

REPORT

TO

HER MAJESTY'S SECRETARY OF STATE

FOR

JUSTICE

BY

INDEPENDENT MONITORING BOARD

OF

**HER MAJESTY'S PRISON
AND YOUNG OFFENDER INSTITUTION**

FOSTON HALL

1ST DECEMBER 2009 TO 30TH NOVEMBER 2010

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STATUTORY ROLE OF THE INDEPENDENT MONITORING BOARD

01. 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 (now the Secretary of State for Justice) from members of the community in which the prison or centre is situated.
02. The Board, is specifically charged to:-
 - a) 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,
 - b) Inform promptly the Secretary of State or any official to whom authority has been delegated, as it judges appropriate, any concerns it has,
 - c) 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.
03. To enable the Board to carry out these duties effectively its members have the right of access to every prisoner and every part of the prison and also to the prison's records.

DESCRIPTION OF THE PRISON

01. Foston Hall has a maximum accommodation all areas of 291: regular accommodation is 283 (prison: 187, remand centre: 40, induction wing; 40, and young women's unit: 16) comfortable accommodation is 243.
02. Physical health provision is by Derbyshire County Primary Care Trust and mental health provision is commissioned by Derbyshire County Primary Care Trust, but provided by Derbyshire Mental Health Trust

03. Lincoln College succeeded Manchester College as the provider of Learning and Skills, in the main prison and remand centre, Derby College continued to provide the British Institute of Cleaning Science courses in the main prison and Manchester College continued as the provider of Learning and Skills in the young women's unit.
04. Offender Management and Counselling, Assessment, Referral, Advice and Throughcare Team staff initiate programmes which can link with agencies in the outside community to support prisoners after release.

BUILDINGS AND GROUNDS

01. The main prison for sentenced prisoners is located in the hall and in ready-to-use units in the extensive grounds, whilst the remand centre and the young women's unit are in their own separate compounds on the north, west and east sides, respectively, of the grounds.
02. The remand centre and young women's unit are independent of the main prison in all aspects and have their own facilities, except that meals for both are prepared in the main prison kitchen, remand prisoners are occasionally accommodated in the prison care and separation unit, some administrative and specialist staff cover all areas, and staff from any of the areas can reinforce those in any other areas in an emergency.
03. The grounds and gardens are very well maintained by the prisoners under the very keen supervision on the gardening staff, and received the award of the Windlesham Trophy
04. The prisoners respect, and take a pride in their environment, and litter and rubbish in the grounds and graffiti and damage in the buildings are rare.
05. A welcome addition to the site was the Lancastrian Suite Visitors Centre adjacent to the main gate

ACCOMMODATION

01. Prison wings A, B, C (induction) and F (voluntary drugs testing) are separate two storey, ready-to-use wooden buildings, with single en-suite rooms, plus one double room in A and in B, dining room and servery, recreation room, lounge, personal laundry room and offices.
02. Prison wing E is located on two upper floors on the north and east sides of the

hall, and the single and shared rooms are not en-suite, but women living in them have chosen to do so. It has a lounge/dining room with servery, personal laundry room, washing and shower rooms, and toilets.

03. Prison wing D was created in two storeys of an earlier building in 1997, the few single and mostly shared rooms being only partially en-suite, having wash basins and toilets. In some cases four prisoners are forced to share a toilet, with the only privacy being a curtain which does not even reach the ground. The wing has a dining area, servery, lounge, shower rooms, personal laundry room, and offices.
04. The remand centre is a two-storey brick building with accommodation in single en-suite rooms, and there is a dining room and servery, recreation room, lounge, personal laundry room and offices. The centre has provision for health care, probation, drugs counselling and support, hair dressing, learning and skills, and religion and faith activities.
05. The two storey young women's unit was closed during the year and at the period of this report is still out of use

EXECUTIVE SUMMARY

ISSUES REQUIRING MINISTERIAL RESPONSE

- 01 Foston Hall lacks the facilities in-house to provide an adequate service to women prisoners who have mental health problems. In acute cases, it is necessary for mentally ill prisoners to be segregated and their mental health needs are not properly met in these conditions. This requires a national response and joint action between health and justice departments working together to develop improved access for women prisoners. This issue has been raised in IMB reports since 1997.
- 02 It is still of concern to us that prisoners on IPP (Imprisonment for Public Protection) are able to take priority on certain courses over other prisoners. This leads to discontent as many prisoners believe that if they are unable to take a specific course which has been allocated to an IPP it may delay their own release. This issue was first raised in the IMB report for 2008 to 2009
- 03 Foston Hall has a small, but growing, population of women sex offenders. Nationally there are no structured treatment programmes or interventions for women sex offenders to reduce their risk of reoffending while serving prison sentences. This is an issue which requires a national solution and action to develop an effective accredited treatment programme for women sex offenders. This issue was first raised in the IMB report for 2008 to 2009

04. It is of concern that there is no accredited drugs treatment programme provided in the prison. This issue was first raised in the IMB report for 2008 to 2009

DIVERSITY

01. The several races and nationalities in all three areas generally live together harmoniously.
02. On the staff are Christian (Anglican, Free, Pentecostal and Roman Catholic) and Muslim chaplains, and those for other denominations and beliefs visit when requested. There are no conflicts, but rather good relationships, between prisoners of different faiths or of none.
03. Proper provision is made for bona-fide members of all faiths to hold their religious observances and celebrations, and the needs of various races and ages are recognised and catered for. This includes the availability of appropriate alternative meals for those with particular racial or religious needs, or bona-fide personal requirements.
04. In addition to providing for the recognised racial and religious needs of prisoners, staff make every effort to satisfy the bona-fide personal needs of all prisoners and are commended for it.
05. The report of HMIP recommended that all foreign national women should have their language needs assessed, and the IMB has occasionally observed the need for this

LEARNING AND SKILLS

01. Women in the main prison are able to study for, and gain, various educational, and vocational, qualifications in numerous academic and practical subjects.

02. Women on remand in the remand centre cannot be required to undertake any activities as they are not sentenced prisoners, but are encouraged to take advantage of the computer, art, and environmental recycling classes available.
03. There is considerable academic, artistic and practical ability and skill amongst the women in all areas, and many deserve to be commended for the way in which, with the encouragement and support of dedicated staff, they develop them.

HEALTHCARE AND MENTAL HEALTH

01. Physical health provision is by Derbyshire County Primary Care Trust and mental health provision is commissioned by Derbyshire County Primary Care Trust, but provided by Derbyshire Mental Health Trust.
02. in the prison:-
 - a) The medical centre has offices, storage areas, treatment room, pharmacy, dispensary, and accommodation for three residential patients in two en-suite rooms.
 - b) There is 24 hour nurse cover, and there are regular attendances by general medical practitioners, dentists, opticians, psychiatrists, psychologists and counsellors.
03. In the remand centre:-
 - a) There is an interview room for nursing staff use, a surgery for general medical practitioners, and a dispensary.
 - b) A range of detoxification advice, counselling and referral programmes, with nursing staff support, is available to women in need of them, and Foston Hall's Integrated Drug Treatment System is recognised as an example of best practice in the East Midlands Area.
04. The attached profiles related to hospital and dental appointments indicate that the concern previous felt by the IMB with regard to low attendance is no longer the issue it was
05. Prisoners generally recognise and appreciate the professional attention and support they receive from dedicated medical and related staff.
06. Like most prison establishments, Foston Hall does not have either the facilities or

the expertise to care for prisoners with severe personality disorders or psychiatric needs who are on long term sentences. This is a problem which can only be solved through joint action by national health and penal authorities, with Government support. Meanwhile, women with this need have no access to appropriate help, and have to be confined to the care and separation unit, where the great care and kindness they receive from staff, cannot compensate for the lack of appropriate mental health attention.

SAFER CUSTODY

01. The regime in Foston Hall is intended to encourage prisoners, through appropriate discipline, guidance, support and freedom, to become independent and self-disciplined individuals, in the hope that this will stand them in good stead when they are released, to their benefit, and to the benefit of the communities in which they will live.
02. A decision was taken during the year to reduce the number of search dogs used in the prison, the impact being yet to be seen

CARE AND SEPARATION UNIT

01. The care and separation unit, for segregated prisoners, located in the main prison, is used for both sentenced and remand prisoners, and can accommodate seven in basic single rooms, two of which are better observation rooms.
02. In the experience of the IMB the unit staff are very patient, professional and understanding of the problems experienced by women in their charge and, whilst exercising the necessary disciplinary authority over them, endeavour to support the women as much as they can
03. Staff make documentation available to, and willingly share their knowledge of prisoners with, IMB members.
04. A member of the IMB is designated to co-ordinate the attendance of IMB members at reviews, and that member is the contact for care and separation unit staff, and attends quarterly meetings of the Segregation, Monitoring and Review Group.
05. Reviews that have been observed by IMB members have been attended by appropriate members of staff, and have been conducted in a formal but positive manner, always with the intention, which is usually realised, of providing appropriate support for the prisoners involved, as well as necessary protection for staff and other prisoners.

06. In common with all IMBs, that at Foston Hall continues to express its serious concern that there is inadequate provision in the nation's penal and health systems for prisoners with serious personality disorders, with the result that, because of their often uncontrollable behaviour, they are frequently confined for long periods in care and separation units, as has happened at Foston Hall, to the inevitable long term disadvantage of such prisoners, despite the professional care and understanding they receive from staff.

STAFF

01. Uncertainty and insecurity with regard to the future of prisons and the employment of staff have inevitably affected morale and attendance levels and credit is due to the Governor and staff for generally maintaining the regimes to benefit of the prisoners.

PRISONERS

01. At all times, IMB members and prisoners relate well to each other, and there is considerable openness, respect and trust between them
02. Considerable credit is due to staff, and, at times other prisoners, especially the Listeners who provide support to prisoners as and when required
03. Prisoners are aware of the changes and reductions in their regimes, and recognise that they are mostly due to national issues beyond the control of Foston Hall

CATERING & KITCHEN

01. Menus are displayed in advance in all wings and the remand centre.
02. All prisoners are expected to order in the week before delivery, using a computer read slip system.
03. Meals are prepared in the kitchen in the main prison and delivered on trolleys to serveries on all wings, remand centre and young women's unit, from where they are served to prisoners.
04. Giving the financial constraints imposed externally the meals are varied, and nutritious, and appropriate diets are provided for those requiring them for medical, religious or bon-fide personal reasons.
05. Most complaints relate to quantities being too small, rather than the choice or preparation.

06. A complaints system enables women to raise issues with kitchen staff, in log books, or at relevant meetings, and most are dealt with by the catering staff.

REGIME AND ACTIVITIES

01. In the main prison, women under state retirement age are employed in numerous paid activities, including in the gardens and grounds, as cleaners in the many buildings, as students in learning and skills, programmes, industrial cleaning and cleaning science classes, and in the animal sanctuary, textile workshop, kitchen, library, and chapel and hairdressing salon.
02. The remand centre provides information technology, art, and environmental recycling classes, mostly at basic level.

APPLICATIONS TO THE INDEPENDENT MONITORING BOARD

01. Forms on which prisoners can make confidential applications to see IMB members are openly available on all prison wings, and in the remand centre and the young women's unit, together with wall notices explaining the procedures involved.
02. IMB members have regular contacts with prisoners whilst undertaking visits or attending meetings, and are able to deal with many issues raised in an informal way, which partly explains why few formal applications are made by prisoners to see Board members.
03. Because there are few formal applications, no particular trends or major issues of concern to prisoners, are identifiable.
04. Summaries of applications by prisoners and responses by IMB members are recorded in a log book, the contents of which are confidential to IMB members.

INDEPENDENT MONITORING BOARD STATISTICS

01.	Recommended complement of Board members:	10
02.	Number of Board members at the start of the reporting period:	6
03.	Number of Board members at the end of the reporting period:	7
04.	Number of new members joining within the reporting period:	3
05.	Number of members leaving within the reporting period:	2
06.	Total number of Applications received	43
07.	When informed, IMB members, subject to availability attend reviews	

**REPORT DRAFTED AND FINALISED DURING THE CHAIRMAN'S ABSENCE,
JANUARY - FEBRUARY 2011.**