

## POLICE REFERRAL

IMMEDIATE REFERRAL TO POLICE FOR VERY SERIOUS CRIMES

ALLOCATE TO POLICE INVESTIGATION LEAD, COMPLETE PRISON COMMUNITY IMPACT ASSESSMENT, VICTIM STATEMENTS

OPEN ADJUDICATION ADJOURN AND RECORD ON DIS 3

POLICE INVESTIGATION & CPS PROSECUTION

YES

**ADJUDICATION NOT PROCEEDED WITH**

NO

OPEN HEARING. CONSIDER NATURAL JUSTICE PRINCIPLES

PROCEED (ASSESS IF SUITABLE FOR IA REFERRAL)

**REFERRAL TO INDEPENDENT ADJUDICATOR (IA)**

PROCEED WITH GOVERNOR HEARING

NOT SUITABLE

CHECK ACCUSED STATUS AND TIME LEFT TO SERVE BEFORE REFERRAL TO IA

INFORM OF RIGHT TO LEGAL REPRESENTATION AND ADJOURN

**ARRANGE IA HEARING WITHIN 28 DAYS**

EMAIL FORM IA1 AND STATEMENTS/IMPACT ASSESSMENTS TO CHIEF MAGISTRATE'S OFFICE (CMO)

IA WILL EXAMINE

ENSURE THAT A COPY OF ALL ADJUDICATION PAPERWORK INCLUDING VICTIM/WITNESS STATEMENTS/IMPACT ASSESSMENTS ARE SENT TO PRISONER/LEGAL REP WHEN REQUESTED

GUIDANCE IF PRISONER TRANSFERS INFORM CMO ON FORM IA3 WHERE HEARING WILL PROCEED

## ADJUDICATION PROCESS

SEE ANNEX A 2.22

INCIDENT (PRESERVE EVIDENCE)

DEAL WITH BY ALTERNATIVE MEANS

ADJUDICATE

PLACE ON REPORT: ISSUE DIS 1 WITHIN 48 HRS OF DISCOVERY OF INCIDENT

OPEN HEARING FOLLOWING DAY UNLESS SUN OR BANK HOLIDAY

INITIAL HEARING  
MANDATORY: EVERYTHING FROM THIS POINT TO BE RECORDED ON DIS 3

PRISONER REFUSES TO ATTEND/IS DENIED ATTENDANCE OR IS UNABLE TO ATTEND

PROCEED IN ABSENCE

ADJOURNMENTS GUIDANCE FOR GOVERNORS :  
THE LENGTH OF TIME THE CASE IS ADJOURNED IS DEPENDANT ON FACTS OF CASE, PRISON REGIME & OTHER EXCEPTIONAL CIRCUMSTANCES

**ADJOURN & RECORD REASONS**

PRISONER ATTENDS HEARING

CONFIRM IDENTITY & ESTABLISH FITNESS

INFORM PRISONER & RECORD ON DIS 3

CONFIRM CHARGE LAID & HEARING OPENED WITHIN ABOVE TIME LIMITS (SEE PSI 2.2)

READ OUT CHARGE & CONFIRM DIS 1 & DIS 3 MATCH

**ADJUDICATION NOT PROCEEDED WITH**

NO - IF A SIGNIFICANT FLAW

**ADJOURN AND FOLLOW POLICE REFERRAL PROCESS**

YES

REFER TO POLICE CRIME IN PRISON PROTOCOL) (SEE

NO

**ADJOURN AND FOLLOW IA REFERRAL PROCESS**

YES

REFER TO INDEPENDENT ADJUDICATOR

NO

CONSIDER IF THE CASE IS SERIOUS ENOUGH TO WARRANT A PUNISHMENT OF ADDED DAYS AND WHERE REFERRAL IS APPROPRIATE TO THE ACCUSED STATUS, CHECK TIME LEFT TO SERVE

EXPLAIN CHARGE: CONFIRM & RECORD PRISONER'S UNDERSTANDING OF THE CHARGE. ENSURE DIS 1 & DIS 2 WERE ISSUED 2 HRS BEFORE HEARING

CHECK IF ASSISTANCE IS REQUIRED & RECORD ON DIS 3

YES

E.G. ADVOCATE FOR YOUNG PEOPLE, INTERPRETER, DISABILITY AID/OTHER

YES

**ADJOURN. ENSURE THAT A COPY OF ALL ADJUDICATION PAPERWORK INCLUDING VICTIM/WITNESS STATEMENTS/IMPACT ASSESSMENTS ARE SENT TO PRISONER AND LEGAL REP WHERE APPLICABLE**

NO

CHECK GENERAL UNDERSTANDING OF PROCEDURE

NO

CONSIDER REQUESTS FOR LEGAL ADVICE OR MCKENZIE FRIEND /LEGAL REP UNDER TARRANT AND RECORD REASONS

YES

FOR CLARIFICATION ON TARRANT PRINCIPLES SEE ANNEX A, 2.14 & 2.15

DID PRISONER RECEIVE DIS 1 & DIS 2 AT LEAST 2HRS BEFORE FIRST HEARING - ADJOURN IF NECESSARY

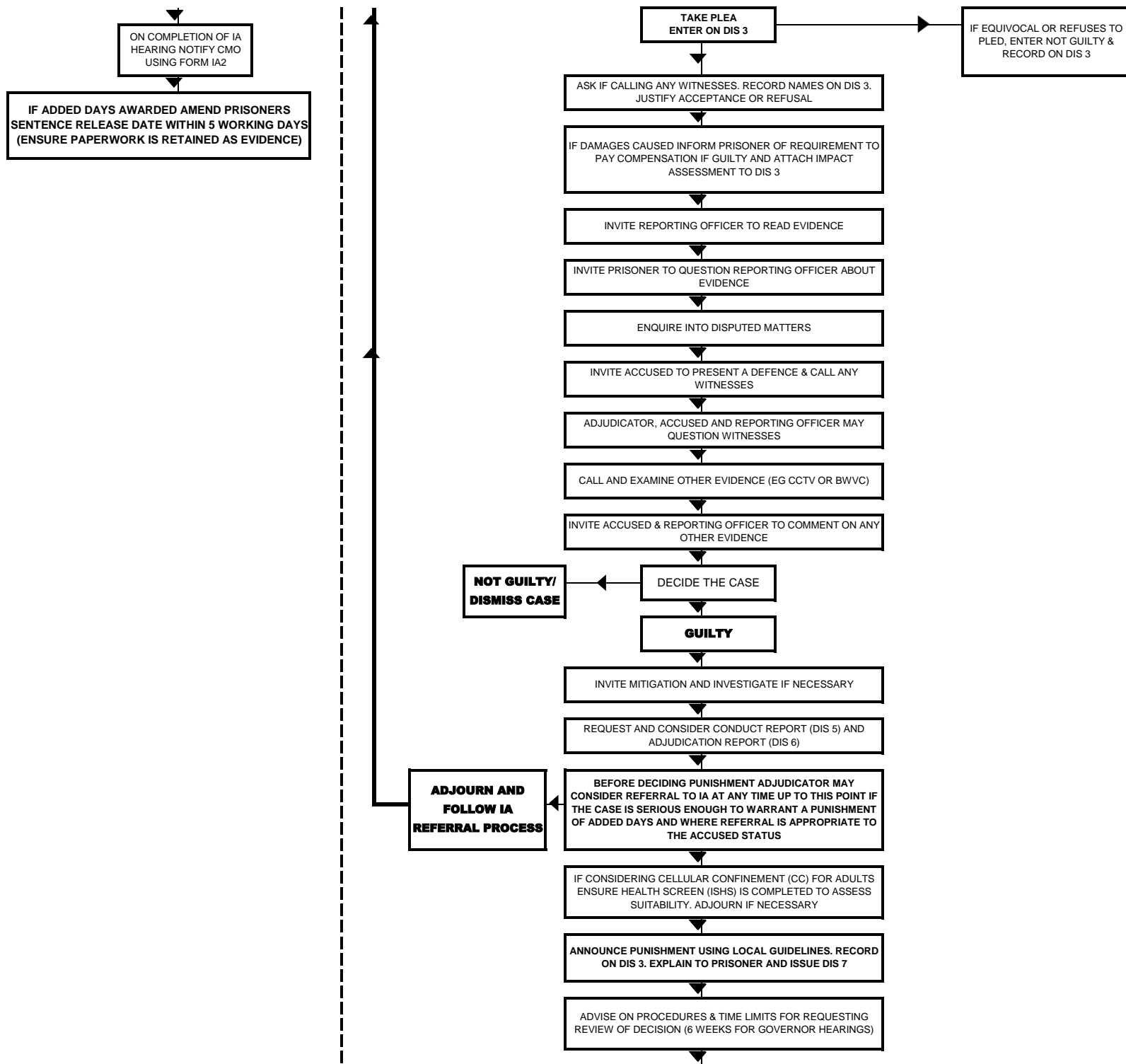
CHECK IF ENOUGH TIME TO PREPARE & ANY WRITTEN STATEMENTS (TO BE READ OUT LATER - ATTACH TO RECORD)

**RESUME HEARING AFTER ADJOURNMENT**

EVIDENCE AND QUESTION  
WITNESSES

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RECORD AND ANNOUNCE ANY MONIES TO BE  
RECOVERED