



Ministry of JUSTICE

National Offender
Management Service

TITLE		
ACTIVITIES IN PRISONS		
This instruction applies to:		Reference:
Prisons		PSI 38/2010
Issue Date	Effective Date	Expiry Date
Re-issued 2 November 2022	20 July 2010	N/A
Issued on the authority of	Operational Policy Sub-board	
For action by	Governors and Directors of Contracted Prisons	
For information	Directors of Offender Management; Regional Managers Custodial Services; Prison Staff	
Contact	operational_policy1@justice.gov.uk	
Associated documents		
Replaces the following documents which are hereby cancelled: PSI 50/2008		
Audit/monitoring: Regional Managers and Directors should ensure that Governors are applying this instruction consistently		
Introduces amendments to the following documents. <i>Copies held on the HMPS Intranet will be exchanged, hard copies must be amended or cross referenced locally.</i>		

1. Executive summary (update November 2022)

- 1.1 Section 2 of this Instruction has been updated to reflect new criteria which are required to be taken into account before a prisoner can be considered suitable to take part in the sorts of activities outlined in this Instruction. Governors and Directors of Contracted Prisons must ensure that due regard is given to these criteria.
- 1.2 Whilst the final decision on the appropriateness of any activity rests with Governors and Directors of Contracted prisons, prisons are required to engage with HMPPS Communications Team before publishing any external communications pertaining to any activity covered by this Instruction.

Background

- 1.3 PSI 50/2008 instructed Governors to ensure that activities for prisoners were appropriate and purposeful and did not undermine public confidence in the Service. This PSI replaces PSI 50/2008 and provides updated instructions to Governors on appropriate activities for prisoners. It also clarifies what is appropriate for family and child-friendly visits.
- 1.4 PSI 50/2008 also stated that Interventions and Substance Misuse Group would be compiling a database of interventions. This is well advanced, and a further PSI on interventions is to be issued shortly by ISMG. In the meantime, the principles in this PSI should also be followed for interventions, and further advice on non accredited interventions can be obtained from ISMG (see contact points at end).

Desired outcomes

- 1.5 Family visit events include appropriate activities that meet the aims of the Children and Families Pathway without undermining public confidence in the criminal justice system.
- 1.6 Prisoners have access to a range of activities that encourage their engagement with the regime and the offender management process and tackle self-esteem, behavioural and safer custody issues.

Mandatory actions

- 1.7 *Governors must designate appropriate managers who may authorise activities for prisoners in line with this instruction. All managers and staff involved in arranging activities and events for prisoners must be familiar with, and follow, the principles set out in this Instruction.*

Resource impact

- 1.8 Some managerial time will need to be spent ensuring that activities comply with this instruction.
- 1.9 Many activities within scope of this instruction will involve cost to the establishment. Even where the activity is provided totally free of charge, there are likely to be some costs in terms of security, escort and supervision.
- 1.10 This instruction sets out the principles to be applied in deciding whether activities are appropriate. It does not mandate any specific activities. Prison managers will of course wish to consider whether the proposed event provides value for money, contributes towards HMPPS's objectives or local targets, and meets identified needs, and how it

contributes to the overall regime of the establishment. They will also need to consult the Trade Unions about proposed activities and the arrangements for them where appropriate.

2. General principles

- 2.1 PSI 50/2008 created some concerns among some intervention providers, particularly in the Third Sector and among those offering interventions of a creative nature, who have felt that it has made it very difficult for some of them to continue to provide some tried and tested programmes. In fact, the Ministry of Justice (MoJ) recognises the valuable contribution that creative activities can make, particularly with those prisoners who are hard to engage in other types of programme, in tackling offending behaviour, in ensuring their engagement with the regime and the offender management process, and in improving prisoner behaviour and tackling safer custody issues. The appropriate use of such activities is perfectly acceptable.
- 2.2 We are committed to working with Third Sector organisations to provide a range of services in prisons, including those who provide arts and creative programmes. A significant amount of creative activity is provided by the Prison Service and by prison education providers. The Ministry of Justice established an Arts Forum in partnership with other government departments, the Arts Council, and third sector organisations.
- 2.3 The Ministry of Justice also jointly supported and funded the development of the independent Arts Alliance; it provides an opportunity for arts organisations to network and provide a coherent voice for the sector and a point of contact for the sector to engage with Government as well as to share good practice. The Arts Alliance, with membership from across the arts sector, focuses on raising the awareness of the impact of arts interventions, the contribution to reducing re-offending to commissioners as well as helping to develop the evidence base for this type of work.
- 2.4 It is right that resources are spent where they will do the most good, and that what happens inside prisons can be justified to those on the outside. To help prison managers make decisions about what is acceptable, a guidance document is being issued to Governors which deals with a number of issues that were raised in response to the previous instruction.
- 2.5 Acceptable activities should be constructive and contribute to one or more of the following:
- positive social interaction between prisoners or between prisoners and others
 - offering prisoners the opportunity to make constructive use of their time
 - development of interpersonal skills, e.g., communication skills
 - the prisoner's physical, mental or emotional well-being
 - pro-social behaviour
 - maintenance or rebuilding of family ties

Prisoner eligibility

- 2.6 Before a prisoner can be considered eligible to attend an end of programme event, Governors and Directors of Contracted Prisons must be satisfied that:
- There is tangible evidence of participation in rehabilitative activities and programmes; and
 - There has been sustained good behaviour over the course of a rehabilitative activity.

- 2.7 Governors at under 18 and women's establishments should take into account the mandatory requirements and specific needs of those prisoner groups as set out in PSI 8/2012 (Young People) and the Women's Policy Framework, and balance these with the guidance contained in this PSI. Further advice on the mandatory requirements and specific needs of young people and women can be sought from the Women's and Young People's Teams.

3. Further advice and guidance

- 3.1 *Before seeking further advice, Governors must consider how they would explain the purpose and benefit of the activity to Parliament or the media, if asked.*
- 3.2 The final decision on whether to hold an event rests with the operational line. *However, Governors and Directors of Contracted Prisons must ensure that the HMPPS Communications Team are consulted before publishing any external communications pertaining to any activity covered by this Instruction:*

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Signed

Alison Clarke, Deputy Director Prisons, on behalf of Michelle Jarman-Howe, Chief Operating Officer