



HMP Birmingham

The Annual Report of The Independent Monitoring Board

to

The Secretary of State for Justice

2013

1st July, 2012 to 30th June, 2013

SECTION 1

STATUTORY ROLE OF THE IMB

The Prison Act 1952 and the Immigration and Asylum Act 1999 require every prison and IRC to be monitored by an independent Board appointed by the Secretary of State from members of the community in which the prison or centre is situated.

The Board is specifically charged to:

- (1) satisfy itself as to the humane and just treatment of those held in custody within its prison and the range and adequacy of the programmes preparing them for release.**
- (2) inform promptly the Secretary of State, or any official to whom he has delegated authority as it judges appropriate, any concern it has.**
- (3) report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact these have on those in its custody.**

To enable the Board to carry out these duties effectively its members have right of access to every prisoner and every part of the prison and also to the prison's records.

SECTION 1 – STATUTORY ROLE OF THE IMB	Page 2
SECTION 2 – CONTENTS	Page 3
SECTION 3 – Description of the Prison	Page 4
SECTION 4 EXECUTIVE SUMMARY Significant changes since last report	Page 4
SECTION 4.2 – Issues requiring a response from:	
4.2.1. the Minister	Page 6
4.2.2. the MD G4S Custodial and Detention Services	Page 6
4.2.3 the CEO NOMS	Page 6
4.2.4. the Director	Page 7
4.2.5. the Director and CEO Birmingham and Solihull Mental Health Trust	Page 7
4.2.6 the CEO Birmingham and Solihull Mental Health Trust.	Page 7
4.3 Issues raised last year and not resolved	Page 8
SECTION 5	
5.1. Equality and Inclusion	Page 8
5.2. Education, Learning and Skills	Page 10
5.3 Healthcare and Mental Health	Page 10
5.4. Drug Rehabilitation	Page 13
5.5. Purposeful Activity	Page 13
5.6. Resettlement/Offender Management	Page 14
5.7 Safer Custody	Page 16
5.8 Segregation, Care and Separation	Page 17
5.9 Residential Services:	
Accommodation	Page 18
Vulnerable prisoners and G Wing	Page 19
Prison Council	Page 20
5.10. Food, Catering and Kitchens	Page 21
SECTION 6	
6.1 Time out of Cell	Page 22
6.1.i. Chaplaincy	Page 22
6.1.ii Complaints Procedure	Page 22
6.1.iii Correspondence	Page 23
6.1.iv Foreign National Prisoners	Page 23
6.1.v Incentive and Earned Privileges	Page 24
6.1.vi Reception	Page 24
6.1.vii Security	Page 24
6.1.viii Video Link	Page 25
6.1.ix Visits Hall	Page 26
6.1.x Visits Centre	Page 26
SECTION 7 WORK OF THE BOARD	Page 28

SECTION 3

3.i DESCRIPTION OF THE PRISON

HMP Birmingham is a local prison for adult men. It is intended to serve the Crown and Magistrates courts of Birmingham and the surrounding areas. Its operational capacity is 1450. In the course of a typical year the prison will deal with more than 9000 different prisoners. The population comprises both remand and convicted prisoners, including those serving life sentences and indeterminate public protection (IPP) sentences, and those awaiting sentence.

The prison has both Victorian and modern accommodation, a Health Care Centre, Gymnasium, Education Centre and Workshops.

Since October 2011 the Prison has been operated by G4S Care and Justice Services

3.ii. The population as at 30th June 2013 was 1384 (1442 previous period).

The ethnicity at this date was:

White British 54.9%; BME 45%; Not Stated 0.1%
(62% 35.03%; 2.98% previous period)

The Category Breakdown as at June 30 2013 was:

Cat B	161 (119)
Cat C	664 (572)
Cat D	37 (41)
Unclassified	302 (572)
Un-sentenced	220 (103)

(Previous period's figures in brackets)

SECTION 4

EXECUTIVE SUMMARY

SIGNIFICANT CHANGES SINCE THE LAST REPORT

G4s Care and Justice Services took over the responsibility for the running of HMP Birmingham in October 2011, but the various contractual obligations did not become operational until April 2012 – this therefore is the first full report under G4s control. It has not been an easy time but management and staff have gradually encompassed the ethos of a privately run prison, although it has to be said that some staff would prefer still to be working in the public sector. However, the Board is pleased to report significant changes in the atmosphere when visiting the Prison.

November and December 2012 were particularly challenging months with morale at a very low ebb. There were three contributing factors – the contractual reduction of First Line Managers; the decision of the Ministry of Justice not to privatise any more prisons for the foreseeable future and a very serious assault on four members of staff in Healthcare, three of whom were very seriously injured.

However, the Ministry of Justice's decision to close 4 prisons at the end of March, did much to uplift morale – staff realised that all being well they were guaranteed employment for the foreseeable future.

It was decided in January 2013 not to continue with the experiment of some local prisons, including HMP Birmingham accepting prisoners from the Courts on Sundays – it was definitely not cost effective.

The changeover of prisoners being accepted from different Courts as from January 2013 made a big difference in the number of prisoners arriving daily – Wolverhampton Crown Court prisoners were allocated to HMP Hewell. However, because of the reduction in numbers coming from the local Courts, the Prison once again experienced an influx of prisoners from London prisons and the South West because of prison closures. A lot of problems ensued – prisoners were unhappy to be further away from home which impacted on visits and communication with family and Solicitors. It also caused extra problems with Resettlement.

A Prison Council was formed in September 2012 – hustings were arranged around the prison via User Voice, a charity run by ex-prisoners and championed by Prince Charles. User Voice is currently funded in the Prison by G4S. – See 5.9.ii.

Staff sickness was vastly reduced during this period – as highlighted in last year's report sickness averaged 40 short term sick and 24 long term sick daily. On June 30 2013 there were 16 staff reporting, 10 of which were long term sick.

Birmingham staff were fortunate to have a small salary increase during the reporting period.

The Board is also pleased that the Police and CPS are now taking assaults on prison staff seriously along with visitors attempting to bring in drugs and mobile phones into Visits.

The Prison has continued to have problems with drugs and mobile phones, particularly in throw-overs. During the period netting was fixed over the most vulnerable areas, but unfortunately it was not fit for purpose as the heavy snow during the winter of 2013 brought the netting down.

Mandatory drug testing has been a problem during the reporting period. **The positive MDT rate at June 30 2013 was 18.94% against a target of 12%, thus creating penalties for the Contractor.** Unfortunately the location of the prison right next to busy roads makes it easy for people to throw packages over the walls. Staff are constantly vigilant and many packages are intercepted However, some do get through.

As reported last year unfortunately there is still a perception amongst staff that since privatisation, co-operation with NOMS, particularly with transfers is still a problem .

During this period there have been 6 external audits including Safer Custody audit and part Security audits.

4.2.PARTICULAR ISSUES REQUIRING A RESPONSE

4.2.1. FROM THE MINISTER

4.2.1.ii IPP Prisoners (Prisoners with Indeterminate Sentences for Public Protection)

Again we have to raise the problems of these prisoners who are beyond their tariff – a local prison is an unsuitable environment for these prisoners as it cannot offer the education and specialist programmes which they may require before they can be considered for release. Some are sex offenders maintaining their innocence, or as the Prison Service sees it, are in denial of their offence. **As at June 2013 the prison was still holding 22 prisoners being detained beyond their tariff. There were 4 as at June 30 2012.**

4.2.1.iii Sex Offenders

This problem was raised in our last report and garnered a lot of media interest. Unfortunately, nothing has changed, and the numbers are increasing. There appears to be a particular problem with transferring Cat B sex offenders, many of whom are maintaining their innocence, or are in denial – they cannot be re-categorised. More spaces are needed for CAT B prisoners fitting these criteria.

4.2.2 FROM THE MD OF G4S Custody and Detention Services

A swifter response when funding is required for urgent projects and repairs would be appreciated. There are particular items that we have raised continually in our Rota reports and Board meetings for which funding has still not been secured.

4.2.3 FROM THE CEO OF NOMS

4.2.3.i. The agreement to authorise an interim Buddhist Minister is urgently needed. For some months Buddhist prisoners have not been treated equally as far as the ability to practice their faith is concerned. See 5.1.x

4.2.3.ii More thought should be given when transferring prisoners to Birmingham including prisoners serving a lengthy sentence. They are usually Lifers in the middle of their parole window, arriving with no relevant paperwork.

It is also pointless transferring a prisoner on an overcrowding draft who is due to be released the next day. It is also unhelpful to transfer a prisoner who has been re-categorised from CAT C to CAT B to a local Prison with no suitable programmes for him to address his offending behaviour. Surely the CAT B training prisons are more suitable?

4.2.3.iii. Consideration should be given to including the drug mephedrone in MDT (mandatory drug testing) testing. See 6.1.vii – Security.

4.2.4 FROM THE DIRECTOR

4.2.4.i Swifter action when there are shortages of kit, including clothing, shoes, bedding, towels, toilet rolls, toiletries, etc. is needed. There have been constant complaints on this subject from prisoners during the reporting period. The problem only seems to be dealt with when there is nothing in Stores and then it takes time to re-order.

4.2.4.ii. Cell furniture seems to be a problem on some wings – some prisoners still have no chairs or tables.

4.2.4.iii. Somehow the problems with two different computer systems needs to be addressed. Information on the NOMS computer does not always tally with the information on the G4S cms system which can cause problems when dealing with prisoners requests for HDC (home detention curfew) re-categorisation etc.

4.2.4.iv. Encouragement to staff to attend various meetings would be helpful, and certainly the Equalities Action Team meetings, as raised last year, are poorly attended and often cancelled at short notice.

4.2.4.v. Devise a system to ensure that all prisoners who wish to attend the Library can do so. See 5.4. Purposeful Activity.

4.2.4vi. What plans are being made to increase Education, Learning and Skills provision ?– see 5.2 Education, Learning and Skills.

4.2.5. FROM THE DIRECTOR AND CEO OF BIRMINGHAM AND SOLIHULL MENTAL HEALTH TRUST.

A system needs to be devised that supports prisoners returning from outside appointments to continue with the prescribed treatment. Last year's response was that if a prisoner does require medication to be given in patrol state, agreement has been reached with the prison Director to facilitate the unlocking of cells to facilitate this. It is still a problem. See 5.2.v.

4.2.6.FROM THE CEO OF BIRMINGHAM AND SOLIHULL MENTAL HEALTH TRUST

4.2.6.i. A system needs to be devised to deal with prisoners whose relationship with Healthcare staff has irretrievably broken down. See 5.2.vi

4.2.6.ii. A review of dentistry provision seems essential so that the Prison is not left at times with a dentist available only 3 days per week – see 5.3.vii

4.2.6.iii Consider the provision of group work for prisoners struggling with their detox maintenance programme. – see 5.4. Drug Rehabilitation

4.2.6.iv. Consideration should be given to giving access to the Prison's computerised medical records to the out of hours locum service provided by BADGER. See 5.3.i.

4.2.6.v. Healthcare staff need to be reminded that attendance at GOOD Reviews is a mandatory requirement. See 5.7.vi.

4.3 ISSUES RAISED IN LAST YEAR'S REPORT AND NOT YET RESOLVED

4.3.1.Learning and Skills

Again there are too few spaces for prisoners to avail themselves of learning and skills opportunities.

4.3.2.Equality Training for Staff

G4s' training package "Acting Inclusively" has now been accepted and all new staff are trained in this. However it has not yet been rolled out to existing staff.

4.3.3. Mental Health Services

We asked that Birmingham and Solihull Mental Health Trust consider engaging a forensic psychologist on occasion when prisoners display bizarre behaviour patterns. Although the response from the Minister was "should a prisoner require access to a specialist worker (i.e. a psychologist) then this can be and is facilitated via NHS networks". We have no evidence of this facility being used for prisoners displaying bizarre behaviour. See 5.7.i

4.3.4.X-Ray machine in Reception

This is still not resolved, despite the response stating that "it is recognised that the issues regarding the use of the X-ray machine need to be resolved and the matter has been raised and discussed at the Prison Partnership meetings". See 5.3.x and 6.1.vi Reception.

4.3.5.Prisoner complaints

Again we do not feel this is resolved. Some of the responses we see are quite unacceptable and do not deal with the problem. See 6.1.ii.

4.3.6.Visits Centre

Last year's responses was that "the Centre would be decorated in 2013 to improve the visitor experience. Managers are working to identify suitable CAT D prisoners to carry out this work and to retain them for this purpose". This has not yet happened – see 6.1.vii Visits Centre.

4.3.7. Monitoring of Racial Complaints

This is still not resolved. See 6.1.xiii.

4.3.7. Gay,bi-sexual and transgender prisoners – training for staff dealing with these prisoners has still not taken place. See 5.1.vii.

SECTION 5

5.1.EQUALITIES AND INCLUSION

5.1.i.Equality and Inclusion is covered by the Equality Action Team. As reported last year, the Group is scheduled to meet monthly, but unfortunately there have been frequent cancellations, and they are not well attended. Singularly missing are representatives from Residential areas. There is usually a good representation of prisoner Wing representatives who make an excellent contribution to the meeting, although again as reported last year, Healthcare prisoner representatives are frequently not present. IMB also attend this meeting on a regular basis.

5.1.ii Because of the lack of regular attendees, it is very difficult to get action points agreed – indeed some have been outstanding for over a year.

5.1.iii. The Prison is now using “Acting Inclusively” G4S’s own equality training package. At the moment only new recruits have access to this training package. It has not yet been rolled out across the Prison.

5.1.iv. Various festivals, as in the past are still held for various groups – Black History Month in October, and a special event for Travellers and Gypsies. Ramadan is recognised and celebrated at its conclusion.

5.1.vi. Access for disabled prisoners on J Wing – Elderly and Social Care Unit is a problem. A stair lift is needed for prisoners on the first floor to access the servery and communal facilities, including the association room and garden on the ground floor. A bid for funding has been put in, but has not yet been agreed.

5.1.vii. Gay, bi-sexual and transgender prisoners – we reported last year that it was acknowledged that training specifically for staff dealing with sexual orientation and gender reassignment was urgently needed – it has not yet happened.

5.1.viii. A monthly GTR forum is held in the Chapel for members of the Gypsy, Traveller, Romany Community. There appears to be a reluctance with this Group to disclose – only 7 identified themselves as members of this group, although there is usually an attendance of 20 at the monthly Forum.

5.1.ix. A Romanian Priest meets Romanian prisoners in the Chapel each Saturday and the chaplaincy facilitates a meeting with Rastafarians of whom there were 7 each Saturday. Rastafarianism is now recognised as a religion by the Prison Service.

5.1.x. The Buddhist prisoners unfortunately are not getting appropriate access to prayers conducted by a Buddhist Minister. This situation has existed since early 2013 due to a dispute between G4s and NOMS who will not sanction an interim Minister until the dispute is resolved. In the meantime the Buddhist prisoners are not being treated equally with the same facility to practice their faith as other prisoners.

5.1.xi Prisoners in the Protected Characteristic groups as at June 30 2013 are as follows:

Age: 17 prisoners 55 and over (35 the previous period);
Disability – 223 disclosing a disability (305 the previous period) ;
Gender Reassignment – currently no prisoners identifying as transgender (2 previous period);
Gypsy, Traveller, Romany (GTR) Community – 7 prisoners identifying themselves as Travellers (see above – see 5.1.viii)
Sexual Orientation – 9 prisoners disclosing that they are gay (6 previous period) and 5 bisexual (3 previous period) - again there is a reluctance for prisoners to disclose their sexual orientation because of the prison culture and the antipathy to this group of prisoners.

All above figures are taken from the Equalities – Protected Characteristic Database.

Religion and Belief – see Chaplaincy – 6.1.i.

Nationality – see Foreign Nationals – 6.1.iv.

5.1.xii, Complaints – 155 DIRFs Discrimination Incident Report forms were received, 112 of which were about race (131 during the previous period) and 9 were about disability – 2 were received in the previous period. 14 referred to religion and belief. As reported last year, we have no information as to whether any of these complaints were upheld.

6.1.xiii. Also, as we reported last year the **External Scrutiny Panel** – an independent group of people who meet regularly to monitor Discrimination complaints - had been disbanded. The Panel was reconvened in February with a new Chair, but unfortunately few external people were appointed. The majority of attendees are Prisoners; two meetings have been held during the reporting period.

5.2. EDUCATION, LEARNING AND SKILLS

As in previous reports, prisoners avail themselves fully of the courses offered and speak well of tutors and instructors. Workshop staff and teachers work hard to develop good, productive working relationships with prisoners and in all areas there remain positive environments. Prisoners' comments and attitude in workshops underline their appreciation of the support that they receive from the staff.

Education staff point out to Board members that attendance and retention of participants is a real issue.

However, the prison continues to have insufficient activity places for the number of prisoners accommodated. **There are 825 full time activity places (850 last year) and 71 sessional or part time places (103 last year). In the week prior to 30 June attendance was 672 (75%) (85% last year). In the Minister's response to last year's report reference was made to 950 places available – unfortunately this is now reduced.**

Efforts will need to be made to increase activity places in line with Government expectations regarding the new IEP policy due to be implemented in November.

Unfortunately funding has been reduced for Education purposes, and Milton Keynes College have reduced the amount of in-cell education available for prisoners who, for various reasons, cannot attend the Education Centre.

5.3 HEALTHCARE AND MENTAL HEALTH

Healthcare provision is available in the prison 24 hours a day, seven days a week, including nurses on duty throughout the night.

5.3.i. A psychiatrist and doctor(s), including locum doctors, are on site weekdays with evening and weekend cover being provided by the Badger locum doctor service. Unfortunately in emergencies, the Badger locum doctor service does not have access to the computerised medical records. They rely on nurses accessing the records on their behalf. Prisoners are usually seen by a GP doctor within a week, urgent cases virtually immediately. Additional informal input can be obtained from the Birmingham Community Healthcare and Birmingham & Solihull Mental Health Trusts which provide the resources for the Healthcare Centre.

5.3.ii. Although we raised the question last year of specialist psychologists being used when prisoners present bizarre behaviour patterns, we have no evidence of

such specialists being utilised. We continue to witness prisoners displaying seriously disturbed behaviour, but are told that there is no mental health illness – it is purely behavioural. Prison staff are left to cope on their own with little input from the mental health team.

5.3.iii. An ongoing problem is the removal of medicines from prisoners on arrival and their reinstatement only when written confirmation has been received from the GP or other prescribing doctor. This has caused problems after 16h30 on a Friday when the Pharmacy closes for the weekend, or when the drug is of a “tradable” nature and the on-site doctor makes a substitution with an alternative product. We are aware of cases of prisoners being without their medication for several days; these seem to particularly affect certain medicines with analgesic properties. In the eyes of a prisoner this is a particular problem when a medication is prescribed by an external consultant but not allowed within the prison. It has been the origin of numerous complaints.

Supplies of regular medicines continue to be available through the medical hatches on the wings, although discipline staff availability can cause conflict of priority with other staff duties.

5.2.iv. The Board has received complaints from prisoners that medication prescribed when they have been referred by Healthcare to outside hospital Consultants has been replaced by Prison GPs with alternative medication.

5.2.v. Similarly we are aware of an instance when a prisoner returned from outside hospital and the timing of his prescribed medication did not fit the wing regime and consequently he was unable to fulfil the course of treatment prescribed.

5.2.vi. The Board has seen an increase in the number of complaints from prisoners where it would appear that the patient/doctor relationship has broken down – the Board understands that prisoners at times want to maintain certain medications that are tradable and that doctors have good reason to prescribe alternatives. However, the Board is not qualified to judge the merits of the complaints but where the situation appears irretrievable it seems unfair that prisoners cannot get a second opinion. Although we are assured that prisoners can and do request a second opinion, we still get complaints that this is not the case.

5.3.vii. Dental facilities are provided on B Wing and are nominally available 5 days per week. However during the period there have been a number of difficulties associated with redecoration and problems with dental drilling equipment that have only recently been fully resolved. Waiting times have frequently exceeded the 2-3 week expectation; in February the wait was 8 weeks; at the end of June the longest wait was 9 weeks. On occasion, the dentist has only been available 3 days per week, which has exacerbated the situation.

The high level of DNAs (did not attend) continued to be a concern with rates of 50% not uncommon. IEPs (Incentive and Earned Privileges) were introduced at the end of the period to deal with persistent offenders and the level appears to be reducing.

5.3.viii. There have been a number of serious incidents during the period, the most serious of which concerned an attack on four prison officers using shards of glass. The prisoner had been identified as a risk and required a three person unlock while he was waiting for a place in a secure mental health unit. Unfortunately this took considerable time. However a place in a secure unit was found immediately and the

prisoner was transferred that day. Following the incident, an urgent referral was made by the Clinical Lead and a bed sourced by the Director of Healthcare outside the normally approved processes to ensure the health and safety of the prisoner, all staff and other prisoners within the establishment.

It is hoped that the new secure mental health facility at Tamarinds in Birmingham might reduce the risk of this happening again and reduce delays in finding secure accommodation for those in need.

5.3.ix. During the reporting period there were 1044 escorts to various medical appointments, 1086 during the previous period.

During the same period 123 external hospital appointments were cancelled – 187 during the previous period.

Prisoner refusals	54 – 74 previous period
lack of prison escort	8 – 54 previous period
Court appearances / legal visits	5 – 16 previous period
Cancelled by external hospital	13 – 16 previous period
Taxi not provided	10
Security grounds	9
Transferred/released	14
Other	10

5.3.x. Despite the IMB regularly highlighting the presence and non-use of the X-ray machine in Reception for screening TB in incoming prisoners there is still no solution to this problem. It is regrettable that it has proved impossible for those involved to find a solution in the three years it has been in the prison. This was previously raised in last year's report – **see 4.3.4.**

5.3.xi. One case which continues to require significant IMB, discipline and healthcare staff time concerns an elderly patient who persistently refuses to look after himself despite many attempts to find a regime that works. He is now a ward of the Court of Protection and presents a difficult problem where other prisons are reluctant to take him, yet the Prison does not have the facilities/courses to help him address his offending behaviour. He is an IPP prisoner, now 6 years beyond his tariff date with no sign of achieving parole. We have raised his situation in our reports for the past three years to no avail.

5.3.xii. On the subject of fixed beds in Ward 2, all those beds are now fixed which is necessitated by the nature of the mental health issues surrounding those who need them. Security constraints make it difficult for all beds to be placed so that the prisoner can be fully observed. Thus, those prisoners deemed in need of close observation are accommodated in two constant watch cells which allow full surveillance.

Six hospital beds are now situated in Ward 1.

The “end of life” cell in Ward 1, after a shaky start, is at last finished and available to receive patients. The final layout and decoration are now appropriate for its purpose.

5.3.x.iii. The system of logging complaints changed during the reporting year and 745 informal complaints were received including all requests sent in on a complaint form

which did not constitute a formal complaint. Of these 36 were referred to the NHS Complaints Department, none of which were fully upheld, although a small number were partially upheld.

5.4. Drug Rehabilitation

Methadone based maintenance has been replaced by a reduction programme with B Wing becoming the detox wing. Over an 18 month period, the number of prisoners on methadone has been approximately halved to about 150. Detox is offered as part of the recovery programme albeit the long term benefit in terms of long term recovery remains unknown.

Despite the attempts to create effective detox regimes the failure in MDT remains persistently high and remains a cause for concern not only in terms of deleterious health consequences but the impetus it gives to illegal activity within the prison.

A persistent prisoner complaint is the rate at which methadone and Subbutex dosages are reduced; it is claimed the reduction rate is too fast which leads to the unintended consequence of prisoners boosting their official dose with illegal drugs obtained within the prison. It should be noted that the regime is based upon best practice NTA guidelines but has been discussed in Patient Experience Group Meetings in order to explain to prisoners the basis of the approach. There is scope to improve group work for those who struggle with the maintenance programme.

The increasing presence of dual diagnosis (mental health+ drug related) nurses signals the importance of integrating drug factors with mental health issues. In principle, these are available to those needing this support.

At this time, with key contacts between the prison and the NHS not having recently changed, relationships remain good. It is too early to record any significant changes as a consequence of the major change in commissioning. The effects will no doubt be clearer for the next Annual Report.

5.5. PURPOSEFUL ACTIVITY

As previously, there are insufficient places for all prisoners to avail themselves of work though it is also true that many prisoners choose not to do so. The Board has made representations about the quality of the work on offer and the fact that prisoners in workshops have frequently been observed playing cards because there is insufficient work for them to do.

The excellent Library, under the auspices of Birmingham City Libraries, remains underused and in fact the usage has not increased since the last report. Prisoners want to use the facility, but complain that they cannot get access. Prisoners in Healthcare also complain that they cannot access the Library, and that the books available in the Centre are no longer changed on a regular basis.

The Gymnasium is too small for the numbers who would wish to use it and there are also insufficient showers.

Three all-weather football pitches have been installed on the East side of the prison.

5.6.RESETTLEMENT/OFFENDER MANAGEMENT

HMP Birmingham has a “Reducing Re-offending” strategy which encompasses all aspects of the prisoner’s resettlement back into the community

OMU (Offender Management Unit) undertake the initial assessment of Resettlement Pathway requirements.

The dedicated Lifer Unit has disbanded and the work is now undertaken by staff in Case Administration in conjunction with OMU.

Lifer Forums are held bi-monthly.

A Lifer pack is now available on Nforce kiosk giving all the information needed to progress a prisoner through his sentence

Currently there are 23 lifers, 20 ISP’s (indeterminate sentence for protection) and 6 EDS (extended detention)

Lifers are still difficult to transfer. A sex offender, who is now 3 and half years over his tariff, has spent his entire sentence at Birmingham.

An IPP prisoner was sentenced to 1year, 1 month and 1 day and was due for release in April 2007. Probation insists he attends an SOTP course for an historical offence from which he was released in 1997.

Birmingham continues to receive prisoners from other jails without an OASyS (offender assessment plan), thus contributing to a backlog.

G4s computers are still not compatible with the Quantum system used by the Public Prisons.

The amount of work in OMU is significant but suffers from a lack of resources and suitable facilities, as the staff continue to be deployed on other tasks which significantly reduces the time available to spend on their main duties

Accommodation

Accommodation for Birmingham prisoners is good, but unfortunately some prisoners are difficult to place and are being released NFA (no fixed abode).

It is difficult to liaise with housing providers for prisoners from the London area. Some London prisons do not have a dedicated resettlement team but refer their applications directly to their local council.

Employment and Training on release has fallen well below target

Pertemps have withdrawn from the prison.

Contact has been developed with a local charity – SIFA Fireside. They provide an holistic approach to resettlement with a drop-in centre offering advice on health, training and employment, housing, counselling, showers food, laundry etc. for rough sleepers. Representatives meet with prisoners prior to release.

“Unlock for Life” is a Walsall charity run by Community Chaplaincy for prisoners sentenced in Walsall. They provide 1 to 1 support and guidance, advocacy, work, mentoring debt and budgeting advice.

Drugs and Alcohol

The ‘ Impact Course’ has been well received by prisoners and their families with group sessions covering careers, alcohol, relaxation, music and reading.

A.A (Alcoholics Anonymous) hold regular weekly meetings but N.A (Narcotics Anonymous) are very unreliable..

Children and Families

Successful “Promoting Parenting Courses” have been held.

Contact with three local schools has been made to assist with homework and clubs in the visits room. Explanation of school work is discussed with fathers so that an interest in their children’s development can be maintained.

The dedicated Family Room is working well.

Meetings with Barnardo’s Charity have been held with a view to working in prison.

Finance and Debt

Barclays Bank provides expertise on money skills and Information pamphlets are distributed on the first Night Centre.

Over a 3 month period 150 prisoners applied to open bank accounts with 80 being successful.

Attitudes and Thinking Behaviour

Prisoners are now able to utilise Nforce kiosks to apply for TSP (thinking skills programme) which has changed the selection process – robbery and drug offences are no longer suitable.

SOTP (Sex Offender Treatment Programmes) for low-level short-sentenced prisoners was refused by NOMS, consequently there are no courses at all for sex offenders at HMP Birmingham.

HDC (Home Detention Curfew)

193 prisoners were released on HDC during the reporting period; 253 during the previous year, and 544 in the 2011 period. The system has changed since G4S gained the contract for the Prison – it is now the responsibility for the NOMS Controller to authorise HDC.

Job Centre Plus

Their staff are available to all prisoners for advice prior to release, including assistance in claiming benefits to which they are entitled. This forward planning is intended to ensure that benefits will be paid promptly on release.

5.7 SAFER CUSTODY

5.7.i. Safer Custody meetings usually take place monthly, and are only cancelled in extreme circumstances. Unfortunately, as we reported last year they are not well attended by Prison Staff.

The Listener Co-ordinator and Samaritans representative are usually in attendance, along with the IMB. Since Geo-Amey were given the contract for escorting prisoners to court and transfers to other prisons, little has been heard from them.

5.7.ii. The problem with Samaritans having access to keys, reported last year, has been resolved. Unfortunately, Listeners on the new side of the Prison are not always escorted to the important de-briefing meeting with Samaritans each Monday. Constant reminders are given to Prison staff of the importance of this task.

5.7.iii. There are problems reported regularly by Listeners who are limited to the time an Officer will allow them to spend with a prisoner in crisis particularly during the evenings. Constant reminders via Notices to Staff are issued to remind them that there should under no circumstances be a time limit on a Listener visit.

After a pro-longed absence, there is now a Listener in Reception – a vital area particularly for prisoners who are imprisoned for the first time. There have also been difficulties in retaining Listeners in Healthcare.

Listener Training Courses are held three times a year.

5.7.iv. During the period 328 ACCT books were opened, compared with 684 the previous year – 30 of these were for Foreign National prisoners.

The number of self-harm incidents was 354 (276 during the previous year)

There were 11 serious near misses during the period – immediate attention by staff resulted in more deaths being avoided.

There were 29 instances of constant supervision – 62 during the previous year.

5.7.v. Agreement was finally reached with Healthcare that Band 6 and 7 Nurses could act as Case Managers for prisoners on constant watch and are suitably trained, although the Safer Custody PSI recommends Band 5 nurses and upwards.

5.7.vi. The Safer Custody team continues to be pro-active, making frequent checks on the appropriate paperwork and quality of ACCT reviews. They are constantly reminding staff of the importance of prisoners held on ACCT documents not being left in a cell alone, unless for security reasons they cannot share, in which case more frequent observations must take place.

5.7.vii. There were four deaths in custody during the reporting period – 2 apparently self-inflicted and 2 natural causes. No inquests for these deaths have been held. During the previous period there were 5 – 4 natural causes and 1 apparently self-inflicted. The Board extends its condolences to the family members of all those involved.

There were 2 inquests held during this period. No recommendations were made by the Coroner. There are 12 inquests outstanding – 7 from natural causes and 5 which were apparently self-inflicted. There are currently 6

inquests scheduled Two others scheduled are from 2010. There is a further one from 2010 which has not yet been scheduled.

5.7.viii. There is more use being made of the TABS system to address anti-social behaviour, with people on RED TABS being moved to the CSU (Care and Separation Unit) for monitoring.

5.8. SEGREGATION - CARE AND SEPARATION UNIT

The CSU continues to be well run and is not over-used. Staff have some very difficult prisoners to contend with but as they can work with them on a one to one basis they are able to achieve very good results.

5.8.i. There is as reported last year still a concern about prisoners kept in the Unit for a lengthy period with bizarre behaviour and personality disorders which cannot be treated, but as far as Healthcare are concerned, they have no mental health issues. Eventually in some cases Healthcare have eventually agreed that they should be transferred to Healthcare for assessment. We recommended last year that in these circumstances prisoners would benefit from seeing a psychologist rather than a psychiatrist, but that this was not Healthcare policy. We were assured in the Minister's response that when necessary psychologists could be engaged. We have been unable to ascertain on how many occasions a psychologist has been used but certainly to our knowledge a psychologist has not been involved with anyone in the CSU or indeed on a constant watch.

5.8.ii. The CSU policy is that no prisoner will be transferred whilst in the Unit – some prisoners are there for some time because they refuse to move to normal location stating there are issues with other prisoners, but will not name those prisoners. Eventually they will agree to go back to normal location, and where possible, if appropriate, a transfer is effected.

IMB attend all regular reviews, and wherever possible the 72 hour reviews. Notification of 72 hours reviews from the CSU staff is very efficient.

5.8.iii. Some of the Reviews have included prisoners placed on GOOD because they have been put on RED TABS due to unsocial behaviour, a process which is managed by CSU staff.

5.8.iv. During the period the Board was pleased to note that on many occasions the Reviews were multi-disciplinary, including Chaplaincy, Residential Directors and on occasion Security Managers.

5.8.v. Unfortunately, during the reporting period there was a death in custody in the CSU, apparently self-inflicted. An inquest is yet to be held and the Board wish to extend their condolences to the family. This was devastating for the CSU staff as the prisoner had only been in the prison for a short time, and the staff had worked extremely well with him including encouraging him to engage with other departments.

5.8.vi. There have been no occasions on which the Board have disagreed with the decision to continue segregation. However, members on several occasions have had to note that there has been no Healthcare representative present – a mandatory requirement. On other occasions the review has been delayed until a Healthcare member has arrived.

As mentioned previously members have expressed concern when people have been held on security issues with no formal evidence provided.

The Board, has had to report to the Deputy Controller for Contracted Prisons on one occasion when a prisoner was held in excess of 3 months in the Unit.

5.8.vii. No prisoners were held in unfurnished cells/non-medical restraints for longer than 24 hours.

No prisoners were held in mechanical restraints.

5.8.viii. As at June 30 2013 4 prisoners were held in the CSU under GOOD (Good Order or Discipline) – 4 also as at June 30 2012.

5.8.ix. Adjudications – totalled 1857 (1646 during previous period) of which 522 were dismissed (604 previous period) and 572 were referred to the Independent Adjudicator.

The ethnic breakdown was:

Adjudications	Asian	Black	Mixed	Other	White British	White Other	Not Stated	TOTAL
TOTAL	368	292	96	14	1065	22	0	1857

5.9. RESIDENTIAL SERVICES

ACCOMMODATION

In general, the Board is satisfied with the appearance, cleanliness and maintenance of prisoner accommodation. Wings and cells are cleaned on a regular basis by prisoners, some of whom are designated wing cleaners, and there is an ongoing programme of repainting and refurbishment which helps to ensure that the overall appearance of the wings is good and that the prisoners doing the work are usefully occupied.

Staffing issues remain, especially when wings fall below their full complement due to staff being required to undertake other duties such as prisoner escorts and bedwatches. On occasion, prisoner applications to the Board have indicated that the normal regime, including exercise and association, on some of the wings, has suffered as a result. There is still some evidence of low staff morale, though Board members have not reported this as an issue as frequently as in the last Report, and there is a much clearer impression that staff feel more settled and are engaging with management and prisoners more positively.

The practice of prisoners being able to wear their own clothing has led inevitably to an increased sensitivity to missing and damaged property. Such property matters remain a significant concern to the Board. Over the reporting period, members have had reported to them many instances of property going missing, either between prisons, from courts to prison, or from within the prison itself, and other cases of property being damaged, e.g. in the prison laundry. There have been occasions when prisoners who are entitled to compensation have initially been refused it and / or have had to wait an unacceptably long time to receive it.

The problem of a significant number of sex offenders being held at HMP Birmingham remains of concern to the Board. As we commented in our last Report, the prison is not a suitable environment for these prisoners because it cannot offer the range of courses needed. In addition, the issue of timely transfers to suitable establishments remains.

The prison continues to operate a very successful Older Prisoner and Social Care Wing (J Wing), the success of which is due for the most part to the hard work, caring attitude and dedication of staff, with support from managers. When Board members visit the Wing, prisoners almost invariably report high levels of satisfaction. It is to the credit of J Wing staff that they are able to manage successfully a particularly difficult prisoner whose needs are significant and complex, and who is often uncooperative and unresponsive to offers of help. Unfortunately there is a delay in providing a stair lift on the wing, because funding has not been agreed – the unit is on two floors and several occupants are wheelchair users. There has also been a problem in resolving heating problems and hot water to some of the cells, as reported in last year's report.

Operational issues related to accommodation reported most frequently / repeatedly by Board members in their Rota reports, received by them via the applications process, and / or reported at their monthly Board meetings, during the reporting period, are:

- Lack of kit, including clothing, cleaning materials, toilet rolls and towels (reported on several occasions particularly since February 2013)
- Inadequate or missing modesty screens around in-cell toilets – these are clearly essential especially given that prisoners have to eat their meals in their cells
- Broken or malfunctioning showers – the Board understands that there is an ongoing programme of refurbishment
- Missing personal property (frequent reports via the prisoner applications process)
- Broken windows in cells and on landings
- Rodent and cockroach infestation (reported frequently through various processes)
- G Wing laundry – action on this facility has been promised for many years, and the machines have now been installed; however, they are ten years old and were originally provided for one landing only, and are not suitable for the size of population on the wing and to date no suitably large and robust machines have been provided.

5.9.i..Additional comments and issues specific to Wings are:

Vulnerable prisoners and G wing

The pressure on prison accommodation posed by sex offenders and vulnerable prisoners continues, as does the difficulty of transferring them out of the prison – a problem highlighted in last year's report. At the beginning of the year in question, G Wing represented the primary accommodation for the category with overspill onto A4 landing. This meant that these prisoners were somewhat geographically isolated from any support that was required.

There have been a number of “punishment attacks” on suspected sex offenders and the unrelated death in custody on the landing precipitated the need to investigate alternative formats.

The prison therefore decided that A1, which contains 17 cells and can be isolated from the rest of A wing, will provide accommodation for 17 vulnerable prisoners and a section of A2 (13 cells), be allocated to sex offenders. This logic allows the relatively easy transfer of sex offenders to G wing where they spend the day and have their meals, or remain in their cells on A2 if they prefer. It has had the unfortunate consequence of identifying those individuals to the rest of A wing with the inevitable reaction of threats and other unacceptable behaviour. This was only implemented in June so it is too early to reach any final conclusions but prisoner safety remains the key issue. There are some signs that the worst of the reaction may have passed.

The paucity of courses directed at sex offender behaviour limit the prison’s ability to make a real contribution to a prisoner’s rehabilitation.

5.9.ii THE PRISON COUNCIL

The Council was elected in September 2012, with three parties campaigning. The election was legally held with sealed voting boxes on each wing and overseen by members of Birmingham City Council. All prisoners and members of staff were entitled to vote. Interestingly, for some prisoners it was the first time in their life that they had voted, or even understood the voting process.

The Council was set up in conjunction with User Voice - a charitable organisation originally funded by The Prince’s Trust and run by ex-offenders, thus giving it credibility amongst prisoners. It is a Council for the Prison, not just for prisoners. User Voice is funded at HMP Birmingham, as it is at HMP Rye Hill and was at HMP The Wolds by G4S. There are currently 6 prisons working with User Voice -4 private prisons and 2 in the public sector. HMP Birmingham is the largest prison to work with User Voice.

The Council (15 members representing 3 parties) holds monthly meetings with the Director at which various topics can be discussed. The Council is taken seriously by the Director and his senior management team.

Not surprisingly, there were initial problems with some staff members, but after a period of time when it was realised that the Council was for everyone and there was a genuine concern to make HMP Birmingham a better place for all, staff began to engage in informal ways.

Credit has to be given to the Council for:

- change in menus
- ability to wear own clothing
- ability to have trainers handed in on visits – previously not allowed, they had to be purchased via accredited suppliers
- prisoners wearing lanyards in the Visits Hall instead of bibs.
- involvement in staff training
- involvement in new staff graduation – explaining to new staff and their families the importance and positive role of good staff
- involvement in the Violence Reduction strategy
- raising £1500 for Birmingham Children’s hospital.

A Prison Council member was ROTL'd (released on temporary licence) to attend a User Voice event – a “Transforming Rehabilitation Roundtable” at the Ministry of Justice with Prison and Rehabilitation Minister Jeremy Wright.

5.10. FOOD, CATERING AND KITCHENS

Catering services are the responsibility of Aramark. They continue to provide a good choice of hot and cold food for prisoners on a budget of £2.11 per prisoner per day, an increase of 1p, i.e. less than 0.5%, on last year. In the light of current high food price inflation, it would be very pleasing if this amount were to be increased accordingly.

Different ethnic and religious groups are generally well catered for, though no extra funding is made available for their needs. Following concerns expressed by the Board, prisoners with medical food needs now have those requirements met by Aramark in conjunction with Healthcare.

Concern has been expressed by prisoners on a number of occasions over the ethnic mix of servery workers, particularly on B Wing servery, where almost all of the workers are of white ethnic background. This was first reported by the Board in September 2012 and remains an issue. Investigation by Board members elicited the response from management that this is probably due to the ethnic make-up of the general prisoner population on B Wing. Whilst this may well be the case, the Board feels that it is something which staff need to bear in mind when allocating employment, and which should in our view be regularly monitored by prison managers.

Board members have reported several occasions on which the serveries have received inadequate quantities of food, or food which is of unacceptably poor quality, but these issues have generally been rectified fairly quickly. The cleaning of servery trolleys has caused some concern as it was unclear where the responsibility for this lay; it is now acknowledged that these must be cleaned on the wings before being returned to the kitchen.

Throughout a significant part of the reporting period, the kitchen and serveries (and other parts of the prison) suffered from a severe and prolonged infestation of vermin; this was first reported in Rota reports in July 2012 and continued to be raised for several months. Initially this issue was not adequately addressed and inevitably the situation deteriorated. There was some adverse publicity in the local press, and visits were made by the local authority Environmental Health Officer. It is fair to say that the issue has been taken seriously by prison management and that regular preventative and reactive action is now in place.

Numbers of kitchen workers vary greatly on a day-to-day basis and the kitchen is frequently understaffed. Delays in collecting workers from wings and prisoners changing their minds about wanting to work in the kitchens have both been reported, and these issues clearly exacerbate the problem.

Malfunctioning of kitchen equipment and leaks and spillages on the kitchen floors remain an issue. Matters such as necessary repairs to equipment are logged regularly by Aramark staff and are reported on a weekly basis to the relevant department so that they can be dealt with. It is acknowledged that when such equipment is in constant use, breakdowns are inevitable, and it is probably fair to say that, while many issues remain, the Board's impression is that kitchen equipment and

flooring are currently in a rather better state of repair than they have been in recent years

SECTION 6

6.1. TIME OUT OF CELL

Time out of cell as at June 30 2013 – 23.05 (8.33 previous period)

Purposeful activity as at 30th June 2013 –22.5 hours (21.92 previously)

6.1.i. CHAPLAINCY

Staff from the Chaplaincy are involved generally in the life of the prison and see every prisoner within 24 hours of his arrival; in addition they attend most prisoner reviews. For many prisoners, the Chaplaincy is a link with home as well as a valued support in times of need. Major religious festivals are celebrated and a multi-faith day was held recently.

Unfortunately there are staffing problems in the Chaplaincy, in particular it is proving difficult to replace one of the Chaplains who left at the end of 2012. (Note: a new Chaplain was eventually appointed in September 2013) There is also a problem with the NOMS Faith Adviser unwilling to agree the interim use of a Buddhist Minister whilst problems in the department are unresolved. This is resulting in the Buddhist prisoners not being able to practice their faith in the normal way. See 5.1.x.

389 prisoners disclosed nil religion (28.1%). (29.44% during previous period)

The largest religious populations following this are:

Muslim – 282 (28.1%) – (18.06% previous period)

Roman Catholic 229 (16.6%) – (12.43% previous period)

Church of England 228 (16.5%) – (18.8% previous period)

6.1.ii. COMPLAINTS PROCEDURE

As reported last year, the Board has concerns regarding the quality of responses to complaints including the fact that at times it is impossible to read who has responded to the complaint or what that person's designation is. Many applications from prisoners complain that their complaint has not been dealt with – the Board has to agree with them. Frequently the response is virtually an acknowledgement of the complaint with no resolution to the issue. Supposedly 10% of responses are monitored, but the Board does not feel there is a satisfactory system in place.

REQUEST and COMPLAINTS

Applications received by the Establishment under Confidential and Non-confidential access are as follows:

Confidential Access:

IMB	85	
AREA	41	
DIRECTOR	214	<u>340</u>

Non Confidential **4214**

TOTAL **4554**

These statistics do not include those for March 2013 as the log was lost.

Categories for the Non-Confidential Access complaints are unavailable

6.1.iii. CORRESPONDENCE

The Correspondence department work hard to ensure that prisoners and staff get their mail on a daily basis. The franking machine problem has finally been resolved, but there is an issue with the budget allocation. The monthly allocation for postage is usually reached by the third week in the month, and it would appear that this budget needs to be reviewed.

Family and friends are able to e-mail prisoners, and the Correspondence Department prints off on average 100 – 125 emails per day for distribution to prisoners.

Recorded mail is still not being opened with the prisoner present – instead it is done with two staff members present who sign for the contents.

The sniffer dogs are regularly used in the Department before mail is opened, and particular attention is paid to Rule 39 mail which is identified as coming from Solicitors.

6.1.iv. FOREIGN NATIONAL PRISONERS

Unfortunately, Foreign National prisoners have been the victim of the contracted reduction in First Line Managers in October. At one point there were three people servicing this Department – this has now been reduced to one. A big loss has been the pastoral role which had been undertaken by one First Line Manager, including regular Forums with the various groups of FNPs. They were the responsibility of the Safer Custody Department from June to January when they reverted to the Case Admin Group (the Custody Department) and a backlog built up.

There has recently been more support from UKBA – there is full time presence in the Prison and another Officer working 2/3 days per week and they have the responsibility of serving appropriate papers on FNPs.

There has been as reported previously a high number of Foreign National Prisoners on A|CCT books – 30 during the reporting period. This is mainly because of their frustration and lack of understanding of their situation and the system.

There are concerns re translation facilities. Staff are encouraged to use “The Big word” – a telephone translating service. However there is a suggestion that this could contravene the Data Protection Act in sensitive cases and a one to one translation should be used instead. Unfortunately, the current budget does not appear to be sufficient to cover these extra costs.

At the end of the reporting period there were 213 Foreign National Prisoners (FNPs) representing 43 different nationalities (there were 206 representing 40 different nationalities at the end of the previous reporting period).

The highest population as at June 30th was Romanian 29 – 2.10% of the population; Vietnamese 25 – 1.81% and Polish 23 – 1.66%. The numbers as at June 30 2012 were:

Vietnamese and Romanian 21 each; Jamaican 18, Indian and Pakistani prisoners 17 each.

As at June 30th there were 23 prisoners held beyond their sentence expiry date –there were 21 as at June 30 2012 and just one as at June 30 2011.

Of the 21 there are five dating back to 2012 including two as far back as June 2012.

6.1.v. INCENTIVES AND EARNED PRIVILEGES (IEP)

The Board recognises and supports the need to have clear differentials between basic, standard and enhanced regimes. There is little doubt that, during the reporting period, too many prisoners have enjoyed enhanced status and the Board understands that prison managers intend to address this for the future.

At the end of the reporting period, sex offenders who had been on the enhanced regime, some for a considerable time, due to their good behaviour and willingness to work, were suddenly reduced to the standard regime with no explanation given.

Seemingly this was due to an edict from NOMS that if sex offenders were maintaining their innocence, or in denial as far as the Prison Service was concerned, they could not participate in the enhanced regime.

The breakdown of IEP as at June 30th 2013 was:

IEP	ASIAN	BLACK	MIXED	OTHER	WHITE; BRITISH	WHITE; OTHER	NOT STATED
BASIC	5	2	3	0	8	0	0
STANDARD	156	106	55	17	462	64	0
ENHANCED	83	70	24	10	290	28	1
TOTAL	244	178	82	27	760	92	1

In the previous period there was a total of 9 prisoners on basic – 18 at the end of this period;

there were 934 on standard – 860 at the end of this period; there were 499 on enhanced – 505 at the end of this period.

6.1.vi. RECEPTION

The numbers of new prisoners from the Courts has been reduced by the transfer of prisoners from Wolverhampton Crown and Magistrates Court to HMP Hewell.

However the spaces created have been quickly filled by overcrowding drafts from areas such as London, Cardiff and the North West, creating their own problems with late arrivals and problems with the transfer of property. This means that Reception continues to be a very busy area of the prison with large numbers of movements on a daily basis consistent with all large local prisons.

The reception of prisoners from courts, transfers and release of prisoners has run smoothly throughout the monitoring period with no major concerns, apart from some late arrivals.

The reception area has been observed as clean and tidy and the atmosphere between staff and prisoners has been a good one. Vermin have been a concern for parts of the monitoring period in line with other parts of the prison and this issue appears to have been addressed.

Kit shortage has continued to be a concern throughout the year with shortfalls in many of the key personal clothing items.

Change over to digital TV's has not taken place in reception and is an area of frustration for prisoners.

The x-ray machine is still in reception and for yet another year has not been used. This was raised in last year's report.

The much needed uplift of the holding rooms are planned with repairs to seating and tables being a priority.

Unfortunately, despite a recommendation from HMCIP, for much of the reporting period there has not been a Listener in Reception,

6.1.vii. SECURITY

Throw over parcels containing drugs and mobile phones have continued during the period, although there is a greater Police presence on the outskirts of the Prison. The prison wall is vulnerable as a main road and pavements run alongside it. Unfortunately the netting installed last year failed during the early part of the year due to the heavy snow, and it proved to be unfit for purpose.

During the period 40 parcels thrown over the walls were retrieved by staff.

The MDT failure rate as at June 30th 2013 was 18.84% against a target of 12% which is unacceptable and resulted in penalty fines being imposed on the Contractor.

Prisoners have admitted to taking the Class B drug mephedrone for which a custodial sentence can be given, but there is no facility in the MDT system for identifying this drug.

As at June 30th 2013 15 prisoners were on closed visits, and there are 26 banned visitors – banned because of conveying prohibited items or indications of possession of drugs by the drug dogs. There are also 22 visitors banned because of abuse to prison staff.

The Board has been pleased that the Police, along with the CPS are now taking assaults by prisoners against Prison staff seriously. Prison management along with the POA (Prison Officer's Association) have campaigned for this for some time, and during the reporting period 3 prisoners received custodial sentences for assaulting staff. Arrests were also made in Visits where visitors tried to bring in drugs and mobile phones – see

There is a vast increase in the time spent out of cell which has a downside in that it gives prisoners the opportunity to settle old scores, resulting in an increase in the number of assaults particularly prisoner on prisoner. Contracted prisons are also highly scrutinised on all incident reporting by the NOMS Controller.

During the reporting period there were 221 assaults by prisoner on prisoner and 52 assaults on staff.

Use of Force including C & R movements (Control and Restraint) – 246 – 243 during the previous period – ethnicity was as follows:

Asian	Black	Mixed	Other	White (British)	White (Other)	Not stated
52	61	5	2	121	0	5
(36	45	7	2	140	6	7 – previous period

6.1.viii. VIDEO LINK

The department continues to provide a high quality service to an increasing wide range of users including Social Services, Inter-Prison visiting in lieu of phone calls, family courts and custody hearings. The number of links facilitated during the reporting period was slightly down on last year's figure of over 5000, due mainly to the re-allocation of courts to prisons throughout the country. Birmingham Prison no longer provides video links to Wolverhampton, Walsall and several other Midland courts. Instead the system is used by a larger number of organisations, but less busy courts.

Whilst the Video Link staff strive to provide a good service to all participants in the justice system, they are frustrated that their efforts are thwarted by other users – particularly solicitors at Birmingham Magistrates Court who frequently abuse the "time slots" allocated.

6.1.ix. VISITS HALL

The Visits Hall is certainly a brighter, more welcoming area than previously; Senior Management changes have made distinct improvements. Family Days are now held monthly and are supported not only by HALOW (Help and Advice Line for Offenders' Wives, Family and Friends), but also other agencies including the Mothers' Union, Children's Services – Birmingham City Council and Aquarius. However a number of issues remain with the facilities offered to prisoners and their families during visiting sessions:

- a new snack bar has been installed by Aramark providing hot snacks for staff and visitors. Although a welcome addition in many ways, food and drinks are very expensive and largely unhealthy in variety – chips and crisps seem to predominate.
- ventilation continues to be a major problem with temperatures in excess of 27 degrees C being experienced in the summer. This has been raised in previous reports dating back to when the Prison was publicly run. Little serious consideration seems to have been given to a remedy.
- the children's play area is still under-utilised. A large quantity of toys are in store waiting for the play area flooring to be repaired.
- Staffing remains a constraint; regularly Visits operates with one member short of its staffing profile. On a regular basis – three or four times a week for short periods- the CCTV coverage is not operational, despite the Board being given assurances that this coverage should be a priority. It is a serious security lapse.

West Midlands Police are much more involved in the Visits area and have provided notices to be displayed in the area exhibiting the number of arrests since June 2012 due to visitors trying to bring in drugs or mobile phones.

During the reporting period 24 arrests were made resulting in custodial sentences in 15 instances – some for as long as two years imprisonment. Other cases have yet to be dealt with.

Banned visitors – see Security report.

6.1.x. VISITS CENTRE

HALOW now operates under a new contract and has no responsibility for booking visits for prisoners and families or for vetting visitors on arrival. The Charity with four fulltime members of staff, including a new family support worker, is supported by extra voluntary sessional staff and a recently appointed children's play worker.

However, despite the well-motivated and knowledgeable team providing a welcoming structure for families, its effectiveness is being impaired by the following issues:

- the Centre badly needs redecorating; this was promised 18 months ago and raised in last year's report – the Ministerial response was that CAT D prisoners would be used – see Although paint colours were selected some months ago, nothing has materialised. It would provide suitable work for some of the 40 CAT D prisoners retained in the prison due to shortages of spaces within the prison estate.
- the external grounds maintenance has improved but the input of prisoners in keeping the grounds tidy and the Centre clean has recently lapsed. This is much regretted and again it could provide appropriate work for the CAT Ds mentioned above.
- the work of play workers is being severely impaired by the prolonged delay in repairing the flooring in the children's area in the Visits Hall – frequently raised by Board members in rota reports.
- plumbing defects mean that the Centre cannot be adequately heated and currently has no hot water supply.

The Visitors' Centre provides a valuable service to the Community; with more sustained, committed support its work could grow in scope and quality.

SECTION 7 – WORK OF THE BOARD

	2009/10	2010/11	2011/12	2012/13
Recommended Complement of members	20	20	20	20
Number of members at start of period	13	11	8	8
Numbers of members at end of period	13	9	8	10
Number of members joining during period	5	2	1	6
Number of members leaving during period	5	4	1	6
Total number of visits to prison by members	586	412	263	327
Total number of Applications received	747	636	544	372
Total number of Segregation reviews attended	170	214	72	132
Number of Board meetings held	12	12	12	11
Date of Annual Team Performance Review			03.02.12	12.01.13

<u>Code</u>	<u>Subject</u>	<u>2010/11</u>	<u>2011/12</u>	<u>2012/13</u>
A	Accommodation	6	23	17
B	Adjudications	8	6	5
C	Equality & Diversity	6	16	7
D	Education/employment	19	25	20
E 1	Family/visits/mail	35	31	37
E2	Finance/pay		25	24
F	Food/kitchen related	21	13	13
G	Health related	113	87	68
H 1	Property within Birmingham	47	52	26
H 2	Property (during transfer)		27	23
H3	Canteen facilities, Catalogues		13	10
I	Sentenced related	56	63	27
J	Staff/prisoner related	42	28	12
K	Transfers	68	20	28
L	Miscellaneous	210	115	55
	Total number of IMB applications	638	544	372
	Number of IMB Confidential access		33	85

A change in the method of processing wing applications has led to an overall reduction in the total number of applications received by the Board. Requests and Complaints continue to form a significant number of those recorded as miscellaneous applications.

**Barbara Bradbury
Chair – IMB – HMP Birmingham
November 2013**