

# **Bullington Community Prison**

## **Annual Report**

**1 August 2009**

**to**

**31 July 2010**

## Section 1

### STATUTORY ROLE OF THE IMB

The Prisons Act 1952 and the Immigration and Asylum Act 1999 require every prison and IRC to be monitored by an independent Board appointed by the Home Secretary 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.

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### Section 3

#### DESCRIPTION OF THE PRISON

Bullington Community Prison is a Category C prison (with a Category B commitment) and opened in 1992 as a local, training and remand adult male establishment. With a CNA of 879, the prison has an Operational Capacity of 1,114, and for much of the year was almost full.

Bullington continues to be a level 3 Prison (defined as meeting the majority of its targets, having no significant problems in doing so, delivering a reasonable and decent regime).

The prison serves Oxford and Reading Crown Courts and the Magistrates Courts in Oxfordshire and Berkshire. However, due to overcrowding intakes, Bullington holds prisoners from many other parts of England and Wales. Prisoners are often transferred at short notice in and out of the prison.

There are six accommodation units. Of the original four units built when the prison opened, one houses primarily remand prisoners, one houses mainly short sentence prisoners and two units house longer sentence prisoners. The fifth unit opened in 2000 houses prisoners who are largely kept apart from the rest of the prisoners due to the nature of their offences. The newest unit was opened in 2008 and has two spurs, one used for inducting prisoners before they are transferred onto one of the other units and one for enhanced regime prisoners.

The prison has generally good facilities including some newly provided when the latest accommodation block was put up in 2008. However the prison is now nearly 20 years old and some of the building fabric no longer meets the latest standards while some of the intensively used areas are now showing signs of dilapidation.

Facilities include a library, kitchens, a gymnasium, a multipurpose block housing workshops and classrooms, further workshops, a healthcare unit, a separation, segregation and care unit (SSCU), garden facilities and a sports pitch.

Provision of healthcare is contracted to the Oxfordshire Primary Care Trust, Education is provided by Tribal & Manchester College and the Canteen is provided by DHL/Booker.

## **Section 4 ISSUES**

### **(a) Particular issues requiring a response.**

#### **(i) Policy Issues for reply by Minister**

- there continues to be far too few places in secure hospitals for prisoners with mental health problems that are too serious for effective treatment in the prison
- it is still taking far too long to remove foreign national prisoners from the prison at the end of their sentences, either for removal to an immigration detention centre or for deportation for immediate deportation.
- documents sent by the UK Borders Agency to prisoners are always in English only. Arrangements should be made for important documents to be provided in the prisoner's first language.
- the inadequate provision of education must be resolved extremely urgently by ensuring that there are sufficient staff in post, prisoners can attend classes regularly and the organisation of the function is efficient.

#### **(ii) Operational Issues for reply by Prison Service**

- the use of mobile phones by prisoners should be stopped by using signal blocking technology, notwithstanding the difficulties this could cause for some prison managers.
- the lack of sufficient, adequate and consistent GP services must be resolved by putting in place a new contract for services as soon as possible.
- the problem of drugs entering the prison, particularly through the visits arrangements must be reduced through better surveillance and monitoring.
- the use of cells in Healthcare and the Separation Support & Care Unit (SSCU) to hold prisoners temporarily while waiting for accommodation elsewhere in the prison should be discontinued.
- It is unacceptable that only two prisoners per day are funded for outside appointments,
- many prisoners do not know the identity of their personal officer. This is mainly due to the personal officer system not being consistently and rigorously implemented.
- prisoners entitled to vote at the General Election were not able to because the appropriate information and documentation was not arranged. A procedure needs to be implemented for future elections to ensure that eligible prisoners can vote.
- translation arrangements are unsatisfactory. Although official translation services are available, they are not always used and allowing prisoners to translate to and from other prisoners is a security risk as well as a breach of confidentiality.
- the system for informing foreign national prisoners of their entitlement to phone calls needs improving.

### **(b) Other issues of concern or excellence not requiring a response.**

- the prison is to be congratulated yet again on the excellent standard of the gardens which improve the general atmosphere of the prison enormously.

**(c) Overall judgement.**

The Board continues to be generally satisfied with the overall standard of the prison management, treatment of prisoners and facilities provided. The very serious issues concerning the poor provision of education and healthcare through the outsourced contracts are deeply worrying because of the impact on prisoners but they are not of the prison's making.

## **Section 5**

### **AREAS THAT MUST BE REPORTED ON**

#### **a) Diversity**

The prison continued to have a Black and Minority Ethnic (BME) population of about one third throughout the year. For some time the proportion of BME prisoners on enhanced status had been lower than the proportion in the prison. During the year a programme of measures was launched to increase this proportion by encouraging BME prisoners to apply for enhanced status when appropriate. The proportion duly increased throughout the year.

A Gypsy/traveller representative was appointed to deal with traveller issues within the prison.

The programme of cultural information and meals has continued over the past year.

Otherwise, the generally quiet but efficient work in maintaining good community relations and investigating racially motivated complaints continued.

#### **b) Learning and Skills**

The provision of Learning and Skills was a constant problem throughout the year. Tribal & Manchester College took over the contract at the beginning of the year and there has been a worrying turnover of staff, a reduction in the numbers employed, restrictions on the courses provided and severe problems in maintaining the attendance figures. Classroom attendance was just over 80%, but more worrying was the high number of classes cancelled due to staff shortages.

Staff report difficulties in tracking the movements of prisoners due to attend education each day and are aware that a number of factors, from doctors' appointments to attendance at gym sessions, can lead to a dip in attendance. However, a tendency for prisoners to opt for gym sessions over classes has been addressed by restricting the number of "open" gym sessions available to prisoners.

New guidance from the Learning & Skills council changed the types of courses offered meaning that some courses were cancelled. Others struggled to fill places because security considerations resulted in few prisoners being approved on them.

This is a serious issue for the prison and one which still needs tackling urgently. Despite the efforts by the prison management throughout the year to get Tribal & Manchester College to improve the situation, the problems have got worse, not better.

#### **c) Healthcare and Mental Health**

Healthcare was unable to provide adequate services for prisoners during the year.

The department suffered throughout the year from a lack of nursing staff due to problems in recruiting new staff. Among the other problems this meant that inpatient prisoners were spending too long locked in their cells.

From March 2010 GP services were provided only on an ad hoc basis after the expiry of the previous contract for services negotiated by the Primary Care Trust. There were delays in negotiating a new contract which was eventually arranged to commence on 1 July 2010 but at the last minute the contract collapsed and cover continued by locum doctors. It is probable that a new contract service will not start until 2011. In the meantime the service is provided by too few doctors and of those, few know the prison or the prisoners. The situation is relieved to some extent by the introduction of a triage system provided by nurses.

Nevertheless at the end of the year there were very long waiting times for prisoners to see a

locum GP, sometimes as long as six weeks.

The chronic problem reported last year of nurses not attending segregation reviews has been resolved by insisting on attendance in accordance with the relevant Prison Service Order.

There has been a high level of drug errors, both for medication and controlled drugs. Towards the end of the year, improved systems and staff training alleviated the problem.

The Board feels it is unacceptable that only two prisoners per day are funded for outside appointments, leading to cancellations and long waiting times for investigations and treatments.

There is only one uniformed officer detailed for duty in the inpatients section, despite the fact that the prisoners in the inpatients department are usually mentally ill and sometimes dangerous. This causes additional problems for the medical staff

#### **d) Safer Custody**

The Board monitors the work of the Safer Custody Team and attends ACCT reviews when asked. Our monitoring indicates that there are effective procedures in place to check on prisoners' welfare, take measures where there are concerns, use the ACCT procedure and care for prisoners.

There were two deaths in custody during the year. Both were investigated thoroughly internally and such lessons as could be learned were taken on board. As usual, investigations by the Prisons and Probation Ombudsman were commenced and the results were being awaited at the year end. Additionally, also as usual there is a long interval between the incident and holding the inquest, which can put strain on the family members and the prison staff who were involved.

#### **e) Segregation, Separation & Care Unit**

The unit continued to operate satisfactorily throughout the year. There was a very high standard of care, with prisoners being treated with due courtesy and respect, and with prompt attention to their legitimate demands.

In transferring prisoners to and from the unit there was no evidence of excessive force being used, nor unnecessary use of the special cell.

The Board attended almost all prisoner review hearings and we were grateful for the accommodation shown by the prison staff in rearranging hearings (within the procedural time limits) to assist Board attendance.

## **Section 6**

### **OTHER AREAS OF THE PRISON REGIME ON WHICH THE BOARD HAS ISSUES TO REPORT**

#### **Adjudications**

There were 1,729 adjudications during the year, a 24% increase over the 1,387 cases in 2008/9. There does not appear to be any particular reason for the increase in adjudications, but the position will continue to be monitored.

#### **Canteen**

The switch to the new suppliers, DHL and Booker, just before the beginning of the year went smoothly but the number of available products has been reduced. As a result the list is reviewed more frequently to remove items not often ordered and replace them with new ones as requested.

#### **Catering and Kitchens**

A year ago the main complaints concerned poor food quality and waste. Food quality has improved since the opening of the refurbished kitchens 18 months ago and there are now fewer complaints about quality. The per capita spend on food was increased & kitchen staff encouraged to create own recipes. Most dishes now cooked 'in house'.

Wastage has been cut by the introduction of laser reading to scan the menu choice forms but this system relies on forms being filled in accurately, returned on time and co-operation between wing and kitchen staff. It has created problems with some prisoners not getting their first choice. It has been monitored closely and has improved throughout the year.

Kitchen hygiene has also improved but cleanliness on some wing serveries has been poor. This has been monitored closely and as a result a policy document issued in June 2010 relating specifically to the cleanliness of serveries and wing kitchen areas. The situation has since improved. £30,000 has been spent on new servery units. These were delivered to the prison in March 2010 but installation has yet to take place.

Complaints from Healthcare that some of the meals are unhealthy and not balanced will be looked at by a part time dietician appointed by Healthcare.

There are plans to introduce a NVQ in Catering to the education syllabus.

#### **Drugs in the prison**

The Board (and the prison staff) has become increasingly concerned at the quantity of drugs being smuggled into the prison. It had been hoped that there could be a reduction in illegal activity but the reverse is being experienced.

Having established those areas where there is concern, preventative measures have been introduced. The new higher fence near Charndon unit has reduced the amount of drugs coming in over that wall. There is more cell searching, dog interventions and more rigorous

searching in Visits, however whilst initially there were benefits the gains were being overtaken by alternative channels being found by prisoners.

The main points of entry are recognised to be first through visits and second through reception.

The presence of mobile phones in the prison and their use in drug dealing remains a serious cause for concern and the Board believes that measures to block these phones should be investigated with more urgency.

Security Information Reports are proving a valuable supply of information and 25% of those submitted concern drugs. Both mandatory and voluntary drug tests are carried out with behaviour warnings being issued for consistent refusals to participate. This has increased the rate of compliance.

### **Estates**

In general the fabric of the prison buildings are reasonably maintained despite the restrictions on budgets. There was a continual backlog of minor repairs because of inadequate funds. Major projects included the long overdue refurbishment of showers, although this failed to stop completely appearance of mould in some of them.

Instances of legionella bacteria were detected due to inadequate hot water supplies. At the end of the year new boilers were waiting to be installed. Similarly, new server equipment was waiting for installation at the year end. The surface of the upper walkways was replaced during the winter to make them less slippery. This work had been waiting for several years. However the new non-slip surface failed to stick almost immediately in many places, leaving smooth and slippery surfaces. At the end of the year, the contractors still had not repaired the damage.

### **Foreign National Prisoners (FNPs)**

The position has improved, but it is still taking too long for sentence-expired prisoners who are liable for deportation to be moved from the prison.

A major improvement over the past year has been the attendance of a worker from the Detention Advice Service who is able to offer specialist advice on all aspects of detention. The representative from DAS comes to Bullingdon every three weeks and is able to see prisoners and detainees individually using translation services where necessary.

FNPs who do not receive visits are able to have a five minute call once a month at the expense of the prison service. Prisoners are not always aware of this facility or are how to apply. This can be particularly difficult for non English speakers.

### **Probation including Public Protection, Offender Assessment System (OASys), Lifers and Home Detention Curfew/Licences**

At the end of last year there was a large backlog of outstanding OASys assessments. The staff gradually reduced the backlog as the year progressed. The monthly Inter- departmental risk assessment meetings are generally well attended and are a useful forum for sharing concerns/knowledge of individual prisoners.

The number of lifers in the prison has remained constant at around 150 (mandatory and indeterminate sentence) during the year.

Staff dealing with Home Detention Curfew ('tags') and licences have suffered an increasing work-load particularly since the Early Conditional Release scheme ended in early 2010.

### **Reception & Property**

The prison has been nearly full on most evenings during the year. Reception staff often have to work long evenings when prisoners arrive late from court or simply because of the high number of prisoners arriving. The establishment is increasingly accommodating overnight prisoners, which puts additional strain on reception staff in processing many different prisoners into and out of the prison for one night only.

All incoming prisoners need to be seen by healthcare and many need to be seen by a doctor. The GP on duty sometimes did not arrive in reception until 2000. This meant that some prisoners waited in reception for up to some hours before being seen. The first night centre on Finmere Unit continued to work well although prisoners were sometimes not moved on as quickly as planned due to space constraints on other wings within this or other prisons.

The high level of prisoner movements increases the opportunities for property to be mislaid and this is a constant cause of applications to the Board.

### **Visits**

Throughout the year, arrangements for monitoring smuggling of drugs into the visits hall have been a major source of concern. Monitoring of the hall by use of the cameras has been erratic. A letter was sent to the Regional Custodial Manager expressing the Board's concerns. The design of the tables in the Visits Hall makes the passing objects more difficult to detect.

The staffing of the Visitors Centre was finally up to its quota by the end of the year, although delays in security vetting procedures caused considerable delays during the year. Communications between the Visits Centre and the prison are good. A 'helpline' for visitors, to be manned and paid for by the Visits Centre, has been under discussion.

**Section 7**

## THE WORK OF THE INDEPENDENT MONITORING BOARD

<b>BOARD STATISTICS</b>	
Recommended complement of Board Members	20
Number of Board members at the start of the reporting period	19
Number of Board members at the end of the reporting period	16
Number of new members joining within the reporting period	0
Number of members leaving within reporting period	3
Total number of Board meetings during reporting period	12
Average number of attendances at Board meetings during reporting period	14
Total number of visits to the prison/IRC (including all meetings)	651
Total number of applications received	1046
Total number of segregation reviews held	371
Total number of segregation reviews attended	368

**Section 7 (cont.)****Applications**

<b>Subject</b>	<b>Number</b>
Confidential Access	28
Transfer	48
Post / telephone/Newspaper	36
Property	147
Complaints	104
Medical/Dental	150
Visits	24
Monies	64
Adjudications/MDT	9
Regime	34
Education/Lib/Gym	18
Employment	37
Categorisation / IEP	10
Food / Diet	44
HDC /Parole /Release/ROTL	65
Deportation/F National	20
CARATS/Rapt	5
Canteen/Argos/M&M	27
Re settle/Sentence Planning /Probation	18
w/drawn	38
Police Liaison/legal/Security	9
Recall	14
Wing / cell Move	12
Heating	1
No Reason Given	8
Other	58
<b>Total 2009/10</b>	<b>1046</b>