



THE INSTITUTE OF PRISON LAW
Accredited for CPD Purposes by the SRA

Certificate of Competency in Prison Law

Course Information Terms and Conditions –
We reserve the right to amend the terms and conditions without prior or advance notice.

DISTANCE LEARNING

This Distance Learning Course is designed for those whose work brings them into day-to-day contact with prisoners, as such it is ideal for Prison Governors, Prison Officers, Solicitors, Fee-Earners and Barristers, academics or indeed prisoners themselves. The course requires no prior prison law knowledge but a reasonable standard of education (GCSE A-C grades) is advisable.

The course, which must be fully completed within one year of initial registration, consists of eight self-contained Modules (with around 16 pdf files) that you download from our web site and for which we supply a username and password following payment. Similarly the eight professional lectures are also accessed online via a username and passwords.

For Prisoner Students We put the lectures on DVDs and send these to you in the post. We email the Modular pdf files to the prison. You will need educational access to a DVD player to view the lectures, and access also to the library to view Prison Service Orders and Instructions – neither of these have presented difficulties at other prisons but you should check first. The best route is to obtain the prison's permission to study the course (which will also help with any funding applications you make), and you also need the permission of someone at the prison for us to email the course modules to them –they need to countersign the registration form (page 3) showing their agreement to this.

Each lecture is delivered by specialist prison law **Barrister Stephen Field, Head of Crime Group & Prison Law at 1 Pump Court Chambers in London**. Each Lecture lasts for up to one hour, each Module consists of around six hours work, and each Module ends with a multiple choice examination which you must submit for marking. *There are six CPD points available for each successfully completed Module.*

Successful completion of the course within 12 months of initial registration leads to the **Certificate of Competency in Prison Law** and brings with it membership of the Institute of Prison Law, and allows the Certificate holder to display the 'OK Logo' which is issued by the Institute of Prison Law (who own the copyright to it). The Certificate is gained by successful completion of the eight examinations, with a minimum 80% pass mark in each; if you obtain less than 80% in a module you have the choice of re-sitting it (£29.99 inc VAT) or simply moving on to the next module – in which case you can complete the course but you will not be awarded the Certificate.

COSTS: The total cost of the course is **£829.99+VAT (£995.98)** this includes all Modules, 8 x online video lectures accessible by username and password, registration fees, marking fees (except exam resits as detailed above), a copy of The Prisons Handbook (latest edition) which is a complimentary course text: the course must be purchased as a single entity, in advance of dispatch.

For serving prisoners the Institute has received a bursary that reduces the costs by 50%: £387.23 + vat (total of £464.67)

LECTURER: **Stephen Field** of 1 Pump Court Chambers (CV contained in this document).

THE COURSE SYNOPSIS 2016/2017 – 6 CPD Points per module

MODULE 1

1. Course introduction. History and purpose of prison, and the 'mission statement'. Sources and Resources,
2. The Legal framework of prisons. Prison Act 1952, Prison Rules 1999 (YOI Rules 2000). PSOs and PSIs.
3. Overview of what rights prisoners have. An introduction to the essential tools of defending and asserting rights; judicial review and applications to the CHR. Fairness, proportionality and reasonableness.
4. a The prison estate and population. The organisation and structure of the prison service. Staff ranks. Types of institution. Private prisons. An introduction to NOMS.
b Independent Monitoring Boards (IMBs); HM Inspector of Prisons; The Prisons & Probation Ombudsman, probation, chaplaincy, and listener schemes.

MODULE 2

- 1 Request/complaint procedure. 2 Sentence planning. Incentives and privileges schemes. Prison work. 3 Categorisation and Allocation. 4 Funding prisoner legal advice and legal actions;

MODULE 3.

- 1a Child prisoners (15-17); young offenders (18-21), women, mother and baby units. 1b Remand, civil, and foreign national prisoners, immigration detainees and 'terrorist' internees. 2 Healthcare issues. Prison health and the NHS. Healthcare administration and forms. Confidentiality. 3 'Therapeutic' regimes, and Close Supervision Centres. 4 Mentally ill prisoners; care and transfer to hospital.

MODULE 4.

- 1 Maintaining order. Intelligence, segregation, and force. Application to the private sector. 2 Adjudications. Discipline manual, Article 6 requirements. Procedural fairness. Independent adjudicators.

MODULE 5.

- 1 Offending behaviour work, and prison education and courses. SOTP, ETS, Think First, CALM, Alcohol etc. 2 CCRC. 3 Communications; Letters, visits, telephone calls, and computers. Access to the media. 4 Racism, discrimination and religious rights.

MODULE 6.

- 1 Release regimes, and release date calculation. Tags, HDC, temporary licence. Intermittent imprisonment. 2 Licence. Issues re recall and re-offending whilst at risk. 3 The parole system. 4 Risk assessment, denial, licence and recall. Recall procedure and hearings.

MODULE 7

- 1 Life imprisonment. 2 The lifer panels. Representations, procedure and evidence. 3 Case studies/role play; lifer panel

MODULE 8

- 1 Death in custody. Prevention. Procedures; ACCT. Article 2 and investigations. Disclosure and openness. 2 Inquests. 3 Actions for death, assault, false imprisonment, misfeasance, and negligence.

INSTITUTE OF PRISON LAW CERTIFICATE OF COMPETENCY IN PRISON LAW: DISTANCE LEARNING COURSE: **REGISTRATION FORM**

I ACCEPT THE COURSE TERMS AND CONDITIONS AND WISH TO ENROL:

Please PRINT Throughout

NAME: _____

TEL: _____ **Mobile TEL:** _____

ADDRESS: _____

_____ **POST CODE:** _____

Students who are Prison Inmates: Course Modules are emailed to your prison as PDF files, and the lectures are provided on DVDs. Please ensure that this following section is completed by your Head of Learning and Skills or other such official:

I (name) _____ confirm the above student can study this course while at this establishment and agree the modules for him/her can be emailed to the address shown.

Signed _____ Date: _____

Email address for course materials:

Terms and Conditions – *we reserve the right to alter these terms and conditions without any notice*

1 The Certificate is gained passing each Module with a minimum 80% mark within 12 months of initial registration.

2 Modular Course materials, including video lectures are copyright and usernames and passwords must not be disclosed to third parties – to protect our copyrighted material our system will block accounts where it detects suspicious activity – you've paid for the course, why risk your own access by letting others have it for free?

3. All fees must be paid in advance and are non-refundable after dispatch: ie after the usernames and passwords have been issued / (inmates) modules have been emailed etc.

4 (Inmates) Modules are sent electronically as PDF files, you must provide a valid email address.

COSTS: We have received a grant that enables a discount to be given to prison inmates studying the course, please tick below as appropriate:

I am (or ordering for) an Inmate: Price £387.23+vat (£464.67) [click to pay online](#)

Inmate Name: _____ No. _____ : Prison: _____

I am a member of the public: Price £829.99+VAT (£995.98) [click to pay online](#)

or I attach my cheque made payable to 'PRISONS ORG UK LTD' for the above.

Signed _____ Dated: _____

PLEASE SEND THIS FORM AND YOUR REMITTANCE TO:

**INSTITUTE OF PRISON LAW PO Box 823, High Peak,
Derbyshire SK22 9AL Tel. 0845 047 0013 / 07836 717021**

E. customer.services@prisons.org.uk

Ltd Co Reg: 05949117.

Vat Reg: 895 907166



Stephen Field

Call: 1993

Group(s): Crime Group, Civil & Public Law Group

Email: sf@1pumpcourt.co.uk

www.stephenfieldlaw.com



Practice

Stephen Field has a broad judicial review practice, with a specialism in criminal, prison, mental health and social judicial review.

A number of current or pending cases will be determined in the near future including:

- *R (on the application of Royston Thomas) v Greenwich Magistrates Court* - a judicial review of the approach of the court to an alleged breach of a condition of bail.
- *R (on the application of M) v (1) Leicestershire Constabulary (2) CPS CO/ /2009* (July 8th 2009)- a judicial review of the decision to administer M, a 13 year old boy administered a Final Warning for attempted rape, despite the lack of a full admission to the offence.
- *Release (the Drugs Charity) v British Transport Police* - a civil claim challenging the legitimacy random use of passive drugs sniffer dogs.
- *R (on the application of Richard Williams) v Parole Board and Secretary of State for Justice CO/ /200* - a judicial review of the failure of the First Defendant to speedily determine the lawfulness of W's recall to prison and of the Second Defendant to impose the retrospective sentencing provisions of the CJIA 2008. Parole Board hastily convened a panel and released W from prison. Permission has been granted in relation to the CJIA point the full hearing was adjourned on 2nd July 2009.
- *R (on the application of Michael Williams) v Parole Board and Secretary of State for Justice CO/ /200* - a judicial review of the failure of the First Defendant to speedily determine MW's recall following unsubstantiated licence breaches.
- *R (on the application of David Turner) v Minister of State for Justice - Directorate of High Security CO/ /2009* - a judicial review of the failure of the defendant to provide the Claimant with a fair review of his security A categorisation following his conviction for murder and his life sentence with a 37 year tariff - ECHR Art 5 and 6 - proceedings issued on 15th January 2009.
- *CW v HMCS* - a civil claim for permitting a suicide risk patient to slash his own throat and wrists with a razor blade left in a holding cell at court.

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- *R on the application of Scott Harris) v Mansfield District Council (Mansfield Magistrates' Court - Interested Party) CO/ /2008* – a judicial review of the decision of the defendant local authority to seek an ASBO against the Claimant before carrying out a section 17 Children Act assessment and before considering less draconian measures - proceedings issued 18th December 2008 and the index proceedings in the magistrates' court adjourned pending the outcome of the judicial review - ECHR Art 8.
- *R (on the application of FA and SKA (A Child))v London Borough of Lambeth) CO/ /2008* – emergency telephone application for a judicial review of the decision of the failure of the defendant local housing authority to accommodate the Claimants pending the carrying out of an adequate section 17 Children Act assessment, rendering the Claimants street homeless - emergency interim relief (accommodation) obtained and proceedings issued 23rd December 2008 - ECHR Art 3 and 8.
- *R (on the application of Sarah Thomas) v Tandridge District Council CO/ /2008* – emergency application for a judicial review of the decision of the defendant local authority that the Claimant was intentionally homeless through her anti-social behaviour and its refusal to accommodate her pending the statutory review of its decision rendering the Claimant street homeless - proceedings issued 23rd December 2008 and defendant compromised by providing accommodation - ECHR Art 3 and 8.
- *R (on the application of Uddin) v Redbridge Magistrates Court CO/ /2008* – a judicial review of the failure of the defendant court to uphold an application of no case to answer - ECHR Art 6.
- *R (on the application of Donald Kent) v West Wiltshire District Council* – emergency drafting of proceedings for a judicial review of the refusal of the defendant local housing authority to provide the Claimant with interim accommodation pending the outcome of its Housing Act assessment of his vulnerability and priority need - proceedings drafted but Claimant finding alternative accommodation before issue - ECHR Art 8.
- *R (on the application of John Christy) v National Probation Service and the Secretary of State for Justice CO/5661/2008* – a judicial review of the recall of a determinate sentence prisoner for alleged breach of licence (Permission and Interim Relief granted– Claimant's release from prison). EC's long-term release secured following inter-parties hearing - ECHR Art 5.

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- *R (on the application of Keith Knight) v Governor of Bullingdon Prison, Secretary of State for Justice and Oxfordshire NHS Trust* – an emergency application of the failure of the Defendants to provide KK, a serving prisoner, with the appropriate medical treatment for immediate and intense pain (Interim Relief granted – provision of the required treatment) and matter now proceeding by way of Consent Order following inter-parties hearing - ECHR Art 3.
- *R (on the application of Graham Coates) v Commissioner of Police for the Metropolis CO/6875/2008* – a judicial review of the administration of an arguably invalid and unlawful formal police caution for an alleged breach of a term of a Sexual Offences Prevention Order - Defendant Police Commissioner has conceded illegality of the caution and the matter is proceeding by way of Consent Order - ECHR Art 6.
- *R (on the application of Khakh) v Crown Prosecution Service CO/4861/2008* – a judicial review of the CPS application of the “threshold test” when charging C, whilst the CPS seek evidence against him to satisfy the “full code” test. CPS have conceded only the “threshold test” was applied.
- *R (on the application of Ashley Walton) v National Probation Service* - a judicial review of the Proposed Defendant’s refusal to vary the residence requirement attached to the recently released Proposed Claimant’s licence conditions - ECHR Art 8.
- *R (on the application of SD) v London Borough of Hounslow CO/6013/08* – emergency telephone application of the Defendant’s decision to remove the Claimant (a child in care) from her home town in Hounslow to Essex without consultation. Emergency Interim Relief granted (injunction preventing Claimant's removal from Hounslow pending determination of application). Matter now proceeding to full hearing - ECHR Art 8.
- *R (on the application of X) v London Borough of Lambeth* – emergency telephone application for judicial review of Defendant’s refusal to provide the Claimant (a street homeless woman who had presented at the Lambeth Law Centre with her two young children aged 3 yrs and 18 months) with interim accommodation pending homelessness application – Emergency Interim Relief (accommodation) granted that day and keys to permanent accommodation now offered to Claimant who has accepted permanent accommodsation with her children - ECHR Art 3 and 8.

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- *R (on the application of Bakhtyar Rasu) v Haringey LBC* – emergency application for judicial review of Defendant’s refusal to assess the Claimant, a discharged Mental Health Act patient, for housing. Emergency Interim Relief granted (injunction ordering Defendant LBC to accommodate Claimant pending determination of the application) - ECHR Art 3 and 8.
- *R (on the application of X) v CPS (Pending)* – a judicial review of the Proposed Defendant’s refusal to prosecute the spouse of the Proposed Claimant, a victim Recently Reported Cases of domestic violence.

House of Lords

- *A (Appellant) v Iorworth Hoare (Respondent) : H (Appellant) v Suffolk County Council (Respondent) & Secretary of State for Constitutional Affairs (Intervenor): X & Y (Appellants) v Wandsworth London Borough Council (Respondent)* [2008] UKHL 6.
- Times Law Reports (31st January 2008) see also BBC news item Article for James Naylor Foundation.
- Case of H, a child sex abuse victim who suppressed the events of abuse by a teacher at a special school. His case raised limitation issues. The House of Lords reversed their earlier decision in *Stubbings v Webb* 1993 and ruled that the discretionary extension of limitation periods applicable in personal injury cases should now apply in cases of deliberate abuse. Art 6 ECHR.

Administrative Court

- *R (on the application of Royston Thomas) v Greenwich Magistrates' Court* [2009] EWHC 1180 (Admin) – a judicial review of the magistrates' court's approach to police and CPS Bail Act breach proceedings.
- *R (on the application of John Joseph Khan) v Parole Board and Secretary of state for Justice CO/ /2009* [2009] All ER, [2009] EWHC 756 (Admin) – a judicial review of the failure of the defendants to provide the Claimant with a speedy review of the lawfulness of his recall on licence to prison - ECHR Art 5 - proceedings issued on 12th January 2009.
- *R (on the Application of Massey) (1) Parole Board (Secretary of State for Justice Interested Party)* [2008] EWHC 997 (Admin).

Challenge to the failure of the Defendants to provide the Claimant, a recalled lifer with a speedy determination of the lawfulness of his recall. Art 5 ECHR.

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→ *R (on the Application of Robson) v (1) Parole Board (2) Secretary of State for Justice* [2008] EWHC 248 (Admin).

Challenge to the failure of the Defendants to provide the Claimant, a life prisoner originally convicted of murder, later reduced to manslaughter on appeal, with the courses he needed to satisfy the Defendants that he was no longer dangerous. Art 5 ECHR.

→ *R (on the application of Torres) v Commissioner of Police for the Metropolis* [2007] EWHC 3212 (Admin) 17th December 2007.

Test case on police powers to impose pre-charge bail conditions. Art 8 ECHR.

→ *R (on the application of Kalonji) v Wood Green Crown Court* [2007] EWHC 2804 (Admin) 19th October 2007.

Challenge to the failure of the Defendant Court to provide the Claimant with a trial within his custody time limit.

→ *R (on the application of TH) v Wood Green Crown Court (Interested Parties: Crown Prosecution Service and Department of Constitutional Affairs) [(31st October 2006) [2006] EWHC 2683 (QB), 9th November 2006, [2007] Crim LR 727; Times Law Reports. Also reported WLR and All ER.*

Matter arising from a multi-handed criminal trial. TH was a witness, remanded into custody by the trial Judge. Judicial Review of that decision. Acted for TH. TH released on bail at permission hearing. Court considered Judicial Review, habeas corpus, Art 5 ECHR and damages under the Human Rights Act issues.

→ *R (on the application of A) v (1) Governor of Huntercombe Young Offenders' Institute (2) Secretary of State for the Home Office (4th October 2006) [2006] EWHC 2544 (Admin).*

Matter arising from a multi-handed criminal appeal. Criminal appeal allowed, but Governor and Home Office refused to release Appellants. Judicial Review of that decision. Acted for A. Application granted and A released. Art 5 ECHR.

→ *R (on the application of Mullane) v (1) West Berkshire Safer Communities Partnership (2) Secretary of State for the Home Department (31st July 2006) [2006] EWHC 2499 (Admin) Guardian News Item* Matter arising from the murder of a woman and son by husband who then killed himself. Home Office set up an inquiry which surviving family felt was inadequate in its terms of reference. Judicial Review of that process. Acted for Mullane. Art 2 ECHR.

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- *R (on the application of Crown Prosecution Service) v City of London Magistrates' Court (Interested Party: Cordelia Gil) (4th April 2006) [2006] EWHC 1153 (Admin) Times Law Reports 17th April 2006.*

Matter arising from the magistrates' discharge of the case against Gil. CPS judicially reviewed the decision. Acted for Gil. Court held new CJA 2003 applied in committal hearings. Art 6 ECHR.

Court of Appeal (Criminal Division)

- *A (Appellant) v Iorworth Hoarte (Respondent) : H (Appellant) v Suffolk County Council (Respondent) & Secretary of State for Constitutional Affairs (Intervenor): X & Y (Appellants) v Wandsworth London Borough Council (Respondent) (12th April 2006) [2006] EWCA Civ 395, (2006) 1 WLR 2320, Times Law Reports 28th April 2006, Independent Law Reports 28th April 2006.*
- Child sex abuse case, Limitation Act issue. Acted for H. Appeal dismissed - leave given to appeal to the House of Lords.

Selected Earlier Cases

- Mental Health Law - Electro-Convulsive Therapy.
- *Christine Batchelor v Hull & East Riding Community Health NHS Trust (2003) County Court (Kings ton Upon Hull) 3/11/2003. Lawtel AC0105978.*
- Civil Procedure, Medical Treatment Appeared for Batchelor Trial of a preliminary issue of limitation in an action by the claimant ('B') for damages for personal injury alleged to have been caused by electro convulsive therapy ('ECT') administered by the defendant hospital. Claim failed due to Bolam test. Susan Rodway QC for defendant.
- *R (on the application of K) v Balham & Tooting Mental Health Trust Springfield University Hospital [2003] EWHC 357 Admin Stanley Burnton J. BBC News Item.*
- Judicial Review, Medical Treatments. Appeared for K. Emergency overnight telephone injunction granted and upheld. Leave granted to judicially review the decision of the Defendant to administer Electro Convulsive Therapy to the Claimant, a 42 year old female Mental Health Act detainee, due to be given ECT the following morning.. Action compromised, Defendant undertaking not to administer K with ECT.

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Criminal Cases and Appeals

→ *R v Johnson (Harold Robert) (2001)* Cr App R 26, (2001) Crim LR 125, Times November 21, 2000, Independent October 24 2000, Archbold 2007 7-51b Ancient Convictions.

Criminal Procedure, Appeal Against Conviction. Appeared for Johnson. Appeal on referral by the Criminal Cases Review Commission, against his conviction, in 1968 at the Central Criminal Court, of aggravated robbery. Appeal based on safety of identification evidence pre-Turnbull. Court confirmed that the safety of old convictions is to be assessed by reference to current standards. Appeal allowed, conviction quashed. Bruce Houlder QC for the Crown.

→ *R v Mohammed Dehri*, Croydon Crown Court, Archbold News.

Criminal Law – Trial - Defence of Necessity. Appeared for Dehri, an Algerian national in UK as overstayer. Attempted to leave UK on a forged French Passport. Defence: he had no valid passport and feared he would be deported with dire consequences so felt compelled to enter Canada where asylum prospects significantly better than UK. Legal argument as to availability of necessity defence in domestic law. Defendant ran defence. Not guilty verdict.

→ *Chichester District Council v Jeremy Nicholas Wood* (14th March 1997) Divisional Court CO/2738/96.

Criminal Law, Appeal by way of Case Stated. Appeared for Wood, a pedlar/street-trader. Appeal by prosecutor by way of case stated following acquittal by lower court on a charge of street trading – Defendant successfully ran defence that he was a pedlar, not a street trader. Divisional Court certified a point of law of general public importance as to distinction between pedlars and street traders. House of Lords declined petition!

Gypsy Law

→ *R v Thomas* (Southend Crown Court). Reported in Solicitors' Journal 139 Sol Jo 786 and Legal Action.

Criminal Law, Trial. Appeared for Thomas, a Gypsy residing on land without planning permission. Served with an enforcement notice requiring him to leave the land. He did not comply and was prosecuted for breach. Ran statutory defence, Section 179(3) that albeit he had done nothing to comply with the notice, he had done everything that he could be expected to do given the legal and social predicament facing Gypsies, ie 'nothing' could be 'everything'. Not guilty verdict.

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→ *R v Wood (David)* [2001] EWCA Crim 1395 CA (Criminal Division).

Criminal Law, Appeal Against Conviction. Appeared for Wood, a Gypsy who resided on his own land in contravention of planning permission and enforcement notice. Statutory defence, section 179(3) Town and Country Planning Act. Direction to jury. Doing nothing to secure compliance with a planning enforcement notice can be “everything” a Gypsy can be expected to do for the purposes of the statutory defence. Appeal allowed, conviction quashed.

→ *R v Warwick Crown Court Ex parte Trevor White* [1997] EWHC (Admin) 670.

Criminal Law. Judicial Review of Crown Court Judge's refusal to allow Trevor White, a Gypsy, to vacate his guilty plea in a Town and Country Planning Act prosecution. Archbold 2007 at paragraph 2-197.

Judicial Review Court of Appeal

→ *R v Immigration Appeals Tribunal (ex parte Bellache)* (27th April 1997).
Reported on Casetrack.

Appeared for Bellache, a failed asylum seeker who had supposedly missed his time for appealing against his asylum refusal decision. B was already boarded on a plane deporting him to Algeria. Successfully secured his removal from plane and secured him an appeal.

Publications

Co- Author: Blackstone's Guide to the Domestic Violence, Crime and Victims Act 2004

Contributor: Gaining Ground: Law Reform for Gypsies and Travellers

Gypsies, Race Discrimination and Planning
ISBN 0 900458 98 4, paperback, 176 pages,

MacMillan's 'A' Level Law Guide
Paperback 328 pages Publisher: Thomson Learning

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Specialisms

Civil Actions Against the Police
Employment
Judicial Review
Mental Health
Planning
Offences Against the Person
Police misconduct
Human Rights
Regulatory Offences
Prison Law
All areas of Criminal Defence
Gypsy Rights



CERTIFICATE OF COMPETENCY IN PRISON LAW: DISTANCE LEARNING

Information for Prisoners

Thank you very much for requesting information about the Certificate of Competency in Prison Law, which is now available as a distance learning course from the Institute of Prison Law.

Like all educational courses in prison the Governor has the right to veto your access to it, though it would have to be done based on your individual circumstances. We have prisoners studying this course in all parts of the prison system, from the High Security Estate to open prisons, and although no Governor has yet vetoed the course for an inmate you should be aware they do have the right to do so although such a decision would be subject to challenge by way of judicial review in the High Court. For that reason it makes good sense just to obtain permission to study the course so as to prevent any delays in you receiving the course material.

This course is available to inmates who have access to a DVD player in order to watch the eight DVD lectures which comprise the course, and either access to a computer which has Adobe Reader™ on it to view the course modules – or have someone in the prison who can print them off for you.

Serving prisoners receive a 50% discount on the cost of the course. The cost of the course to prisoners is £455 inc VAT.

There are 8 DVD modules to the course, and the modules are not available separately; the course must be purchased as a single entity.

In terms of funding for the course the Prisoners' Education Trust has shown itself willing in the past to fund the course for prisoners and you are advised to seek advice from your education manager. In terms of being able to use this qualification in terms of employment as a prison law advisor after your release, there is no reason why this should not happen. The Certificate is the accepted prison law qualification, it is accredited by both the Solicitors Regulation Authority and the Bar Standards Board of England & Wales - once qualified and in possession of the Certificate all you would have to do is to seek employment with a Solicitors office.

You would of course have to disclose your convictions, but it would be a matter for the solicitor to decide whether your convictions affected your ability to do that job; it would really all depend on the nature of your offences and the willingness of the solicitor to see beyond them. Where there was violence or sex involved in the offences that may pose a higher risk in terms of an office environment and the duty of care the employer owes to his staff, whereas offences of theft or fraud would pose a lesser risk on the whole as you would not have access to the office accounts.

If you are subject to licence after discharge you would also of course have to seek the approval of your Offender Manager during any licence period, as they are able to veto any particular working environment.

Whether you can make a success of a career as a prison law advisor really all depends on your individual circumstances and how willing any individual solicitor will be to utilise your skills as a Certificate holder, and your experiences as a former inmate.

In terms of having access to prisons once you have gained employment with a solicitors firm the same rules would apply to you as apply to every other prison law advisor employed by a solicitor. Entry to a prison is always subject to refusal by the prison Governor, but they could not prevent you seeing your clients on the basis that you have a criminal record or have been in prison – refusal would have to be based on specific intelligence that you are, or are intending, to act in a manner contrary to the good order and discipline of the prison.

As long as you were visiting a client of the firm who employs you, and you were visiting on bona fide legal business, then you should not have a problem – other ex-offenders now working in this field have not experienced problems as long as they abide by the rules. It's not for the Prison Service to look behind the employment decisions of a solicitors firm and nor is it for them to try and regulate the legal profession. Once you are employed by the firm and are on their lawful business, then you have the right access to your client.

From a personal point of view I can tell you that when I was released in 1995 I managed to persuade a law firm to employ me and that was a great benefit in turning my life around and carving out a new career for myself; there is no reason why you and others could not do the same. I would however impress upon you that leaving crime behind requires far more than a desire not to come back to jail – it means changing **everything** that you do from the way you view things through to, more importantly, the people that you associate and surround yourself with. Associate with those who are active criminals and you're already on the way back; I certainly will not associate with active criminals, I refuse to do so and I make no bones about saying their way of life is not acceptable to me – could you do the same?

If so then this course might just be the new start that you're looking for; the alternative is currently surrounding you right now. No previous prison law knowledge is required but an understanding of the basic difference between public and private law would be a clear advantage when it comes to such things as judicial review – basically private law is that law which governs the actions of people between themselves (the law of contract is an example), whereas public law governs the relationship between the individual and the State – criminal law is an example of public law.

This is NOT an easy qualification to achieve, it will stretch you and require study and effort on your part, but nothing in life that is worth having is ever easy to achieve and so there is real value to be had in obtaining it and being able to display the OK Logo with your name on it. I hope this answers your questions, and I look forward to welcoming you onto the course if you decide to give it a try.

A handwritten signature in black ink, appearing to read 'Mark Leech', written over a horizontal line.

MARK LEECH FRSA
Director