



# THE INSTITUTE OF PRISON LAW

ACCREDITED BY THE SOLICITORS REGULATION AUTHORITY AND THE BAR STANDARDS BOARD OF ENGLAND & WALES

## CERTIFICATE OF COMPETENCY IN PRISON LAW 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, or indeed prisoners themselves. The course requires no prior prison law knowledge but an understanding of English public/private law is advisable.

The course consists of eight self-contained Modules, that are delivered electronically as a pdf files, and eight DVDs – each DVD consists of around a one hour lecture by Dr Nick Armstrong, (Counsel: Matrix Chambers, London). Each Module consists of around 3-4 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.

The Course leads to the **Certificate of Competency in Prison Law**, and the '**OK Logo**', issued by the Institute of Prison Law, and is gained by successful completion of the eight examinations, with a minimum 80% pass mark in each; **one** resit is allowed per examination, further resits incur a marking cost of £24.99+VAT.

**COSTS:** The total cost of the course is **£792+VAT** (£792), this includes all Modules, 8 x DVDs, registration fees, marking fees (except exam resits as detailed above), and a copy of The Prisons Handbook which is a required text: this equates to just £99+VAT per Module and must be paid in advance.

**LECTURER:** Barrister: **Dr Nick Armstrong** of Matrix Chambers (CV contained in this document).

### THE COURSE

#### MODULE 1

1. Course introduction. Short history of imprisonment, the purpose of imprisonment, and the Prison Service 'mission statement'. Where to look; sources and resources, practitioner books and useful websites.
2. The statutory and regulatory 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 reasons in decision-making.
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 Boards of Visitors (IMBs), HM Inspector of Prisons, the 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 action; judicial review, CHR, civil actions, adjudications and lifer panels. LA franchise.

## **MODULE 3.**

- 1 a Special treatment of child prisoners and young offenders (18-21), women prisoners, mother and baby Modules.  
b Treatment of 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.
- 3 Case studies, and roll play; adjudications.

## **MODULE 5.**

- 1 Offending behaviour work, and prison education and courses. SOTP, ETS, Think First, CALM, Alcohol awareness, Domestic violence.
- 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; F2052SH. Article 2 and investigations. Disclosure and openness.
- 2 Inquests.
- 3 Actions for death, assault, false imprisonment, misfeasance, and negligence.

**[Booking Form is on: Page 5.](#)**

Year of call: 2001



## Main Areas of Practice

Education & community care  
Immigration & asylum  
Prison law  
Professional regulation

Nick specialises in public law with a particular focus on education and community care, immigration and asylum and prison law. He is also experienced in actions against the police, inquests, mental health and capacity and professional regulatory work. Nick is always very interested in cases that arise in more than one of these areas and he acts in a number of immigration and prison cases raising community care and disability discrimination issues, false imprisonment actions arising out of immigration detention, and refugee education cases.

Nick is a former solicitor having started practice in the Public Law Unit at Irwin Mitchell. Prior to that he was a research fellow at the Nottingham Law School where he completed a PhD and then further research on civil justice reform.

### Education and community care

Nick practises in all areas of education and community care but in education he is particularly interested in special educational needs and cases raising issues of social exclusion such as cases in respect of looked after children, migrant children and cases with a criminal context.

In community care Nick has a particular interest in vulnerable adults and questions of capacity. He has significant experience of "best interests" litigation in the Family Division.

### Immigration & asylum

Nick is a very experienced immigration and asylum lawyer who regularly appears in the Asylum and Immigration Tribunal as well as in the higher courts. His particular expertise lies in asylum, refugee family reunion and cases overlapping with his other areas of practice including discrimination and false imprisonment. Nick has also done a great deal of work in connection with foreign national prisoners both from the prison side - establishing the immigration status of life sentence prisoners and advising on the possibility of release abroad - and introducing prison risk assessment expertise into deportation proceedings.

### Prison law

Nick regularly advises and represents on applications for judicial review in the prison context, and frequently appears before the Parole Board. He is interested in all aspects of prison law and the assessment of risk (whether in the parole or the categorisation context) and he has a particular expertise in respect of elderly prisoners, prisoners with disabilities and foreign national prisoners.

### Professional regulatory

Nick has a significant practice concerned with the professional regulation of solicitors. This includes proceedings before the Solicitors Disciplinary Tribunal but his particular specialism concerns disputes between solicitors and the Legal Services Commission. These may give rise to applications for judicial review but more frequently arise through the

T. 020 7404 3447 (Practice manager, Jason Housden)  
E. nickarmstrong@matrixlaw.co.uk

contractual remedies established by the General Civil or Criminal Contracts (which has now become the Unified Contract). It is unusual for a barrister to be experienced in legal aid contracts but as a former solicitor who also has a background in research in the area Nick has developed a particular expertise. He is also a member of the Bar Council civil legal aid committee.

Recent cases of note include:

In immigration and asylum

[Miao v SSHD \[2006\] EWCA Civ 75](#) (dealing with the application of the Refugee Family Reunion Policy in Article 8 cases and establishing that it sets a lower threshold than the Immigration Rules)

[HK v SSHD \[2006\] EWCA Civ 1037](#) (now a key case on the proper approach to implausibility in factually unusual cases)

In education & community care

[LH & MH v London Borough of Lambeth \[2006\] EWHC 1190](#) (the first case to look at the local authority cooperation duties under the Children Act 2004)

Directories

Nick is ranked by Chambers & Partners 2007 in education, immigration and police law. He is described as "highly committed and very knowledgeable" and that he "has good judgement and will tenaciously fight a difficult case where others would give up".

## Publications & papers

Nick is the editor of Education, Public Law & the Individual, the deputy editor of the UK Human Rights Reports (Jordans) and is currently writing the exclusion and special educational needs chapters for Tolley's Education Law Manual. He is a regular contributor to professional journals in respect of all his practice areas and has written particularly extensively on civil justice and legal aid including as a former contributor to Blackstone's Civil Practice and to Zuckerman & Cranston, Reform of Civil Procedure: Essays on Access to Justice (OUP 1995).

Nick is always pleased to be approached about providing training and education, both within and outside the legal profession. He is a regular speaker for organisations such as Informa, Jordans, the Institute of Prison Law and HJT (on immigration) and also conducts training for charities, local authorities and professional groups including teachers and therapists.

## Career

2007 Joined Matrix  
2001 - 2007 Barrister at Tooks Chambers  
1998 - 2001 Solicitor in the Public Law Unit, Irwin Mitchell  
1997 - 1998 Trainee solicitor, Irwin Mitchell (reduced training contract)  
1995 - 1997 Post-doctoral research fellow at Nottingham Law School  
1991 - 1995 Researcher to the Centre of Advanced Litigation, Nottingham Law School

## Personal

Nick is a keen skier and mountain biker. It is also said that he plays a mean blues guitar solo.

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

I WISH TO ENROL ON THE ABOVE COURSE: Please PRINT Throughout

NAME: \_\_\_\_\_ TEL: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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Course Modules are sent electronically, as PDF files, please print below the email address for the delivery of these modules

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NB: – you will need to have Adobe Reader© installed on your computer to open these files which you can download free at: <http://www.adobe.com/products/acrobat/readstep2.html>

DVDs: The DVDs for the course are sent by Royal Mail 1<sup>st</sup> Class Recorded Delivery, please supply an address for delivery if different to the address given above.

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\_\_\_\_\_ Post Code

Terms and Conditions.

- 1 The Certificate is gained passing each of the eight Module Examinations with a minimum 80% mark.
- 2 Modular Course materials, including DVDs, are copyright and must not be copied to any third party; legal action will be taken where this can be proved – you've paid for the course, why let others have it for free?
3. All fees must be paid in advance and are non-refundable after the material has been dispatched: ie after the Modules emails, and/or the DVDs posted.
- 4 Course modules are sent electronically as PDF files, you must provide a valid email address.

[  ] I attach my cheque made payable to INSTITUTE OF PRISON LAW in the sum of £950 

Signed \_\_\_\_\_ Dated: \_\_\_\_\_

PLEASE SEND THIS FORM AND YOUR REMITTANCE TO:

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**175 HILL LANE, MANCHESTER M9 6RL**  
T. 0845 0660011 F. 0845 0660022 E. [courses@prisons.org.uk](mailto:courses@prisons.org.uk)  
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