

cjm

update

Una Padel reviews the recommendations of the Laming Report, and new proposals for dealing with paedophiles, Severe Personality Disorder, and 'loutish' behaviour.

Sex Offenders

Violent protests against the alleged presence of paedophiles on various housing estates over the summer in support of the campaign in favour of 'naming and shaming' by the News of the World have demanded a response from the Home Office. The fact that Jack Straw has not given in to the demands for information about the names and addresses of convicted paedophiles to be made public has received considerable publicity, but the details of the measures that have been proposed have not been widely discussed.

The new proposals would put risk assessment panels on a statutory basis. The probation service would be obliged to ask the victim (or their family member) if they wish to be consulted about arrangements for the release of any offender sentenced to twelve months or more for any sexual or violent offence. Crown Courts sentencing offenders who fall within the scope of the Sex Offenders Act 1997 would have the power to make an order placing restrictions on them on release from custody.

This could include requirements about not approaching victims. Such orders could be of indefinite length and breach would carry a maximum penalty of five years imprisonment.

CCJS plans to run a conference looking at the resettlement of paedophiles next spring.

Laming Report

The report of the committee commissioned by Home Office minister Paul Boateng to identify action which could prevent prisons from failing (officially the Targeted Performance Initiative Working Group) was published at the end of July. The report identified governor continuity and good strategic planning as crucial elements in the success of a prison, and was very critical of the lack of succession planning that has led to some large prisons either being left without Governors for weeks or months, or experiencing frequent changes of Governor. The management of sickness absence and of poor performance within the Prison Service was also criticized.

HM Inspectorate of Prisons

has played an important part in drawing attention to poor conditions and bad practice at certain prisons. At present the Prison Service and the Inspectorate operate to different sets of standards developed independently. The Laming Report recommends that the Prison Service and the Inspectorate should work together to produce an agreed set of standards against which prisons could be evaluated. The Report also highlights the role of Area Managers recommending that it should be more clearly defined and that Area Managers should be held personally accountable for the performance of each prison in their areas.

The Laming Committee was also given the task of examining the role of community organizations in prisons, and recommends that links should be strengthened and co-ordinated more effectively. Staff from community based agencies should be able to convey any concerns they may have about the prison in which they work to the Governor or Area Manager. The role of Boards of Visitors is briefly examined and a separate review of their role resources and responsibilities recommended. This is now underway.

Severe Personality Disorders

At the end of September Paul Boateng announced a three year £70 million programme of pilot projects to assess and treat dangerous people with severe personality disorders. The money will be used to fund a series of pilots to research a rigorous assessment tool and effective treatment in the Prison High Security Estate comprising 100 places in newly built units and 80 places in units converted from existing accommodation. These pilots and those due to take place in Rampton's Personality

Disordered Service will be used to inform the Government's proposals for managing Severely personality disordered people who are considered dangerous. Meanwhile the response to the consultation paper 'Managing Dangerous People With Severe Personality Disorder' will be published in Parliament in the Autumn, and detailed proposals will follow in a White Paper before the end of the year.

Fixed penalty notices proposed for 'loutish' behaviour

A consultation paper launched at the end of September sets out the Government's proposals for using Fixed Penalty Notices to tackle 'a range of disorderly offending'. Announcing the paper *Reducing Public Disorder: The Role of Fixed Penalty Notices* the Prime Minister said "The Government is determined to deal firmly with the type of loutish behaviour, often fuelled by alcohol, which has become all too commonplace in our villages, towns and cities". The rationale for introducing Fixed Penalty Notices is, according to the Home Office, that they will "enable police to put an immediate stop to disorderly behaviour, provide a swift punishment and have in effect a real deterrent which takes up as little police time as possible". The consultation paper seeks views on a number of questions including which offences involving disorder should be covered by the fixed penalty system, what the fixed penalty should be and what the lower age limit for the scheme should be, given the system of reprimands and final warnings already in place for young offenders.