



HMP Birmingham

**The Annual report of The Independent
Monitoring Board**

to

**The Secretary of State
for Justice**

2011

1st July 2010 to 30th June 2011

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 Justice Minister 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 custody.**

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

CONTENTS	Page	Page
SECTION 1	Statutory Role of the IMB	2
SECTION 2	Contents	3
SECTION 3	3 Introduction	4
SECTION 4	Executive Summary	5
	<i>4.1 Significant changes</i>	5
	Issues requiring a response from:	
	<i>4.2. The Minister</i>	6
	<i>4.3 The CEO of NOMS</i>	7
	<i>4.4 The Regional Custodial Manager</i>	7
	<i>4.5 The Governor</i>	8
SECTION 5	<i>5.1 Diversity including Disability</i>	9
	<i>5.2 Learning and Skills including Training Workshops</i>	10
	<i>5.4 Offender Health and Mental Health</i>	11
	<i>5.5 Safer Custody</i>	11
	<i>5.6 Segregation Unit</i>	12
	<i>5.7. Reception, D Wing-First Night Centre, N Wing- Second stage Induction</i>	13
SECTION 6	General Regime	14
	<i>6.1 Time out of Cell</i>	14
	<i>6.2 IEP Scheme</i>	14
	<i>6.3 Foreign Nationals</i>	14
	<i>6.4 Kitchen and Serveries</i>	15
	<i>6.5 OMU (Offender Management Unit) plus HDC (Home Detention Curfew)</i>	16
	<i>6.6. Security</i>	16
	<i>6.7 Video Link</i>	16
	<i>6.8 Visits and Visits Centre</i>	17
	<i>6.9. Correspondence</i>	17
	<i>6.10 Wings</i>	18
SECTION 7	Work of the Board	19
	<i>7.1 Board Statistics</i>	19
	<i>7.2 Applications</i>	19
	<i>7.3 Serious Incidents</i>	20

SECTION 3

3. INTRODUCTION

This report covers the period 1 July 2010 to 30 June 2011.

HMP Birmingham is a local prison for adult men. It is intended to serve the courts of Birmingham, Wolverhampton 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 includes remand and convicted prisoners, including prisoners 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.

3.i. **The population as at 30th June 2011 was 1420**

The ethnicity at this date was:

White 63.3%; Black 13.7%; Asian 14.7; Mixed 5.4%; Other 2.6%

SECTION 4

Executive Summary

4.1. Significant Changes since Last Report

4.i Privatisation

The most significant change for HMP Birmingham over the reporting period was the announcement that the prison would be managed by G4S Care and Justice Services, a private company, from 1st October 2011. The announcement had been promised on or by several earlier dates and was finally made on 31st March 2011. HMP Birmingham is the first public sector prison to be “privatised”.

HMP Birmingham was established as Birmingham Gaol in 1849 and has been in continuous public ownership since then. All prison officers and senior staff have worked as Crown servants throughout that time. It was to be expected that the move to the private sector would come as a shock to them and that many would feel upset, worried and disorientated by it.

A number of significant changes of personnel have occurred: the Governor has moved to another prison within the public sector and many staff have left the establishment, most in order to remain within the Prison Service.

A transitional team has moved into the prison and their remit is to manage the handover in a manner which causes as little disruption as possible to the prison regime; they have been engaged in working with staff in order to achieve this and progress is being made. The prison has welcomed Interim Governor Peter Small and Interim Deputy Governor Steve Williams to cover the transitional period.

4.ii HMCIP Report

The prison received a visit from HM Chief Inspector of Prisons in December 2009; the report was issued in February 2010. Whilst it is acknowledged that this is outside of the current reporting period, we include it here because a particular area of concern raised for the prison was the poor quality of relationships between staff and prisoners. The Governor instituted processes to ascertain perceptions of these relationships. It has not been possible for the Board to ascertain what action if any has been taken in respect of any findings.

4.iii Gangs

Gangs and gangland culture is a significant issue for the prison and requires very careful management by both Wing staff and the Security department. Accompanying problems include the illicit acquisition of mobile phones and SIM cards, and restrictions on the movement of prisoners both within and out of the prison.

4.iv Prisoner transfers

It is pleasing to report that there are now fewer problems with the transfer of prisoners from HMP Birmingham to establishments in the London and south-east area.

SECTION 4 ISSUES REQUIRING A RESPONSE

4.2 FROM THE MINISTER

4.2.i The “privatisation” process

The Board cannot stress too highly their concerns regarding the repeated delays in the making of a final decision with regard to the moving of the prison out of the public sector and into the hands of a private organisation. The whole process took nearly three years. Problems were exacerbated by ongoing information that an announcement would be made on or by various specific dates, and was then not forthcoming. These delays and uncertainties had an adverse effect on the morale of both staff and prisoners, a factor very obvious to IMB members on their monitoring visits when the main topic of conversation from staff was their concern re privatisation and how they would be affected. Unfortunately this resulted in a significant period of “planning blight” during which no meaningful strategic decision-making processes could be carried out. The Board would hope that no other establishment will be subject to such an unsatisfactory prolongation of the process in the future.

4.2.ii Healthcare replacement beds

The situation in respect of the replacement beds planned for Healthcare has not yet been resolved. We raised this issue in our previous three Annual Reports and no satisfactory response has yet been received. A decision was taken by the then Minister in 2008 that the replacement beds would be purchased, funding having been secured. These beds have never been supplied to the prison and, despite considerable effort on the Board’s part over this period of time, it has not proved possible to ascertain what has happened to them, or to the money secured to fund them. The response from the Minister in February 2011 appears at odds with e-mails shown to us by the then Governor. Unfortunately all parties involved have now ceased to work at HMP Birmingham.

4.2.iii IPP prisoners

The prison currently holds 35 IPP prisoners of whom four are being detained beyond their tariff. As a local prison, HMP Birmingham is an unsuitable environment for these prisoners as it cannot offer the education and training programmes which they may require before they can be considered for release. Last year we reported on a prisoner given an 18 month sentence in April 2007 – 4 years on he is still at HMP Birmingham – see **7.5.iii**.

4.3 FROM THE CEO OF NOMS

4.3.i Prisoners' property

Missing property has been a source of great concern to the Board for some time. The Board has received a large number of Applications from prisoners in respect of their property being mislaid or allegedly misappropriated when they move from other prisons or to and from court. Most, but by no means all, of these Applications relate to HMP Hewell (though that may be because we have a disproportionate number of prisoners coming to HMP Birmingham from there).

4.3.ii Outgoing mail

We have previously raised the issue of the handling of mail leaving the prison. Although mail is no longer taken by taxi to HMYOI Brinsford for franking, it remains the case that a member of clerical staff has to frank all outgoing mail by hand before raising a manifest for the Royal Mail – see **7.8.ii**

4.3.iii Category D prisoners

It is of concern to the Board that HMP Birmingham was holding 60 prisoners classified as Category D at the end of the reporting period. It is not possible for the prison to provide the regime to which these prisoners are entitled, and moving them to an appropriate establishment is problematic especially following the difficulties experienced at HMP Ford.

4.3.iv Transfer of prisoners on open ACCT documents.

HMP Birmingham still finds they are receiving prisoners on ACCT documents without prior notification from the sending Prison. Can the Prison Service re-iterate to all Prisons the importance of notification to sending Prisons as per PSO 2700 – see **6.4.v**.

4.3.v Learning and skills places

As in previous years there are too few spaces for prisoners to avail themselves of learning and skills opportunities. – see **5.3.iv**.

4.4. FROM THE REGIONAL CUSTODIAL MANAGER

4.4.i. Management responsibilities

Over the reporting period it has been apparent that repeated changes in the responsibilities of senior managers within the prison has impacted adversely on prisoners and staff at all levels; such change is disruptive for everyone within the prison and leads to dissatisfaction and inefficiency

4.4.ii J Wing

The Board is concerned about the waste of resource occasioned by the failure of the prison to find an appropriate use for J Wing. The Wing was closed for refurbishment in 2008; it has been painted and extensively renovated with new furniture and new facilities. However, it has not yet reopened and the space is becoming used as a receptacle for bags of rubbish.

4.4.iii. Dental Services

Throughout the reporting period the prison has experienced considerable difficulty in securing reliable and consistent dental services for prisoners. On occasion no dentist has been available for significant periods of time and it has not been possible to inform prisoners how long they may have to wait for non-urgent treatment. We would request that this issue is raised with the current PCT responsible for healthcare within the prison – see 5.4.v

4.5. For THE GOVERNOR

4.5.i Kitchen equipment

The adequacy and maintenance of kitchen equipment continues to cause concern and impedes the efficient running of the kitchen and provision of food to prisoners – see 7.4.vi.

4.5.ii Learning and Skills

Increase utilisation in Training workshops – see 5.3.v.

4.5.iii – Shift duration for constant watch officers – this was raised last year and has not been addressed. A 12 hour shift is in contravention of PSO 2700 – see 6.4.i

4.5.iv Visits Centre

The external appearance of the Visits Centre is an unacceptable blight on the neighbourhood and could easily be remedied – see 7.7.ii.

Refreshments are often not available for visitors, many of whom will have made long journeys to reach the prison.

4.5.v. Visits Hall

In times of hot weather the heat in the Visits Hall is excessive causing families to curtail their visit – see 7.5.i

4.5.vi. OMU

Staffing levels and support continue to cause the Board some concern – see 7.5.i.

SECTION 5 -AREAS THAT MUST BE REPORTED ON

5.1 DIVERSITY INCLUDING DISABILITY

5.1.i. Diversity is covered by the Community Cohesion and Equality Group, and the Prison has now encompassed the seven protected characteristics.

5.1.ii The CCE meeting is held regularly on a monthly basis and is well attended including prisoner representatives from all Wings. Unfortunately the Board has noted and raised on several occasions that prisoner representatives from Healthcare have not been present neither have Healthcare prison staff been present. It is an important meeting where the prisoner representatives have an opportunity to bring diversity problems from their wings, and also for Prison Managers to give information for the representatives to report back to their fellow prisoners at wing forums. Wing forums have not been regular and minutes have not always been available

5.2.iii Black History Month was celebrated in October and in June an event was organised in recognition of Traveller and Gypsy month, when the Catering Department provided a rabbit/beef stew and a video of Appleby Fair was shown. Members of the Group continue to give presentations of “Prison– me- no-way” in schools and a Faith based programme – the Damascus Programme – aimed at black prisoners has been introduced. It is based on masculinity which in black culture is deemed to be different from a white perception.

5.2.iv It has been acknowledged at the CCE meetings that there is insufficient disability access across residential areas. This includes difficulty with wheelchair access to the Chapel.

5.2.v. At the end of the reporting period prisoners covered under the 7 protected characteristic were:

Travellers – 12; prisoners declared with disabilities – 311; 1 declared bi-sexual; 8 declared gay prisoners; 1 declared transgender prisoner; 56 prisoners aged 55 and over.

5.2.vi. There were 184 Foreign National Prisoners

5.2.vii There is now one Complaint form only which deals with complaints re race, equality etc.

5.2.viii. 166 Race Relations were logged – we have no information regarding how many were upheld.

5.3. LEARNING AND SKILLS

5.3.i. The service continues to be delivered much as in the previous years and is well regarded by prisoners. Apart from the Offenders' Learning and Skills Service (OLASS) provision (Manchester College and JHP Ltd) the main external providers are: South Birmingham College (delivery of construction courses), Care First (delivery of Independent Living and Work Skills courses), Pertemps (delivery of Learndirect courses), Job Centre Plus, Supporting Others through Voluntary Action (SOVA - through the ESF Co-financing project) and Birmingham Libraries (Library provision). Various voluntary and third sector agencies who work contribute to Learning and Skills.

5.3.ii. The provision prioritises prisoners with low basic skills needs, however, this is always a challenge as those with the greatest need are the hardest to reach and tend to reject traditional education. If they will not engage with the education provision there is support through the Toe by Toe Scheme on the wings which provides peer mentor support for prisoners unable to read through a structured scheme. This is managed jointly with the Library and Education provision.

5.3.iii. Prisoners can be observed taking full advantage of 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.

5.3.iv. The Prison continues to have insufficient activity places for the number of prisoners accommodated. **There is currently a shortfall of around 200 places.** The Purposeful Activity Group, comprising the managers involved, met less frequently than in the previous year to review activities undertaken against targets. They continue to think creatively about ways to increase provision for example creating a job share/part time working. There remains concern about prisoners not attending/reporting sick apparently without good causes. The Learning/Skills & Activity Allocation function continues to work well.

5.3.v. All training workshops worked well throughout the year. Overall 90.1% of planned hours were utilised across the various workshops. Noticeably under-utilised was the Fork Lift Truck training which only utilised half their hours. The trade workshops – bricklaying, carpentry etc. were also very under-utilised. Multiskills work in workshop 3 helped the figures as the actual hours were 33058 against no planned hours.

5.3.vi HMP Birmingham must be congratulated as they have the best non-LSC (Learning and Skills Council) workshops performance in the West Midlands.

5.3.vii Laundry. **The Laundry utilised 29,387 hours against their planned hours of 36,720.**

Staff continued to provide training and activities which are appreciated. The Board is not aware of staff shortages.

5.4.OFFENDER AND MENTAL HEALTH

5.4.i. The work of the Health Care Department continues under the contract with Birmingham and Solihull Mental Health Trust. Ward 1 has been designated to take prisoners with physical health issues, whilst Ward 2 has prisoners with mental health issues and there are 15 prisoners in each ward with no doubling up. Several cells remain out of action due to damage by prisoners and repairs always seem protracted due to contractual difficulties. All cells have been redecorated and one has been designated for “end of life” care with funding from the King’s Fund.

5.4.ii. Training for Prison Officers remains ongoing to widen knowledge and skills, and to date 22 Officers have completed NVQ level 2 & 3 in Health & Social Care. Staffing levels have improved and the Unit is nearly up to capacity. Relationships between Prison Officers and Nurses remain good.

5.4.iii. There are many prisoners with severe and enduring mental health issues and assessments for potential moves to medium and high secure hospitals continue to be protracted.

5.4.iv. There remain some difficulties in discharging prisoners from the Mental Health Unit back to the wings. Pre-discharge work is instigated by ward staff and resettlement in conjunction with Probation, Police and Social Services.

5.4.v. The Board has repeatedly had to raise concerns re the provision of Dentistry in the Prison. There have been several lengthy periods when there was no provision at all and Doctors were having to prescribe painkillers to prisoners with urgent dental problems. Dentistry is sub-contracted to a third party and no-one appeared able to put pressure on the appropriate organization. Unfortunately we have been unable to get information regarding the waiting time for appointments as at June 30 2011.

5.4.vi. There remain concerns about missed medical appointments to Health Care but the external appointments function well.

5.4.vii In general the IMB has observed a good level of care being provided by staff towards a sometimes very difficult group of prisoners.

5.5 SAFER CUSTODY

5.5.i. The Prison takes Safer Custody seriously and resources are not limited. Much resource is allocated to constant watches for the protection of serious and persistent self-harmers. However, the Board still has concerns, as raised in last year’s report, at the length of shift worked by constant watch officers – this can be up to 12 hours

without a break, particularly at night. This is in contravention of the Safer Custody PSO which gives guidance for a shift of two to four hours and then a break.

5.5.ii. During the reporting period **61 prisoners were the subject of a constant watch.**

5.5.iii. Safer Custody meetings are held monthly, but unfortunately they are not always well attended. The Listener Co-ordinator is always in attendance as is a member of Samaritans. Constant Watch Review meetings have also been introduced, where individuals on constant watch are discussed and various issues raised. These meetings are organised by Healthcare, but unfortunately, again are not usually well attended, and it is noticeable that at times there are no representatives from Residential Areas, including the appropriate Case Managers.

5.5.iv At the end of the reporting period the number of Listeners was down to 18, three of whom were Foreign National Prisoners – the optimum number is 30 but there are constant variations because of transfers and discharges. The Listeners, supported by the Samaritans, play an important role as far as Safer Custody is concerned and the training of new Listeners takes place on a regular basis.

5.5.v. **During the reporting period 637 ACTT books were opened – 642 during the previous period. Unfortunately prisoners on ACCT books are still being transferred to HMP Birmingham without notifying the Prison in advance of their self-harm status. This is in contravention of the Safer Custody PSI 2700 and could prove dangerous.**

5.5.vi. **The number of self-harm incidents was 299 and the number of near misses (serious cases of self-harm) was 17;** the intervention of staff avoided possible deaths. **There were five deaths in custody during the reporting period, two of which were apparently self-inflicted and three were from natural causes. During the previous period there were 8 deaths in custody, 4 of which were from natural causes.** The Board extends its condolences to the family members of those involved. Three Inquests were held during this period, all of which were attended by Board members, and there were 11 inquests outstanding at the end of the reporting period.

5.5.vii. Violence Reduction is monitored on a monthly basis and appropriate VR books are opened when cases of bullying are reported. Whenever a prisoner is found with an unexplained injury a SIR (Serious Incident Report) is raised with Security and appropriate investigations are made. The most common form of violence was threats, followed by unacceptable behaviour and assaults.

5.6 SEGREGATION UNIT

5.6.i. GOOD (Good Order or Discipline) Reviews continue to be held weekly; this can present problems at times with initial 72 hour reviews. The Board has not always been given the required notification of when a prisoner is put on GOOD or when the subsequent 72 hour review is to be held. Members make every effort to attend Reviews, but it is not always possible when notice is only given on the day in question. **The Board attended 214 GOOD Reviews during the reporting period.**

5.6.ii. There have been occasions where 72 hour reviews have been held as many as five times a week including weekends. More thoughtful planning could avoid the necessity for them to be held so frequently. Prisoners have been on GOOD at times for many weeks because they refuse to return to normal location, usually because they claim threats from other prisoners because of gang issues or drug debts.

Management changes towards the end of the reporting year have taken a more robust attitude to these prisoners resulting in more of them agreeing to return to normal location. As a result of this, it has been possible to give the remaining prisoners in the Unit some sort of regime with regular showers and exercise.

5.6.iii. Unfortunately there have been occasions during the reporting period when prisoners have been segregated whilst on ACCT documents – the appropriate paperwork has been completed by Healthcare Staff and there has been no alternative accommodation for them in their particular circumstances. Prisoners have also been on constant watch in the Segregation Unit.

5.6 .iv. There have been no occasions when the Board has disagreed with the decision to continue segregation, but Board members have expressed concern, as reported last year, at the length of time people are held on security issues where no formal evidence of the reasons has been provided.

5.7. Reception, D Wing (First Night Centre) and N Wing (Second Stage Induction)

5.7.i. As in previous years, the very busy Reception area has functioned extremely well. There have been many transfers/movements taking place each day, again with some taking place late in the evenings. No matter how many movements there are or how late they arrive, the officers take a steady approach ensuring that each prisoner is correctly processed.

5.7.ii. Prisoners who are attending court, being transferred or discharged are similarly steadily processed.

5.7.iii. HMCIP recommended in their last inspection that microwavable meals should be available for prisoners in Reception after 18.30 when hot meals cease. Unfortunately sandwiches are still being provided rather than the recommended hot meal.

5.7.iv. A team of prisoners, accommodated on D Wing, keep the area clean, issue clothes and serve meals. They support the induction process and are an asset.

5.7.v.. Staff and prisoner on D Wing work steadily each day to ensure that there is adequate, clean accommodation for each new intake, occasionally late into the night. Every new prisoner is risk assessed and a team of “Listeners” is available. However, staff sometimes have difficulty in finding spaces on N Wing to transfer the new intake. There is a knock-on effect on N Wing where residential areas protect their own wings by not declaring spaces.

5.7.vi. Staff from across the prison work as a team to move new prisoners into the prison system via N Wing. The Wing staff and prisoner workers provide an

appropriate environment and have achieved good relationships with the prisoners who tend to stay on N Wing only for a short period.

6. GENERAL REGIME

6.1 Time out of Cell

Time out of cell as at 30 June 2011 –

7.92 hours (69.1% weekdays)

Purposeful activity as at 30th June 2011 –

21.03 hours (87.7% weekdays)

6.2 – IEP SCHEME

6.2.i Prisoners continue to ask for more of a differential between standard and enhanced privileges.

6.2.ii. The IEP breakdown including ethnicity as at June 30 1011 was as follows:

	Asian	Black	Mixed	Other	White	British	White	Other	Not stated
Basic	2	3	1	0	4	2	2	0	0
Standard	154	138	45	30	523	39	39	0	0
Enhanced	52	55	31	7	319	14	14	1	1

6.3 Foreign National Prisoners

6.3.i. **At the end of the reporting period there were 184 Foreign National Prisoners (FNPs) in the prison – 221 during the previous period.** At the time of reporting there was a great increase in the number of Vietnamese prisoners – 45 in all, mostly located on K Wing. They do present a problem because few of them speak English.

6.3.ii **As at June 30 2011 there was only one prisoner held beyond his sentence expiry date – at the end of the reporting period last year there were 40.** At the moment there seems little progress in removing him because he has no papers and will not declare from which country he originates.

6.3.iii There is no improvement in the information available on P-NOMIS regarding sentence expiry dates for FNPs who are transferred from other establishments. There is also no improvement in gaining information regarding detainees who are transferred in after disturbances at Immigration Centres – both of these concerns were raised in last year's report.

6.3.iv. FNP Forums are held on a monthly basis, wing by wing – it is impossible for them all to be included in one meeting.

6.3.v. Unfortunately the service received from Birmingham University in translating information for FNPs has been curtailed due to budget cuts. Staff now rely on BIG Word and K International for translating services. Funding has been made available to

purchase dictionaries in 11 different languages to assist prisoners with little or no English. FNPs are also able to have one-to-one sessions with the FNP Co-ordinator.

6.3.vi. The demise of “Call for 5” system of cards explaining the overseas phone system in different languages is regretted. The Prison Service terminated the contract and in its place contracted a different service with BT. This has proved to be more expensive and not as user friendly. The previous system gave various operating instruction options; the BT system means prisoners can have longer calls but they are unaware of the costs.

6.4 Kitchens and Serveries

6.4.i. The Catering Department continues to provide a good choice of food for prisoners on a limited budget (currently £2.34 per prisoner per day); no extra funding is provided to cater for festivals such as Christmas, Ramadan etc. A four weekly menu has been successfully introduced.

6.4.ii. A new Catering Manager was appointed in March 2011 and this established consistency of management within the department to the benefit of prisoners, kitchen workers and staff.

6.4.iii. The Kitchen has up-to-date inspection certificates and is inspected regularly by environmental health inspectors from the local authority.

6.4.iv. The design of the kitchen space is not ideal; there are many parts of the kitchen where workers cannot be observed properly at all times. Pilfering of food from both the kitchen and the serveries is a problem reported frequently by staff.

6.4.v. Prisoners clearly enjoy working in the kitchen and on the serveries. The prison instigated part-time working in an effort to increase the number of prisoners who could work in the kitchen, but this caused significant problems of management and administration, including the payment of wages. Part-time working has in consequence been significantly reduced and most kitchen workers now work full-time. This means that more are able to undertake NVQs, an initiative applauded by the Board.

6.4.vi. There are a number of issues of concern to the Board:

- Kitchen equipment, i.e. ovens, chillers, dishwashers, freezers, trolleys etc., suffer frequent breakdowns and long delays in repairs being carried out. This causes problems in supplying the quality and variety of food, on a consistent basis, which prisoners are entitled to expect, and in maintaining a safe environment for the storage of food
- There is on occasion insufficient protective clothing available for staff
- Unsafe floors and blocked drains are frequently reported by staff and by Board members on Rota visits
- Within the kitchen block, there is only one toilet and one shower provided for the use of 28 kitchen workers. This is clearly unsatisfactory

6.5. Offender Management Unit and HDC

6.5.i. Despite consistently being seven below the profiled figure of 16, the dedicated, enthusiastic staff team has coped well with the ever-increasing responsibilities thrust upon them. The Board is however concerned that the level of support in managing the workload has not improved on that reported 12 months ago.

6.5.ii. The Board continues to be concerned that IPPs are still being transferred into HMP Birmingham from other prisons without consulting the unit to see if their needs can be met. These prisoners are usually identified by landing staff and arrive with little or no paperwork or reports. **As at June 30 2011 the prison was holding 28 IPPs 4 of whom were being detained beyond their tariff and 22 lifer, 4 of whom were license recalls. 55 IPP prisoners were transferred during the reporting period.**

6.5.iii **Last year we reported on a prisoner who is now 4 years over tariff, having originally been given an 18 month tariff. He has never moved from a local Cat B Prison.**

6.5.iv. There is insufficient provision for these men to address their offending behaviour.

6.5.v. **544 Prisoners were released on HDC during the reporting period.**

6.6 Security

6.6.i Mobile phones, sim cards and drugs continue to pose problems for Security particularly with packages thrown over prison walls.

6.6.ii **Number of assaults – prisoner on prisoner – 96, 6 of which were serious. Number of assaults – prisoner on staff - 52 of which 4 were serious.**

6.6.iii. **Use of Force including C & R movements (Control and Restraint) during the period – 174 – ethnicity was as follows:**

Asian	Black	Mixed	Other	White British	White Other	Not stated
30	34	4	2	89	5	10

6.7 Video Link

6.7.i. Although 4744 video links took place during this reporting year it is still disappointing that the facility is not used to its full potential.

6.7.ii. The Board shares the frustrations of the dedicated, enthusiastic staff as far as the organisation and lack of communication of court users are concerned. Pre-arranged sessions are often cancelled at short notice thus depriving other courts/solicitors of video link time.

6.8 Visits Centre and Visits

6.8.i The Visits Centre is situated outside the prison. Inside is a pleasant environment for visitors to meet, chat and used to be offered help with domestic problems e.g. drug rehabilitation, benefits, child-care etc. Sadly these agencies have disappeared and only Alcoholics Anonymous now remains. Whilst there is a small area with toys, there is now no supervision for children – the regular help from Birmingham City Council came to an end with budget cuts.

6.8.ii. An on-going dispute between prison and the local council as to the responsibility for the maintenance of the grounds makes the approach to the entrance to the Visits Centre most unwelcoming. Long grass which is home to all sorts of rubbish and a pathway lined by cigarette ends has to be negotiated. Regrettably, as reported previously, a purpose built tea bar remains unused and the vending machine continues to be temperamental in dispensing cold drinks.

6.8.iii The introduction of the biometric machine has speeded up the check-in process - as many as 80 visitors per session - thus enabling visitors to arrive in good time at the main prison. Visitors are searched appropriately including the use of drug-detection dogs and moved through into the visits hall. Throughout the year the use of the camera facilities by prison staff during visits was observed and found to be decent and professional. There were no occasions where a board member felt that the camera was an intrusion to personal privacy.

6.8.iv Visits Centre Staff frequently report complaints from visitors who encounter difficulties with both telephone lines being constantly engaged.

6.8.v Drinks and snack machines in the visits hall are frequently unreliable. Lost money is difficult to claim back since contact is through a premium rate number!

6.8.vi. At times, the Visits hall is unbearably hot and stifling. This issue has been raised many times but no obvious solution has as yet emerged. A cost to remedy the situation has been quoted, but currently there is no funding available.

6.8.vii. Board members have attended three successful Family Days during the year with positive feedback from families, prisoners and staff.

6.8.viii It is pleasing to note that that staff in both the Centre and the Hall are very helpful to visitors many of whom find initial visits stressful.

6.9 CORRESPONDENCE

6.9.i. Despite staffing problems, PSI 4400 procedures have been followed. Officers work efficiently to ensure that in-coming mail is ready for the Wings by mid-afternoon on the day it is received. Monitoring has proved that Applications regarding late or withheld mail are unfounded.

6.9.ii. In the interest of cost and efficiency, it is regrettable that the problem with the franking machine has not been resolved. The system with out-going mail, as outlined

in last year's report, remains the same, and, in the opinion of the Board, is unsatisfactory.

6.10 WINGS (not covered elsewhere in this Report)

6.10.i. **A Wing** accommodates approximately 156 prisoners and a daily employment rate of approximately 50 prisoners.

6.10.ii. **B Wing** - accommodates approximately 170 prisoners and a daily employment rate of approximately 90 prisoners. The Segregation Unit is housed in the basement.

6.10.iii. **C Wing** - accommodates approximately 157 prisoners and a daily employment rate of approximately 85 prisoners. The wing runs smoothly and staff are conscientious and dedicated engaging with prisoners creating a well-run balanced regime.

6.10.iv. **G Wing** - accommodates approximately 105 prisoners with a maximum of 116 and a daily employment rate of approximately 61 prisoners. G wing holds the longer term population with prisoners serving three years or longer. The regime is more settled and self-managed with a more relaxed atmosphere than that evident on other Wings.

6.10.v. **K Wing** - accommodates approximately 180 prisoners and a daily employment rate of approximately 94 prisoners.

6.10.vi. **L Wing** – accommodates approximately 123 prisoners and a daily employment rate of approximately 51 prisoners.

6.10.vii. **M Wing** – accommodates approximately 158 prisoners and a daily employment rate of approximately 90 prisoners. This is currently the first stage detox wing. Concerns around concealing medication, overdosing and the use of illegal drugs have been made to the board.

6.10.viii. **P Wing** – accommodates approximately 161 prisoners and a daily employment rate of approximately 110 prisoners who are gainfully employed in workshop 8. The wing is currently used for housing the vulnerable prisoner population, this being made up of around 50% sex offenders and 50% bad debtors. The wing runs smoothly for the majority of the time taking into account the mix of prisoners held there, though the introduction of bad debtors on to the wing has caused some instability which staff have been aware of and focused on.

6.10.x. It is of concern to the Board, and has been raised on many occasions, that prisoners eat their meals in their cells, many of them shared, and in which the toilet area is only partially screened.

6.10.xi. Wing forums are referred to under Diversity – see 5.1.ii

Section 7 -WORK OF THE BOARD

7.1. Board statistics

	<u>2008/9</u>	<u>2009/10</u>	<u>2010/2011</u>
Recommended Complement of members	20	20	20
Numbers of members present at start of period	15	13	11
Numbers of members at end of period	13	13	9
Number of members joining during period	2	5	2
Number of members leaving during period	2	5	4
Total number of visits to the prison by members	847	586	412
Total number of Applications received	725	747	636
Total number of Segregation reviews attended	160	170	214

7.2 APPLICATIONS RECEIVED

		2007/8	2008/9	2009/10	2010/11
<u>A</u>	Accommodation	2	21	20	6
<u>B</u>	Adjudications	2	1	8	6
<u>C</u>	Diversity/Race related	7	11	10	6
<u>D</u>	Education/Work/Training	29	31	22	19
<u>E</u>	Family/Visits	39	34	34	35
<u>F</u>	Food/Kitchen Related	19	16	14	21
<u>G</u>	Health Related	84	67	98	113
<u>H</u>	Property	92	81	53	47
<u>I</u>	Sentenced Related	64	53	74	56
<u>J</u>	Staff/Prisoner Related	29	31	34	42
<u>K</u>	Transfers	50	68	56	68

<u>L</u>	Miscellaneous	197	311	324	219
	<u>TOTAL</u>	<u>612</u>	<u>725</u>	<u>747</u>	<u>638</u>

Above figures show a 17% decrease in Applications received this reporting period.

Personal Health concerns still give rise to a significant proportion of applications (17%) Medication issues featured more than any other.

Property, release dates and transfers dominate the remaining applications.

Inmate finance (21), Mail (28), R/C (41) continue to cause frustration. The majority of R/C received relate to late replies to lost or missing property as a result of an establishment transfer.

7.3. There were no serious incidents during the reporting period.

SECTION 8 – CONCLUSION

This is the last report we will write for HMP Birmingham as a public service Prison. We realise that some of the recommendations made to the Regional Custodial Manager and Governor will in future need to be made to different designated roles, but within the reporting period these are the people to whom we currently need to address our concerns.

This is very much the end of an era for Birmingham Prison which has seen many changes in its 162 years – this latest change will be the most historic. Significant and welcome changes were made when interim Governor and Deputy Governor, Pete Small and Steve Williams respectively were appointed late in the reporting period. In a very short time through strong leadership and robust management, also working alongside G4S staff, they have made a noticeable difference. Morale amongst staff has been enhanced by the announcement that both of them have transferred to G4S as Director and Deputy Director respectively.

The future will be different, certainly culturally – G4S is a business and answerable to shareholders. The Board looks forward to a good working relationship with the new management and G4S generally.

Some talented staff have left, preferring to remain within the public sector – we wish them well in their new establishments.

During the privatisation process staff and prisoners constantly asked Board members what would happen when the prison was actually in private hands – would we still come into the Prison? We have assured everyone that our role will not change – we are totally independent, which G4S acknowledge, and will continue as before – to satisfy ourselves as to the humane and just treatment of those held in custody.

BARBARA BRADBURY
Chair - IMB,
HMP Birmingham
November 2011