



**ANNUAL REPORT**

**OF**

**THE INDEPENDENT MONITORING BOARD**

**AT**

**HM YOUNG OFFENDERS INSTITUTION AYLESBURY**

**1 JULY 2011 TO 30 JUNE 2012**

## 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 Justice 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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## Aylesbury Young Offenders Institution

1

Aylesbury Young Offenders Institution is housed in a mixture of buildings, whose ages range from Victorian to early twenty-first century! It holds the longest sentenced young adult males, aged between 18 and 21(in the process of changing to 25) in the English prison system and has a capacity of 444 when full, although for much of the year, the population averaged around 420. 56.5% of prisoners were of minority ethnic origin at the end of our reporting period, an increase of nearly 5% compared with last year. Prisoner intake covers most of England and Wales. Prisoners do not come direct from court, having begun their sentences at other Young Offender Institutions or the Juvenile estate. The prisoners are some of the most disruptive and challenging young men in the prison system. A still significant number of young men have been classified as Persistent and Prolific Offenders by the courts and have received indeterminate sentences. In June 2012, around 10% of the prisoners had received an indeterminate or life sentence, again down on the previous year. (22% in 2010/11).

2

Unfortunately, the age of some of the buildings impacts the work of the prison. This is particularly true of the entrance gate and reception. We have commented before on the state of the entrance gate, a listed building. It imposes significant restraints on visitors and staff alike, since it is used by both vehicles and pedestrians. If vehicles are entering or emerging, pedestrians are forced to stand to one side, in all weathers. Modern vehicles are considerably longer than previously, and it is sometimes impossible to keep both inner and outer gates closed while processing a vehicle. The Reception area presents a uniformly gloomy and depressing entrance for all new prisoners. What can be achieved is shown by the new Segregation unit, opened last year. We had hoped to be able to report that funding has been made available for a new entrance gate and Reception area to accompany it, however, work on the entrance gate has been postponed for at least 12 months. Fortunately, conversion of the former H Wing into a new reception area is going ahead.

3

The establishment now has a total of 7 residential units of differing sizes and ages. The vast majority of cells are for single occupancy. The 3 oldest wings are of traditional Victorian pattern and have been heavily modernized over the years. The 2 which are the next oldest are showing greater signs of ageing, although they too have been modernized. The 2 newest units all date from the last quarter of the twentieth century. What had been built as a healthcare unit, but which is not used for in-patients, will become the new Reception Wing. It is no longer in use as a small enhanced residential unit.

4

There are a number of buildings used for various Learning and Skills activities. These include the main education building housing the various classrooms. Additionally, there are various workshops, ranging from construction to motor mechanics. The latter is unfortunately no longer sponsored by a major manufacturer.

5

The IMB is pleased to report that it has managed to increase numbers over the year. Members have a unique and privileged position within the establishment with access to observe the daily running of the prison and to feed back our observations and concerns to the management. Fortunately we have a good relationship within the prison where areas of concern can be, and are discussed openly.

6

Please note that there is a Glossary on the final page for acronyms used in this report.

## **Executive Summary**

1 Unfortunately, there was one death in custody during the reporting year. Although the Ombudsman has issued a report on this, at the present no inquest has been held. The inquest on the death in custody which took place in December 2008 was held this year.

### **Section A Particular Issues Requiring a Response**

#### **Issues for the Ministry of Justice**

- 2 a) **To ensure that adequate steps are taken to ensure that all inquests into deaths in custody are heard as quickly as possible, and certainly within a maximum of 12 months. (Page 9 Para 6) We make no apology for repeating this, since it is still taking too long for inquests to be heard.**
- 3 b) **To ensure that better provision is made for both workshop and education facilities within the establishment so that every prisoner has the potential of productive work or education. Again we make no apology for repeating this as the situation is unchanged (Page 7 Para 4)**

#### **Issue for the Ministry of Justice and the Prison Service**

- 4 a) **In view of the impact this has on prisoners and the establishment, we again ask that the highest level attention possible be given to ensuring that a robust technology for blocking or barring the use of such phones in prison, without impacting the neighbouring law-abiding population, is implemented. (Page 8 Para 7)**

#### **Issues for the Prison Service**

- 5 a) **The Board wishes to register its concern that the replacement of the entrance gate has been postponed and should be reinstated at the earliest possible date. (Page 11 Para1)**
- 6 b) **The Board is concerned at the way complaints from prisoners who have been transferred from another establishment are handled by the sending establishment in particular. This is especially where property issues are concerned. (Page 6 Para5)**

## Section B Conclusion

1 Unfortunately the reporting year saw a further death in custody. However, the IMB believes that the governor and his staff do work hard to provide as safe and as caring an environment as they can within the resources provided by NOMS. As evidence of this, it is good to report the decrease in the number of ACCT folders opened and also in the amount of self-harm by prisoners (Page 9, Para 8.) This report also shows that both use of force and also incidents of violence between prisoner and prisoner have declined significantly (Page 10, Para 1/2.). There are other signs too of a general improvement in the “feel” of the establishment. Even with the ongoing funding for new building, the Board must be concerned that such good work will cease to be possible as a result of the ongoing year on year “efficiency savings”. These savings have been enforced over a number of years, and while we feel that the impact to date has been limited, there will come a time when this will not be so. Presumably, the postponement of the new entrance gate is part of this.

2 We remain satisfied, therefore, with the overall standard of the prison’s management, its treatment of prisoners and the facilities. The IMB is pleased to see the continuing expenditure on the prison’s fabric to follow-on from the excellence of the new Segregation Unit. It will be good to see the end of the outdated entrance facilities and especially the Reception area. This has been an issue that impacts all who come into the establishment whether they are prisoners, families or the staff who work there.

3 Performance within Learning and Skills had improved by the end of our reporting period. The performance of the former provider, The Manchester College, has certainly been a concern in previous reports, and the Board believes that despite the improvement, too many classes have been cancelled (Page 7 Para 4). This is a particular problem with the age group of the prisoner population, since many will have experienced major issues during their formal education years and many will have been excluded at one time or another. It should be pointed out that after the currency of this report, a new contract has been issues and implemented from August. This includes a new provider, Milton Keynes College. We will continue to monitor delivery.

4 Equally importantly, it should also be noted, as we pointed out last year, whoever is the provider, there remain insufficient resources to provide work and education for all prisoners. As an example of this, education spaces are available for only about 50% of the prisoner population. This has not changed. (Page 7 Para 4)

5 As in the previous report, in this reporting year, there was a significant reduction in the number of applications received from prisoners. As will be seen from the table on Page 12, issues relating to property still form a high percentage of the total. As before this often means problems with property received on transfer from another establishment. Not only is this an issue, but often the way any subsequent complaint has been handled, usually by the sending prison, has caused concerns. We are raising this as an issue for the Prison Service, not for the first time.

6 Developments seen within the establishment have included enabling prisoners to wear their own clothes, rather than prison issue clothing. The Wing exercise areas have been made more attractive through the installation of suitable outdoors gym equipment, and new furniture has been installed on one of the Wings in preparation for it becoming a dedicated re-settlement unit.

7 We should also say that there have been a number of incidents classified as serious during the course of the year. These have often involved conflicts between prisoners.

## Individual Reporting Areas

### Equality and Inclusion

1 At the end of the reporting year in June 2012, 56.5% of prisoners at Aylesbury were classified as Black minority ethnic. This compares with 52.6% at the end of the previous reporting year. At the same time, some 75 prisoners were classified as of Foreign National origin. This represents around 18% of the prison population. The Black Self-awareness courses that had ceased previously due to cancellation of funding, have not been re-instated. However, there is an effective prison council, with elected representatives, involving all areas of the establishments. This helps to ensure the prisoner voice is heard.

2 Muslim prisoners have 2 Imams and their own mosque. The Imams also perform a general role within the Chaplaincy as a whole, and for the whole prison population. No complaints were received by the Board about Ramadhan, the handling of this by the establishment did appear to have been received positively.

3 Food provision covers a wide variety of religious and cultural requirements. Again most comments received by the Board have been positive and we have seen no complaints.

### Learning and Skills

4 Over a number of years, this Board has expressed concerns about the provision of Offender education and training at Aylesbury. This has been under the national OLASS 3 contract, managed by the SFA (replaced in August 2012 by OLASS4). Although the establishment had a population of around 420 during the year, the maximum number of education spaces available through the education provider during the reporting period, (The Manchester College), was 121 in both morning and afternoon periods, a total of 242 per day. Last year we drew attention to the excessive number of cancelled classes caused by the provider. This year the total number cancelled fell by 45%. However, 89% of all cancellations were because of problems caused by the provider. In the same period, 39% of all education places were lost. This is a very significant improvement over the previous year when 63% of places were lost. The following table shows the number of classes cancelled each month, both from College related causes and also from Prison related causes, and also the number of prisoner education places scheduled per month and the number not actually provided. Since the end of the reporting year, a new Offender Learning contract has been implemented and there is a new provider, Milton Keynes College.

#### Impact on prisoners of Class cancellations 2011 – 2012 IMB reporting Year

Year	Month	Classes Cancelled College	Classes cancelled Prison	Total L & S Capacity	Prisoners Attended All L&S	% Lost
2011	July	264	35	5806	2643	54
	August	289	9	6288	3377	46
	September	206	0	6106	3719	39
	October	189	1	5988	3887	35
	November	160	17	6288	4053	36
	December	157	25	5442	3438	37
2012	January	136	0	5988	3987	33
	February	136	96	5956	3304	45
	March	187	47	6106	3531	42
	April	111	0	5506	3674	33
	May	123	16	6256	4185	33
	June	89	1	5142	3167	19

1	<p>The Board is pleased to report that the motor workshop has been able to re-open and to continue to provide both practical and theoretical motor industry qualifications. It was unfortunate that the withdrawal of funding by Toyota would lead the course to close permanently. The establishment laundry functions to provide a service not only to Aylesbury, but to other establishments as well. It is also able to offer qualifications to the young prisoners.</p>
2	<p>In addition to externally provided and funded services, the establishment itself delivers a number of Offending Behaviour programmes. In our reporting year, these were, SOTP and Living Skills. In the reporting year 2011/12, 17 prisoners completed SOTP (1 fewer than 2010/11) and 94 completed Living Skills (16 fewer than ETS/CALM in 2010). There are always a limited number of places available each year and as mentioned in previous years, demand outstrips supply. Because there has been a significant reduction in the numbers of Indeterminate Sentence prisoners (46) and also mandatory lifers (28) there have been far fewer complaints from mandatory life sentence prisoners that priority is given to Indeterminate Sentence prisoners (ISPP's) for the courses they all need in order to be considered for parole or release. All such prisoners would spend a maximum of 4 years at a Young Offender Institution before moving on to the adult estate.</p>
3	<p><b>Healthcare, Drugs Strategy and Mental Health</b></p> <p>Healthcare in Aylesbury continues to be provided by a private contractor, Care UK. As before, outpatient appointments, including dentistry are provided in the relatively new healthcare unit. This is no longer used for inpatient care and most treatments are actually delivered across the residential units. We are pleased to see that since our last report, medications needed during the night, particularly where prisoners are on a constant watch, are now being given without having to bring agency staff in.</p>
4	<p>The Board has monitored dental provision, and has noted a small number of complaints about the length of waiting times for treatment. There has been no consistent pattern of waiting times, but there has been concern about the number of dental treatment sessions available during each week. This provision is separate from the main healthcare contract.</p>
5	<p>Since our last report, the use of one floor of the former healthcare unit as a residential wing for a small number of enhanced prisoners has been ended. As a result, it was necessary to provide a new cell for constant observation and monitoring. This has been located on a residential wing. Problems do arise if more than a single prisoner needs to be continually observed, although fortunately this has proved to be rare and of short duration. The Board is, however, conscious of the additional strain this places on staff for the duration.</p>
6	<p><b>Drug Strategy</b></p> <p>The Board has for some time considered that Aylesbury YOI has an effective substance misuse programme, under a management team which monitors the referrals to the CARATS team and the subsequent allocation of places on the accredited OBP. Places are limited, and during 2011/12, 41 IRP programmes were completed, (50 in 2010/11).</p>
7	<p>In common with establishments across the UK, we are aware that serious attempts are made to get drugs into the prison, and throughout the year, there have been seizures of illicit substances, and also mobile phones, the use of which is often linked to trafficking of drugs. These seizures have either been before the items reached prisoners, or directly from prisoners. As we have said before, there is no national policy of barring the use of phones within the prison. We believe that an inability to use mobile phones and other devices would have a major impact in the fight against illicit drug use and also issues between prisoners.</p>

1	<p>The fitment of metal grills over many cell windows near to the perimeter wall had a major impact in reducing the number of items reaching prisoners and the programme has been extended. This has also led to a significant reduction in the amount of litter deposited outside the accommodation units.</p>
2	<p>During 2011/12, the establishment bettered its target for Mandatory Drug Testing of prisoners. Against a target failure rate of 3.5%, the average monthly failure rate was 3%.</p>
3	<p><b>PURPOSEFUL ACTIVITY (INC WORK)</b></p> <p>During the current reporting year, the need to report purposeful activity and time out of cell ceased to be measured against KPI. In the part of the year when figures were available, the establishment achievement was in line with the targets then in use. Since formal education is not available every day to all prisoners, some form of work is also very important. While a significant number of places are available for wing-based activities, there are also various other working parties, including recycling and the gardens. The painting and decorating and the bricks workshops are also able to provide skills-based training and qualifications.</p>
4	<p>The Board is particularly pleased to report that the motor workshop has been able to re-open and to continue to provide both practical and theoretical motor industry qualifications. It was unfortunate that the withdrawal of funding by Toyota would lead the course to close permanently. One of the issues here has been the length of time necessary to complete qualifications, and it is possible that the change to the maximum age a prisoner can remain at Aylesbury, which will become 25 (announced during the reporting year), may well help this.</p>
5	<p>Other work-based activities open to prisoners at Aylesbury include the laundry and the kitchens. The establishment laundry is there to provide a service not only to the establishment, but also to other establishments as well. It too is able to offer qualifications to the young prisoners. The kitchens are another source of positive employment for up to 14 prisoners. It is able to provide qualifications to those working there, ranging from basic hygiene upwards. The staff mess kitchen employs up to 12 Prisoners.</p>
6	<p><b>Safer Custody</b></p> <p><b>1/. Suicide and self harm</b></p> <p>Sadly, during the Board's reporting year, there was one death in custody (November 2011). It is important, however, that we place on record our view that a great deal of hard work is continually being undertaken by staff in identifying potential problems when young prisoners first arrive in the establishment. We are concerned, as ever, at the length of time it can take for a Coroners Court to actually hold an inquest to determine the cause of death. One was held during 2012, relating back to a death in custody in December 2008. These delays cause stress to the family of the prisoner and also to the staff involved, since they can find themselves answering questions relating to an incident several years previously.</p>
7	<p>There is a very effective Listener programme in Aylesbury, although there have been a few occasions when access to a Listener has been problematic. At the end of our reporting year, there were 12 Listeners in place. There is a two cell buddy suite on the Induction Wing for use by an individual prisoner and a Listener</p>
8	<p>There were <b>159</b> recorded incidents of self-harm among prisoners during the reporting year. This compares with 187 the previous year, and is a <b>reduction</b> of 15%. In the same period, a total of <b>152</b> ACCT self-harm monitoring documents were opened. This also represents a <b>decrease</b> compared with the previous year (170), this time of 11%. A small number of prisoners have, we noted, either been on an open ACCT for extended periods. We have, however, found the care and support for these challenging prisoners to have been very good.</p>

## 2/. Violence Reduction

1 The number of violent incidents reduced during the current year in comparison with 2011. There were on average 12 alarms each month this year for incidents of violence, mainly prisoner on prisoner. In the previous year, the average was around 19 per month. (down 37%).

2 In terms of violent assaults (where medical attention in hospital is required), there were **15** such incidents in 2011/12 (29 in 2010/11). This is a reduction of nearly 50%. There were 224 incidents of the use of force by staff compared with 247 in the previous year (9% reduction). In many incidents, we were pleased to note that staff were able to successfully de-escalate the situation. There were 8 occasions when staff found it necessary to draw their batons, compared with 15 the previous year, a reduction of 47%. Batons were actually used on 4 occasions, compared with 5 the previous year (20% reduction)

### Segregation

3 The new unit has now been open for almost a year, and whereas for much of the time it has been around 50% empty, there have been a small number of occasions when it has been almost full. Staff have managed a number of difficult and sometimes violent young prisoners, who for a number of reasons have not been able to be moved or transferred for extended periods, or who have consistently refused to return to normal prison accommodation. It has been a difficult last few months due to changes in staff, but the Board is pleased to note that it has received few, if any, complaints from prisoners either through application or on our weekly rounds. The staff have in the vast majority of cases been able to maintain a good rapport with prisoners, some of whom use anti-social practices.

4 During 2011/12, the Board attended 85 Segregation Review Boards (89 in 2010/11) for prisoners held under GOOD. Board policy is to attend all such reviews, except in exceptional circumstances, including at weekends. It should be stated that in most cases, prisoners were persuaded to return to normal prison accommodation fairly quickly. The reviews involved a total of 158 prisoners, several of whom were involved in more than one review. Very few prisoners were held under GOOD for their own protection, with most reviews being for prisoners held for the general good order of the establishment.

### Re-settlement

5 Few prisoners are directly released from Aylesbury, the majority continuing their sentences in the adult estate. However, this may change a little as the establishment will now be keeping some prisoners until they are 25, rather than 21 as has been the case throughout this reporting period. All this does not mean that there is no issue with re-settlement. Offender Management has been co-located for some time now, and we consider it has been effective.

6 At the same time, considerable work was done this year in preparation for making the current G Wing a dedicated re-settlement unit. This was planned for implementation in one move. However, it was finally decided to bring the unit on stream more slowly, but what was done is certainly more attractive for the occupants. Moving in of prisoners was still taking place at the end of the reporting period. Part of the Wing has been used to hold those enhanced prisoners moved out of the former H Wing.

## **Residential Services – including accommodation, food and kitchens**

1 There have been a number of changes since our last report. Reception is known to be a dismal and unwelcoming area, and has been the subject of a number of recommendations in previous IMB reports. We are very pleased to be able to report that prior to the building of the new entrance gate, reception will be re-located to the relatively new healthcare wing, although this will cause a relatively long internal journey for prisoner transport vehicles. The small number of enhanced prisoners in H Wing were moved to updated G Wing at the end of our reporting period.

2 C Wing has become the Induction Wing, and at the same time, the Induction programme has been made leaner, partly as a result of pressure from HMCIP. This Board has always tried to see all new prisoners on a weekly basis, but achieving this has often proved to be problematic due to the much shorter time available. We have found many of the new prisoners, despite all coming from other establishments, were unaware of the IMB.

3 The Visits Hall has been redecorated, with new furniture and flooring, and now presents a much more cheerful environment. There have been issues with Security, however, as the Hall is often crowded and staff are not able to patrol easily. New CCTV could well help in this respect.

## **The Work of the Board**

4 Right at the end of the reporting year, the Board was pleased to be able to appoint 3 new probationer members to the Board. Unfortunately one existing probationer member resigned from the IMB due to pressure of work. At the close of the reporting year, there were 12 members, against a complement of 15.

5 There were 12 Board meetings during the year, 75% being attended by all members. A number of the meetings were preceded by a training session for members. The Governing Governor, or on occasion, his deputy always attended for part of each meeting. The Board has certainly found the current Governor to be very open with the IMB, for which we thank him. The Board has also found a great degree of co-operation from staff generally in responding to our questions and enquiries, and for this we thank them.

6 Members visited the establishment a total of 317 times during the year (273 in 2010/11, an increase of 16%) and undertook 184 Rota visits during the reporting year, (the same as in 2010/11). 121 applications were taken from prisoners, (139 in 2010/11). The Board policy is to attend as far as possible, all Segregation Review Boards as best practice, even when these took place at the week-end (staff would, however, where appropriate, bring these forward to the end of the previous week). As a result, 85 Review Boards were attended, (89 in 2010/11). In almost every week, members on Rota attended the new prisoner induction sessions, or visited new prisoners individually, in order to introduce the IMB to prisoners.

**Members of the IMB at 30/6/12**

Chair: Mr J Lennon  
Vice Chair: Mr I Wilkinson  
Board Development Officer : Mr D Carpenter  
Mrs P Allender  
Dr M Brimicombe  
Mrs A Fishlock  
Miss R Howard  
Mrs M Molton  
Mrs A Nicholson  
Mr M Panjwani  
Mr D Pugh  
Mr R Stone

**Appendix**

**Applications to the IMB**

In 2011/12, the Board notes that it received 121 applications from prisoners, 12% fewer than 2010/11 (139). As with previous years, one of the main areas of concern was property, often coming about as a result of transfer from another establishment. The main categories were as follows, with the 2010/11 and 2009/10 equivalent also shown;

	<b>2011/12</b>	<b>2010/11</b>	<b>2009/10</b>
Property	22	39	19
General Complaints inc staff concerns	29	29	38
Transfer/Wing Move	15	21	46
Visits/ Post/Phone	13	8	4
Adjudications/Security/GOOD	6	7	19
Education/Gym/Work	10	7	34
Monies/finance/pay	4	3	10
Medical/Dental/Health	5	2	7
Confidential Access	2	2	4
Categorisation/IEP	2	1	9
Canteen/Argos	0	1	5
Sentence related – inc HDC/ROTL	0	1	0
Other	5	4	14

Glossary.

ACCT: Assessment Care in Custody teamwork

BOSS: Body Orifice Security Scanner

BME: Black Minority Ethnic

CALM: Controlling Anger and Learning to Manage

CANTEEN: Prison shop.

CARATS: Counselling, Assessment, Referral advice and Throughcare relating to drugs

CC: Cellular confinement- a punishment for breaking prison rules

CNA: Certified normal accommodation – the number of prisoners who can be accommodated without overcrowding

CPS: Crown Prosecution Service

ETS: Enhanced Thinking Skills

GOOD: Good Order or Discipline – prisoners segregated under prison rule 45 to achieve GOOD

IRP: Inclusion Recovery Programme – new OBP for substance misuse.

IEP: Incentives and earned privileges

MAPPA: Multi Agency public protection arrangements – statutory framework for dealing with violent and sex offenders.

NOMS: National Offender Management Service

P-NOMIS: Prison-National Offender management System – multi agency computer system (Replaced LIDS)

OBP; Offending Behavior Programme

OASys: Offender assessment system

OLASS: Offender Learning and Skills Service

PIP: Personal Intervention Plan

SFA: Skills Funding Agency (An agency of the Department of Business, Innovation and Skills and responsible for all Offender learning)

SOTP: Sex Offender Treatment Programme