knowledge are not restricted to uncertainty about the inmate; the actual functions of activities are also unclear and will require extensive analysis.

At a more general level any properly organised educational programme (for example) will develop a number of skills in addition to the subject named on the timetable. These could include social skills, communication skills, the ability to co-operate with others, to organise one’s time, and so on. Different courses will lay different emphases on these ‘hidden’ aspects of the curriculum, and attention must be paid to them if a suitable programme is to be developed for any particular individual. Similarly a range of needs may be met through the proper choice of activity. Different jobs require and develop different abilities; for example, interpersonal skills, concentration, reliability, responsibility, or attention to detail. These will be present in varying degrees in all jobs, and a graded programme of activities can be used to address a range of problems in the natural context of the inmate’s normal working day. Treatment need not necessarily and perhaps should not be seen as some separate activity grafted onto the prison regime.

All of this is necessarily speculative, however; simply because no-one has in the past looked at the possibilities of this kind of development, and hence the information on any systematic scale is absent. It is our belief that it is at the informational level that planning should begin - there has to be a system capable of holding and making generally accessible the enormous amount of information required in the implementation and management of sentence planning.

Programmes and Sentence Planning for Category A Inmates

Regimes, Research and Development Section, DIP2, September 1990
This paper is essentially in two parts. The first provides an answer to the question ‘what are regimes?’ by describing ‘routines’ and ‘activities’. Regimes are the configuration of routines and activities as detailed in the Governor’s annual contract. This part of the paper uses two dispersal prisons to illustrate how the day to day routines and available activities naturally constrain what can in fact be delivered in the context of Regime and Sentence Planning.

Bearing in mind the fact that inmates move between prisons, on average, each year or so, the information presented in this part of the paper should set the context for the more specific proposals in part two which illustrate how these routines and activities can be used as effective elements of a ‘naturalistic’ approach to behaviour modification or personal development. The second part of the paper specifies a model of Sentence Management which is designed to serve as a substrate for Sentence Planning, whilst at the same time providing an infrastructure for the audit of regime delivery at whatever level this is required.

**PART 1 - WHAT ARE REGIMES? — Routines & Inmate Activities**

A. Routines

*Figures 1 and 2* show how the time that each element of the weekday routines at HMP Wakefield and HMP Parkhurst occupy. The time inmates are locked in their cells is essentially staff-inmate ‘non-contact time’.

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**FIGURE 1: HMP Wakefield**

*Elements of the 24 Hour Weekday Routine*

- Evening Association 17.50–20.00
- Night Lock Up/Sleep 20.00–07.45
- Lock Up 16.35–17.50
- Tea 15.45–16.35
- Work 2 13.40–15.45
- Exercise 13.10–13.40
- Lock Up 11.45–13.10
- Lunch 10.45–11.45
- Work 1 08.40–10.45
- Breakfast 07.45–08.40

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Figure 3 presents the same information, but here the elements of the routines have been aggregated by type to illustrate the proportion of the day taken up by each of the broad elements.
Figure 4 completes the series by excluding the ‘non-contact time’. This figure makes the simple point that the major elements of ‘staff-inmate contact time’ are the ‘Work/Education’, and ‘Meals/Association’ periods.

These two basic elements of the routines are fundamental to the rest of the paper. If we look first to the ‘Meals/Association’ periods, and consider the amount of supervision these require, it makes sense to look to the incidence of disciplinary infractions as a measure of the level of inmate co-operation with these elements of the routine.

Figures 5 and 6 distribute Governor’s Reports at HMP Parkhurst and HMP Wakefield over the past three years, both by time into the routine, and the location of the infraction. It is clear that in both prisons the majority of the infractions occur, in fact, with reference to the ‘Work/Education’ periods, both morning and afternoon.
If prison delinquency was simply a function of the time the elements of the routine occupy, we might expect there to be an equivalent number of infractions in the combined Meals/Association periods. Figure 4 illustrates that Meals/Association and Work/Education occupy a similar proportion of the day. However, Figures 5a and 6a demonstrate that they are not equivalent in terms of delinquency. It is primarily the demands of the routines with respect to the Work/Education periods which elicit most of the delinquency.
Despite the fact that Work/Education accounts for the same proportion of the day as the combined Meals/Association periods, the frequency of infractions is approximately twice as high during the combined work periods as it is during the Meals/Association periods.
Furthermore, as illustrated in Figure 7, the majority of the infractions occur on the wings, not in the work areas themselves. The infractions are antecedent to the work.

**Figure 7:** HMP Parkhurst (B & M Wings) Disciplinary Report by Time into Work Periods & Location of Infraction

![Figure 7: HMP Parkhurst (B & M Wings) Disciplinary Report by Time into Work Periods & Location of Infraction](image)

*Figure 8* demonstrates that the reports tend to be primarily breaches of ‘Offences Against Discipline’, ‘Refusal to Go to Work’, and ‘Abusive Behaviour’.

**Figure 8:** HMP Wakefield — Disciplinary Report by Time into Work Periods & Class of Infraction

![Figure 8: HMP Wakefield — Disciplinary Report by Time into Work Periods & Class of Infraction](image)
When the time of the offending is examined closely, it is clear that the distribution is bimodal, one peak in the morning and another in the afternoon (see Annex 1 for the consistency of this phenomenon). Furthermore, within each of the work periods, the distribution of infractions is skewed, most infractions occurring in the early parts of the this element of the routines.

Both Figures 7 and 8 make it clear that throughout the two periods which make up ‘Work/Education’, the incidence of offending progressively decays, supporting the conjecture that prison delinquency is primarily emitted when staff require co-operation from inmates with respect to the demands of the routines. Such delinquency is to be contrasted with co-operation with the routines, and as a potential area of attainment, this dimension of behaviour is focal at this stage of the argument for a system of Sentence Management as a substrate for Sentence Planning.

B. Activities

Turning away from the routines, and looking more closely at the other main aspect of staff/inmate contact time, namely the episodes of Work/Education per se, Figure 9 illustrates the number of inmates planned for each week (under function 17) at Parkhurst and Wakefield by staff supervising each class of inmate activity. The majority of inmates are involved in some form of education (Full-Time Education Classes, Vocational Training Courses, Civilian Instructor led courses), industrial activities (textile workshops, laundries etc.) or domestic tasks on the wings.
Figures 10 and 11 break these activities down into sub-activities, or ‘Reporting Points’. This shows how many inmates are accommodated in each particular workshop (at HMP Wakefield, these are mainly textiles shops), or class of education.
The focus of part two of this paper is on how the demand characteristics of inmate activities (Reporting Points) and the routines (eg movements to these activities), might most effectively be used in the service of Sentence Planning.

Finally, there is a strong argument for demanding consistency of practice between prisons in that, especially in the long term prison estate, inmates are regularly moved between prisons, often as part of long term plans. Fundamental to part 2 of this paper is the concept of an inmate’s record of attainment determining future planning.

Given this, a common system for capturing information throughout the estate must be implemented if Sentence Planning is to be a systematic, deliverable, and thereby credible process.

PART 2 - SENTENCE MANAGEMENT & SENTENCE PLANNING

Regime & Sentence Management as an Actuarial System

Introduction

Research between 1989 and 1991 led to the conclusion that Sentence Planning will require such a fundamental, systematic, and nationally implemented information base and that this can most efficiently be derived from the management of inmate activities throughout the estate. According to this view, Sentence Planning needs to be supported by a system of ‘Sentence Management’ which focuses on the structure and functions of available and potential inmate activities. In this way, Sentence Planning would be integrated with the Regime Monitoring System, effectively developing within the framework outlined in CI 55/1984. This implies that the most effective way to launch Sentence Planning is not as an additional task grafted onto the regime, but as a natural development and improvement of inmate review and reporting practices.

The system specified below is efficient and cost-effective with the potential infrastructure to support and integrate several initiatives which have begun since the re-organisation. Although not covered in this note, two of the most significant are Prisoners Pay, and The Place of Work in the Regime.

In broad outline, what is proposed has much in common with the Department of Education and Science’s 1984 initiative Records of Achievement and has the benefit of using this nationally implemented programme in behaviour assessment as a source of best practice. Whilst the initiative outlined below is an independent development which took its cue from recommendations published in the 1984 CRC Report, from which the PROBE (PROfiling Behaviour) project developed, results of R&D work between 1987 and 1994 are reassuringly compatible with the work done throughout the English education system during the same period. In this context, what is outlined below focuses on what the DES refers to as Formative Profiling (continuous assessment and interactive profiling involving the inmate throughout his career) rather than Summative Profiling (which provides a review somewhat akin to the parole review, or more locally, Long
Term Reviews. In all that follows, the recommendations of the CRC Report are seen to be integrally related to the policy set out in CI 55/1984.

Outline

The system, for national implementation, across all sentence groups can be specified as a 5 step cycle:

1. Inmates are observed under natural conditions of activities.
2. Observed behaviour is rated and recorded (continuous assessment).
3. Profiles of behaviour become the focus for interview dialogues/contracts.
4. Inmates are set targets based on the behaviour ratings/observations.
5. Elements of problem behaviour are addressed by apposite allocation.

Some immediate comments follow.

With little intrusion into the running of Inmate Activities, behaviour which is central to these activities can be monitored and recorded more directly to identify levels of inmate competence across the range of activities. The records of competence would guide the setting and auditing of individual targets.

Targets will be identified within the Activity Areas supported by the regime. This requires continuous assessment of inmates within activities, and the setting of targets based on a set of possible attainments drawn from those activities. Such attainment profiles would serve to identify and audit targets and would enable allocation staff to judge the general standard of attainment within and across activities, thereby enhancing both target-setting and auditing.

The frequency of behaviour assessment within activities and routines, and the auditing of the whole process must be driven by what is practicable. The system requires assessment of attainment to be undertaken monthly, in order to ensure standardisation in collection of Regime Monitoring data. Targets set are to be based on observations of behaviour which are already fundamental to the running of activities and routines, and the progress in achieving targets will be discussed with the inmate, guiding allocation to activities within and between prisons. These steps are in accordance with the policy guidelines set out by DIP1. Whilst the targets set will be individual, and when collated will comprise a set of short and long term objectives defining the ‘Sentence Plan’, they will fall into some broad areas (social behaviour, health, performance at work, and so on).

By making more systematic use of the information which is already being used to select, deselect and manage inmates within activities and with respect to routines, Sentence Planning will become a natural co-ordinating feature of the prison’s regime.

Specific programmes for problem behaviour (e.g. sex offenders) can be seen as particular inmate activities with their own, more intensive assessment, activity and target setting procedures explicitly designed to address problem behaviour. Development of, and
allocation to such programmes will be integrated with other activities. These programmes are seen as both drawing on and informing ‘Risk Assessment’.

**Specific Details**

Fundamental to the system outlined above is the fact that classes of behaviour (as opposed to properties of inmates) are taken as the basic data. These classes of behaviour are demanded by activities and routines, and should serve as basic data for Regime Monitoring. Observations of inmate behaviour are observations of an inmate’s level of attainment with respect to characteristics that staff responsible for the activities have specified in advance as essential to the task.

Activities and routines have a structure quite independent of the particular inmates who are subject to the demands of activities and routines. Perhaps the defining feature of Sentence Management is that it comprises a process of objective continuous assessment, where what are assessed are levels of attainment with respect to pre-set aims and objectives, themselves defining activities and routines. Since the focus is on classes of behaviour rather than attributes of inmates, all of the assessments are of progress with respect to pre-determined classes of behaviour which are requirements of activities and routines.

**Attainment Areas**

Each activity area or aspect of the routines can be defined in terms of the classes of behaviour which the activity/routine requires of the inmate. These classes of behaviour are basic skills which are fundamental to the nature of the activity, which in combination account for activities being distinguishable from each other. These basic skill areas will be referred to as **Attainment Areas**. They need to be carefully selected as they will be taken to be the defining features of the activity. Any part of the daily routines should be specifiable in observational terms, and staff should be encouraged to think about how best their area of inmate supervision could be so sub-classified. Whilst the identification of Attainment Areas may, at first glance seem a demanding or unfamiliar task, it is soon appreciated that the identification of Attainment Areas is in fact a pre-requisite to the establishment of any activity in prison, be it an education course, industrial activity or co-operation with movement off the wings.

**Attainment Criteria**

Each Attainment Area can be further classified into up to five observable levels of attainment. These are levels of the same skill, progressing from a low level of competence to a high level of competence. These must be described in a series of direct statements, specifying particular skills of graded sophistication which can be observed, and checked as having been observed. Levels of competence are therefore NOT to be specified as a scale from LOW to HIGH, but rather as a series of specific, and observable behaviour, perhaps increasing in complexity through being conjunctions of lower elements. These are the Attainment Criteria of the activity or routine. Just as Attainment Areas are naturally identified by staff who design activities, so too are Attainment Criteria natural pre-requisites for day to day supervision.
Regime Monitoring Criteria (RM-1s)

The above Attainment Areas and Criteria are defined on the RM-1 form. This provides exhaustive data on the area of inmate activity and the criteria against which inmates' attainment can be expected to be assessed.

Competence Checklists (SM-1s)

For each set of Attainment Areas the Attainment Criteria comprises a COMPETENCE CHECKLIST, against which performance can be monitored. Competence Checklists are referred to within the system as SM-1s.

Record of Targets (SM-2s)

Targets are identified using a second form, referred to as SM-2. Targets will generally be identified from the profile of Attainment Criteria within Activities, (Competence Checklists being completed on a monthly basis provide a record of progress). But Targets may also be identified outside of standard activities, based on an analysis of what is available within the Regime Digest, or Directory which will be a natural product of the process of defining Attainment Areas and Attainment Criteria, and the printing of the Competence Checklists.

The three forms, RM-1s, ATTAINMENTS (SM-1) and RECORD OF TARGETS (SM-2) comprise the building blocks of the system. These forms are now illustrated at the end of this paper and are machine readable.

Through quality control oversight of the RM-1s, and routine analyses of the SM-1s both within and across activity areas, HIAs would have a better picture of the structure of activities, and of the relative progress of inmates within activities. With inmates actively involved in the process of target (SM-2) negotiation, and with the system being objective, problems of confidentiality so characteristic of subjective reports, would become substantially reduced. Whilst the system can run as a paper system, once computerised, the data collected via SM-1s and SM-2s will form the basis of automated reports.

Relationship to the Regime Monitoring System (RMS)

The proposed procedure for recording Sentence Management is intimately related to Regime Monitoring, as it is largely based on the same Reporting Points within Activity areas making up the RMS. This will be even more apparent when regime Monitoring embraces more activities that it does at present. It has the promise also of providing the more qualitative measure of regime delivery in that the record of attainments will be an objective record of achievement.

The design of SM-1 form enables the capture of the basic data for maintenance of the Regime Monitoring System (RMS). The form provides an efficient means of collecting such data since each SM-1 records an inmate’s daily attendance in the activity via a 1-28 day register covering each morning and afternoon session attended.
Since the form is designed to record attendance and attainment data each week, or month, it implicitly allows the number of hours attendance to be calculated for each inmate, each reporting point, and at a higher level of aggregation to produce data on the number of inmates for each activity area, sub-establishment and so on.

In terms of paperwork, this is not a demanding task, and in capitalising on what is already done at Reporting Points (where daily logs are maintained already) it promises to be an efficient and accurate way of collecting the required data.

For a Reporting Point with 15 inmates, the system would require 15 SM-1s to be completed and returned to the HIA each period. As mentioned above, the design of the forms renders them potentially able to be processed by an Optical Mark Reader, allowing the data to be converted to computer storable data, thereby making the whole system easier to manage and audit.

The basic principle has been piloted at HMP Parkhurst and HMP Garth. Fundamental to the design of the SM-1 is the fact that the Attainment Criteria are generated by staff who will be using them, each SM-1 being tied specifically to an activity. The content of the form is explicitly designed to be ‘user definable’ - to capture the natural criteria required of the curriculum, not to impose extra criteria.

More than one SM-1 form will be completed per inmate per period since the inmate will be assessed at more than one Reporting Point. To record behaviour in daytime activities and domestically on the wings, one SM-1 would be completed each period as a record of attainment at the allocated work/education Reporting Point, and another on the wings, the latter providing an assessment of the inmate’s level of co-operation/contribution to the general running of the routines, though not necessarily contributing to the overall Regime Monitoring figures.

Although inextricably linked to the Regime Monitoring System (RMS), the focus is at a more fundamental level of the regime - the recording of attainment levels of individual inmates - with the RMS data being logically compiled or deduced from those individual assessments. In defining Attainment Areas and Attainment Criteria by staff supervising the Reporting Point, in consultation with the HIA, the SM-1s and SM-2s would allow staff to define the nature and objectives of the Reporting Points, storing them within the proposed Sentence Management System to serve as the basic statements for any subsequent computer profiling of the inmate’s progress as well as serving as the basic material for a local and national directory or digest of activities and their curricula.

**Costs and Benefits**

The cost of an Optical Mark Reader (OMR: the machine to read the contents of the forms directly into a computer) to automate the storage of the attainments data would be in the order of £6,000 per prison. The system could be managed by one professional Senior Behaviour Analyst (SEO grade) supported by one Basic Grade Behaviour Analyst (EO/HEO) Grade with one Clerical Officer. It is emphasised that to sustain any such system, investment in professional staff are to maintain and develop the system is critical, as is resourcing ongoing technical training of such staff.
A significant benefit is in the potential for automatic machine-generated reports of inmate progress. These could save many thousands of officer-hours.

Coverage of Non-Standard Inmate Activities

The SM-1 form is designed to allow all staff to formally assess any programme of activity in a standard manner (ie, marking whether behaviour in the activity matches the attainment criteria on the Competence Checklist). This form has provision to record a Checklist Code, along with the activity and reporting point identifier. This Checklist Code will allow more than one checklist to be generated for each Reporting Point if the extent or modular nature of the activity requires multiple checklists for comprehensive assessment of the skills which the activity offers.

Similarly, the SM-2 form allows targets to be identified by staff both within an activity, or from a knowledge of what the regime has on offer. The HIA, in building a library of Attainment Areas and Attainment Criteria, (the Regime Digest, or Directory) will be able to provide interested staff, such as Review boards, with a digest of what activities are available and how they are broken down by attainment areas and criteria.

In this way, short duration intervention programmes can be included in the ‘Sentence Management Dossier’ in the same way as are the more formal activities. Formal activities (as currently defined within the Regime Monitoring System) are so regarded because they tend to occupy large groups of inmates in activities which are basically structured to have inmates participate for a relatively fixed period (8 weeks to several years).

Using this form of assessment, the staff wishing to run ad hoc programmes, occupying either small groups or single inmates in short modules would be tasked with defining Attainment Areas and Attainment Criteria as a sine qua non for running the proposed programme, submitting the proposal to the HIA to be considered as an element of the regime.

The fact that each SM-1 has an attendance register will permit the system to capture the extent of all activity throughout the regime, thereby contributing to a more comprehensive profile of activity within each establishment and the estate in general. The HIA's task would more clearly become one of co-ordinating Attainment Areas to bring about a balanced and appropriately monitored regime, and the data would serve as a sound information base from which staff could build Sentence Plans.

An illustration of the type of data generated by the system is provided in Volume 2 of "A System Specification for PROfiling BElaviour", available in this series.