

Develop proposals and prepare reports to inform sentencing

Overview

This standard is about developing proposals and preparing reports to inform decisions. Proposals address requirements for punishment, the reduction of offending behaviour, the protection of the public and the preparation of reports.

Reports may be used within your own organisation, or may be used to make recommendations to and to provide information for other organisations.

In working with offenders you are expected to consistently display the skills of pro-social modelling, offender engagement and professional judgment to encourage offenders to desist from their offending behaviour and to reduce the risk of re-offending.

There are two elements

1. Develop proposals for sentences
2. Prepare reports to inform sentencing

Target group

This standard is aimed at workers who develop proposals and prepare reports to inform sentencing. Reports may be for use by colleagues within your own organisation or for other external audiences.

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Performance criteria

You must be able to:

Develop proposals for sentences

1. gather information necessary for the proposals, in line with agreed priorities and your organisation's requirements and timescales
2. identify the options available for sentencing which are consistent with the assessment of the individual and their offending behaviour, and the risk of harm
3. discuss possible options with individuals using techniques which promote understanding, co-operation and compliance
4. discuss possible options with others who might be affected by the choice or who may have a role in putting the option into effect
5. structure information using methods and formats which allow others to use it readily, including partnership arrangements
6. seek advice and support from appropriate others when required
7. select options which are most likely to be effective in managing risk, that encourage desistance and meet the concerns of victims
8. determine the efficient use of available resources relating to sentencing proposals, in line with organisational requirements
9. structure proposals which are suitable for the individual given their history of previous responses to sentences, in line with approved good practice
10. provide your proposal, including all relevant information, to the relevant person(s) who require it and are entitled to receive it
11. maintain the confidentiality of information, in line with your organisation's requirements

Prepare reports to inform sentencing

12. check with appropriate organisations whether there is any additional relevant information which relates to the individual
13. prepare reports in line with organisational procedures
14. provide information on:
 - 14.1 the individual's personal circumstances
 - 14.2 the context and history of the individual's offending
 - 14.3 any actions which the individual has taken to address their offending
 - 14.4 any identified risk of re-offending
15. state the risk of harm and re-offending which the individual poses to others, him/herself and any children involved
16. provide a valid and justifiable assessment of the offence in line with organisational procedures
17. identify the responsibility which the individual takes for their offending behaviour, and the degree of premeditation
18. identify whether there are any special circumstances which are directly

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relevant to the offending and their implications

19. assess whether there is any specific feature of the offence which conforms to a pattern and could be relevant to the seriousness of the risks posed by the offender

20. make proposals for:

20.1 managing risk of harm

20.2 meeting the concerns of victims

20.3 reducing re-offending

20.4 enabling the individual to successfully complete the proposed option

21. check that proposals are in line with organisational procedures

22. make individuals aware of the content of the report, and explain to them who may have the right of access to it

23. send reports to the necessary organisations within required timescales

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Knowledge and understanding

You need to know and understand:

Legislative, regulatory and organisational requirements

1. legal and organisational requirements which relate to developing proposals and preparing reports to inform sentencing, and their impact for your area of operations
2. legislation, policies and procedures relating to data protection, health and safety, diversity and their impact for your area of operations
3. the role of your organisation and the services which it provides in the preparation of proposals and reports to inform sentencing
4. organisational policy and procedures regarding confidentiality of information and the disclosure of information to third parties, and the specific circumstances under which disclosure may be made
5. the limits of your authority and responsibility, and the actions to take if these are exceeded

Working within the community justice sector

6. the impact of crime on victims and their need for protection, respect, recognition and information
7. the ways in which the physical, social, psychological and emotional development and functioning of individuals affects their behaviour and its associated patterns
8. relevant research into the relationship between known factors which influence offending behaviour and evidence of effective practice in tackling these factors
9. current effective practice in relation to sentencing proposals and appropriate theoretical frameworks
10. current definitions of risk and the purpose of risk assessment and management
11. the ways in which stereotyping and discrimination might affect risk assessment and how to guard against this
12. how to ensure that personal norms, communication styles and unconscious or implicit bias do not influence your judgement
13. the ways in which earlier experiences, including discrimination and exclusion, might affect how an individual presents
14. issues involved in risk identification and prediction, including the use of different predictive methods and the agency's risk assessment tools
15. high risk of serious harm case registration, management and multi-agency public protection arrangements

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16. the ways in which it is necessary to alter communication when working with different individuals and representatives of different organisations
17. methods of encouraging the effective involvement and engagement of the individual in the assessment
18. the reasoning processes followed during information gathering and assessment
19. the range of sentencing options, both in the community and custodial, and the reasoning processes used in determining the most appropriate options for the individual concerned
20. methods of handling situations where there is the potential for conflict

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