

**THE MAGISTRATES ASSOCIATION**  
**JUDICIAL POLICY & PRACTICE COMMITTEE**  
**YOUTH COURTS COMMITTEE**

**Response to Justice Committee Inquiry into the Role of the Prison Officer**

The Magistrates' Association has an interest in the training of prison officers. Magistrates along with other members of the judiciary take great care when deciding a sentence using guidelines and a structured decision process. We consider the seriousness of the offence and then the circumstances of the offender in relation to the offence committed. A custodial sentence will only be imposed if the offence is so serious that such a disposal is proportionate and appropriate. In that respect magistrates only impose a custodial sentence as a last resort. Therefore we would expect that the training makes sure that prison officers understand the sentencing process and the purpose of any sentence imposed, particularly the short term sentence. The Criminal Justice Act 2003 set five purposes for sentencing and 'punishment' is one of those and that purpose is often the primary consideration for a short term sentence. We would expect prison officers to be alerted to the needs of short term prisoners as very different from those with long term sentences. We appreciate that it is very difficult to tackle rehabilitation within a short term sentence but if prison officers are fully appreciative of such sentences then their contribution will be invaluable. For all these reasons we would expect training to address the real issues of short term sentences.

In response to the specific questions, we have focused mainly on young offenders.

*1. The 'ideal' prison officer:*

The 'ideal' prison officer should have empathy, understanding, patience, willingness to treat the offender as an offender but also recognize and support every aspect of rehabilitation.

For young people, the prison officer needs to have the welfare of the young person at heart. They should have a high regard for education as it is central to a young person's wellbeing and rehabilitation. Local education authorities should ensure through the Youth Offending Teams that an education programme follows the young person into the institution and that it is completed within a set time. These programmes of study should be no more than twelve weeks maximum if the young offender is sent from a magistrates Youth Court and should be monitored.

Prison officers should have a genuine interest in a young person's education programme and encourage their co-operation, with rewards for such co-operation.

## 2. *Training of prison officers and the impact of outside pressures*

Use of in-service training, mentoring and appraisal with appropriate feedback will help staff development. The current short training programme is insufficient to meet present needs. This should be extended, but broken up with work experience. There should be basic initial training for performing the basic duties with understanding – then work experience and a range of continuing training to develop different specialisms. Training should also take place on the job with periods of working with experienced officers and regular tutorial sessions. Development of the prison officer must be maximised if the MoJ target to rehabilitate and reduce re-offending is to be realized.

The prison officer requires a more rigorous professional training, rather than just eight weeks and two further weeks JASP training. This is nowhere near sufficient. For YOI officers particularly, a more far-reaching programme needs to be adopted. Whilst the current JASP training has been available for some years, only some 50% of YOI staff have undertaken it. YOI officers should no longer be just 'jailers'. They must be interested in the full development of young people – their health, education, rehabilitation and vocational interests. They should be caring as well as strict when necessary. Young people appreciate fairness and consistency. YOIs are in loco parentis of all the young people in their care. Schools have qualified teachers in every subject, trainees are not let loose on their own with pupils in any situation. Untrained prison officers should not be alone with a completely dysfunctional young person – this can have terrible consequences for all concerned.

3. *Recruitment and retention of prison officers*

There should be a different grade of officer specifically to deal with young offenders. Youth Custodial Officers would be a better name and give a different image to the role. They would be better trained, have a desire to work with young people, possess good inter-personal skills, have an understanding of psychology and mental health issues, and be committed to education and training.

YOI/Youth Custodial Officers should be recruited for that specific and specialized role. They should continue to work in youth custody after dedicated training. At present, working in a YOI is seen as a starting point for new recruits who, after a period of time, move on to the Adult estate. This expectation should be discontinued and youth custody work should be recognized as a separate career path for officers.

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