

# HM PRISON BLANTYRE HOUSE



## ANNUAL REPORT

**1 JULY 2013 – 30 JUNE 2014**

# **HMP BLANTYRE HOUSE**

## **ANNUAL REPORT OF THE INDEPENDENT MONITORING BOARD**

**1 JULY 2013 – 30 JUNE 2014**

### **SECTION ONE**

#### **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 Secretary of State from members of the community in which the prison or centre is situated.

The Board is specifically charged to:

- 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
- inform promptly the Secretary of State, or any official to whom he has delegated authority, as it judges appropriate, any concerns it has; and
- 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 to the prison's records.

## SECTION TWO

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## **SECTION THREE**

### **DESCRIPTION OF THE PRISON**

- Blantyre House (BH) is a category D semi-open resettlement prison. It was re-rolled in July this year, having previously accepted Category C men. Since January 2008 the prison has been jointly managed with the resettlement open prison and young offenders' institution for women at East Sutton Park (ESP).
- The establishment's Certified Normal Accommodation (CNA) is 122. The prison is usually at or close to full occupancy and accommodation is provided in 116 single rooms and 3 doubles.
- Within three weeks of arrival at BH, men are expected to have completed their Pathway Plan, which is presented to a Sentence Planning Board and forms the basis for establishing how they will achieve their resettlement. Following this, a Risk Board is convened to assess the individual's suitability for Release on Temporary Licence (ROTL). Most men have the opportunity to take paid work for the last 12 months of their sentence. Earnings are subject to the 40% Prisoners' Earnings Act (PEA) deductions as well as the usual taxation and National Insurance.

## **SECTION 4**

### **EXECUTIVE SUMMARY**

The past year has been a time of consolidation for the management team, who have implemented regular meetings and engaged with the prisoner population in a more thorough way. The relationships between staff and prisoners are generally very good.

Delivery of the resettlement regime is good by national standards, but there is room for improvement in key areas, particularly IAG (Inmate Activity Group) and Education. Of the 37 men released over the reporting year, 32 had jobs (86%) and all had accommodation. Employment within the prison remains low, however. The prison's historical ethos of self-reliance and self-motivation is now appropriate only for a minority of prisoners; some adjustments have been made to acknowledge the higher levels of assistance needed.

Last year, the main focus of the IMB's concerns was around drugs and violence, and management has tried hard to respond to the persistent presence of drugs in the prison, in particular, the so-called "legal highs", principally "Spice", with the prompt removal to closed conditions of those involved in the supply or use of drugs or alcohol. It remains impossible to assess the level of use of Spice, but anecdotally, it is still a significant problem.

There has been a drop in serious incidents, with one short-lived barricade and a use of force in relation to a threat of violence towards an officer. Overall, the prison has been quieter and less tense, though thefts and vandalism have become a feature of life when once they were unknown. There have been numerous reports of bullying, though few formal anti-bullying measures; most incidents were quite minor, but also some more severe threats, which are mentioned under Safer Custody (S 5.4)

The department of the prison which causes the most complaints to the IMB is IAG, the Inmate Activity Group (S 6.1). Many rota visits include a record of prisoners complaining about some degree of frustration with this office. Management has responded by appointing Peer Mentors, who have delivered high levels of assistance and data recording. A recent new recruit to the department has won consistent praise from the men for her achievements in finding them employment. Prisoners refuse to make their complaints formal, believing they will be sent back to closed conditions if they speak out, but the IMB believes these fears are unfounded. Better monitoring and a regular audit of IAG would establish whether there is a basis for the complaints and whether fears of consequences are justified.

The prison's own statistics regarding employment suggest the population is being kept busy, but the reality is that there are still too many men with little to do. Officially, men who work within the prison work a six hour day, but this would seem to be the exception rather than the rule. The number of men in external paid employment was consistently only around 45-50% of those eligible. Men who are described as working on Projects or Community Placements

might only work one or two days a week. The Prisoners' Earnings Act (PEA) remains a major disincentive to paid work for many men. Previously, management has blamed the low level of employment on the poor educational standards of men arriving at BH, but attendance in Education is very low. (S 5.2)

### **Previous Year's Concerns**

(i) Please would the minister examine whether changes could be made to existing legislation to prevent the sale of "legal highs" and other drug paraphernalia in our shopping centres?

(ii) Please would the minister examine whether all men who are convicted of violent crimes could be obliged to attend an Integrated Domestic Abuse Programme (IDAP) prior to entering the resettlement phase of their sentence?

There was no reply to our first question. In response to our second question, we were advised that IDAP is only accredited for delivery in the community.

### **Questions for the Minister**

(i) We repeat last year's question (i) concerning legal highs.

(ii) Why is the murder of a spouse or partner not treated as domestic violence in the context of offending behaviour courses?

(iii) Men are arriving at BH towards the end of long sentences with significant educational deficits. Please would the minister look into the adequacy of provision in the closed estate?

## **SECTION 5**

### **5.1 Equality & Inclusion**

In the previous reporting period monthly meetings were held and chaired at governor level, however towards the final quarter of that reporting period for a number of reasons momentum had been lost. However, we are pleased to say that throughout this reporting period regular monthly meetings have taken place. All meetings were chaired at governor level and have been well attended by both staff and prisoner representatives. Having these meetings on a monthly basis demonstrates the importance that is placed on equality, diversity and inclusion at this establishment.

During the first quarter of the monthly meetings it had been noted that there were no Discrimination Incident Reporting Forms (DIRFs) being submitted. A prisoner representative explained that prisoners were frightened to put in a complaint form based upon their perceptions imbedded through experiences at other prisons. The prisoner representative felt it would take a long time to change this perception. Prison staff have since stressed the need to improve communications between staff and prisoners and felt this should be fed through the Consultative Committee and the induction process to ensure prisoners feel the system can be trusted. The prisoner representative was supportive of this course of action. Throughout the rest of the reporting period a number of DIRFs have since been raised and all have been resolved.

Towards the end of the last reporting period concerns were raised on the plight of Foreign Nationals. Since then we currently have three Foreign Nationals prisoners at the prison and there have been no issues reported throughout this reporting period. It should be noted that preparations for and during Ramadan went well and has been acknowledged by both staff and prisoners. However, prisoners and staff were reminded about the time allocation for Friday Muslim Prayers as some prisoners were returning to their rooms after Friday Prayer attendance instead of going back to work or education.

There were no issues surrounding sexuality reported at the monthly meetings and no complaint forms submitted with an equalities aspect. In terms of disability issues BH currently has two prisoners subject to PEEPs (Personal Evacuation Evaluation Plan).

During the first quarter of this reporting period it was noted at the monthly meetings that more attention needs to be paid to older prisoners. As a result a great deal of work is underway for the over 50s, including technology classes via education. During the summer there was also a successful presentation to the over 50s by Age Concern.

### **5.2 Education Learning and Skills**

This department offers a broad variety of courses which reflect the needs of the men. However, it is demand led with an emphasis on men taking responsibility for themselves,

which means they are able to avoid attending. Diagnostic testing of men on arrival has not been done consistently, with the result that the educational needs of about 25% of the men have not been assessed or added to their Sentence Plan. Over the year, the lack of priority given to the Sentence Planning Boards has meant that education has slipped down the resettlement agenda, despite low educational attainment being identified by management last year as the main reason for the disappointing levels of men in paid work. Management has stated that the IEP (Incentives and Earned Privileges) system is not considered to be appropriate for obliging men to attend Education, and that learning should be embedded in other activities such as plastering and decorating. The IMB questions whether Level 2 qualifications are necessary in all cases (equivalent to GCSE grade A-C) as most men enter semi-skilled or unskilled work.

Attendance at lessons has fallen over the last year, with only 3-4 men in English classes and 6-8 in Maths during May, for example. This is despite just under 50% of the men reportedly being below the required standard in Maths and English.

Over the past year many men have arrived with a much lower educational baseline than in previous years and Blantyre House is required to address educational needs which should have been dealt with earlier in a man's sentence. In previous years 77% of men have arrived with level 2 qualifications but this has dropped to under 50%. Men often arrive without certificates either because they have been lost, not issued by the sending prison or the prisoner has not done the course.

There are few incentives for men to attend education and the system of pay has not helped – men attending education are only paid for the number of hours attended whereas cleaners, for example, are paid regardless of how much work they do. On arrival, all men have to work in the kitchen for six weeks. This takes priority over education and there seems to be no flexibility and was a particular problem when some men only had a six week lay down period. The lay down period has now been extended to three months for all men. Some men do as many as 14 projects and this is a further disincentive for attending education.

The City and Guilds certificate in construction skills has run regularly during the year. It is the only workshop based learning opportunity in the prison. In the past this course was always oversubscribed but at times has run half full – this was partly due to some men having only a six week lay down period and the fact that work in the kitchen takes priority over education. There is now a three month lay down period for all men and courses are again full. Repeated promises for more than a year that a bricklaying course will be offered have come to nothing, which is inexcusable when construction jobs are available.

There have also been disappointing failures to follow through with good ideas to assist resettlement. An IMB proposal for a Skills for Life course, which would help men with basic cookery and support independent living, was initially welcomed and a room identified for delivery, then nothing happened. Similarly, delivery of courses designed to help men prepare for work has been haphazard, despite the high level of need for assistance with CV writing, interview practice and disclosure. The BICS course (British Institute of Cleaning Science) was promised but never delivered, despite investment in training and resources.

In August 2013 the education contract with The Manchester College was renewed for another three years.

### **5.3 HEALTHCARE AND MENTAL HEALTH**

New arrivals at Blantyre House continue to be seen promptly in Healthcare. Prisoners are assessed and given advice on physical and mental health and diet with referrals made to external professionals as appropriate. The GP holds two surgeries a week and the nurses have open surgeries on other days. The range of services available and waiting times are comparable with those experienced by the public. Healthcare provision is arranged through the Oxleas NHS Trust.

Prisoners are encouraged as part of their rehabilitation to take responsibility for their own health and deal with issues that could harm their ability to live and work in the community. They also have the opportunity to live a healthy lifestyle with the emphasis on smoking cessation, drug and alcohol awareness, physical fitness and diet.

As noted in previous annual reports The IMB continues to be concerned about the lack of counselling provision at Blantyre House. If men are to improve their chances of coping on release, counselling is vital to prepare them, particularly at the end of long sentences. It is not known what percentage of newly released prisoners re-offend because they want to return to custody, but there are clear signs that longer sentences institutionalise and reduce the individual's ability to adjust to independent living. It should be noted that the probation officer at Blantyre House offers very good support and advice to the men she sees struggling with anxieties around the issues relating to their release.

It is still a concern that men are arriving at Blantyre House with addictions to prescription drugs, specifically opiate based pain killers including tramadol. Now that tramadol has changed from a prescription only medicine to a Schedule 3 Controlled Drug, the IMB will continue to monitor how well this is implemented in Blantyre House.

### **5.4 SAFER CUSTODY**

The Board is pleased to report that Safer Custody meetings were held on a monthly basis throughout the reporting year in contrast to the previous year when only three meetings were held.

A self-inflicted death of an offender, the first to occur at the prison, occurred at the end of the previous reporting year. The subsequent report was complimentary of the handling of the incident by staff and the recommendations made were confined to the re-issue of the emergency protocols and guidance on CPR.

After some lobbying of the Samaritans by management the Board is pleased to note that the Samaritans have agreed to support a Listeners' scheme at the prison, something for which some offenders have been pressing.

Alcoholics Anonymous (AA) internal meetings are held weekly and Narcotics Anonymous (NA) meetings are held on a needs basis. Resettlement Day Release can be given for attendance at AA and NA external meetings. All offenders are given a leaflet warning them of the danger of the use of

“Spice”. Despite the return to closed conditions of those offenders identified with the use of “Spice” earlier in the reporting year, the use of this substance and other drugs appears to be on the rise.

Four ACCT (assessment care in custody teamwork) documents were opened during the reporting year. The Board has expressed concern that some staff are not aware of the need for an ACCT document to be opened when the occasion demands. Training has been given to staff in response to this.

The IMB has been concerned about persistent low level bullying, particularly of vulnerable prisoners, and identified the persistent switching off of lights in the corridors at night as an example of this type of behaviour. Action has been taken to prevent prisoners from casting the House into darkness, but complaints of feeling unsafe at night have persisted, and the IMB has welcomed the investigations launched by the prison.

It has become clear that some offenders, whilst on ROTL, are using the internet to investigate recent arrivals at the prison to ascertain their index offence. This could lead to threatening behaviour against an offender because of the nature of his offence. In one case an offender was wrongly regarded by other offenders as falling within a category to which they took exception. Management took quick and effective action to disabuse those accusers of their wrongly held beliefs thus ensuring the safety of the offender in question.

Early in the reporting year bullying, anecdotally connected to “Spice” use and trading, was in evidence (something picked up by HMIP during the unannounced inspection in September 2013) However, subsequently, those offenders who have attended Safer Custody meetings, have regularly reported that they feel safe within the prison and that there was no area where they felt vulnerable. They have expressed satisfaction that troublemakers have been identified by management and staff and returned to closed conditions. Other prisoners have completely contradicted these comments, claiming Spice use is problematic, particularly at night, but the prison has been unable to verify or deny these claims.

## **5.5 SEGREGATION**

There is no segregation unit. At present, any prisoner who fails to adhere to prison rules can be removed to a closed prison, sometimes following adjudication, but not always. We understand that a safe holding room is to be provided, which should improve security in the House.

## **5.6 RESIDENTIAL SERVICES**

### **(i) Catering**

The prison continues to provide a reasonable range and quantity of food despite budgetary cut-backs. The IMB receives complaints from time to time that the quantity of food is inadequate but on the whole we do not feel that these complaints are justified. When men arrive from other prisons they are frequently complimentary about the standard of the food, but within a few weeks start complaining. Persistent thefts of food from the kitchen by prisoners and aggressive behaviour towards dining room staff have been unwelcome developments, and due to unruly behaviour at meal times, officers are now needed to supervise the dining room.

## **SECTION SIX**

### **Other Areas of the Prison Regime**

#### **6(i) IAG – Inmate Activity Group**

The IMB repeatedly expressed its concerns about this department to management during the year, continuing the pattern of the previous year. Some changes occurred, notably the use of peer workers, who greatly improved the level of service available to the other men and the accuracy of data about the prisoner workforce. In particular, many prisoners struggle to fill in ROTL (Release on Temporary License) request forms, which are much more complex now, and poor literacy means that job applications can be a hurdle. Peer workers have taken a significant amount of the form-filling burden from IAG, but restricted hours of access, designed to allow IAG staff time to catch up on paperwork, have caused difficulties and given rise to numerous informal complaints. The fact that the doors of IAG are locked for long periods every day does nothing to enhance working relationships with the prisoners. At times, it has been unclear if the prisoners' complaints that suitable paid jobs are simply not available are justified, but poor access to the department has certainly slowed down the process of applying for jobs. Prisoners have also been frustrated by the long delays in obtaining workplace security clearance, which is provided by the Police.

Reports provided to the IMB from IAG at our monthly board meetings have latterly been so poorly prepared as to be of little use. The IMB is concerned about the lack of oversight of this department, which is managed from East Sutton Park, and would welcome an annual audit and better internal reporting requirements. Whilst allegations of various forms of incompetence, rudeness and unhelpfulness have emanated from the prisoners, the lack of specificity to their complaints makes it impossible to follow them up. Management has given reassurances via the PCC (Prisoner Consultative Committee) that it is safe for men to complain, but prisoners remain convinced that they risk being returned to closed conditions if they make formal complaints, or will be discriminated against in more subtle ways. They have even refused to complain anonymously in case they are identified.

Access to interviews for work has latterly improved substantially as Blue Arrow, the recruitment agency, has started finding jobs for men. This is thanks to a funded ESF Job deal initiative by an ex-offender, who has also brought significant work opportunities with national employers into the prison and (post reporting period) managed to rekindle the neglected working relationship with Timpsons, leading to improved recruitment and promotion of Timpsons. Over the year, just under half of those eligible for paid employment were in work.

#### **6(ii) PCC**

The Prisoners' Consultative Committee, meeting monthly, remains an important part of the official collective communication between the prisoner cohort and the prison establishment. Most meetings in the course of the year were attended by a member of the IMB. Whilst prisoner representatives number as many as eight, representing different areas of responsibility, such as health, kitchens, drugs etc., the particular regime at BH, including volunteering and work outside the prison, usually results in attendance of only around half of the representatives. It is not always clear if non-attenders have sent agenda items or points to be raised via others, or even sometimes if the populace as a whole has been consulted about the area they represent. Nevertheless we feel that as the only forum of its kind within the

prison, it is to be encouraged and prisoners' representatives perhaps need guidance as to how to effectively use the PCC. In this respect it would be helpful if the prison staff, perhaps personal officers, could take a lead in assisting prisoners to work through action points resulting from the meeting, and also making sure that action points on the staff side are all achieved before the next meeting. It can be disheartening for all to attend meetings where very little seems to have moved since the last meeting

### **6(iii) Sentence Planning and Risk Boards**

During the course of the year, the IMB complained to management that the Sentence Planning Boards had become casual. Uncertainty about priorities has allowed some men to stay at the Project stage or in Community placements for lengthy periods, blocking the progress of others and avoiding their own progression to paid work.

Failures to attend by relevant staff and offenders were compounded by lapses in paperwork and poor preparation. These meetings are pivotal to ensuring the best use of time and resources in resettling prisoners, so it is with some relief that we note recent improvements in attendance. Complacency about these meetings and confusion about priorities are potentially undermining to the regime, so clearer communication and planning with prisoners at the Induction stage would improve matters.

The IMB expressed concerns last year that Risk Boards were no longer to be chaired by a Governor. In fact, most boards have been overseen by a Governor grade, but plans exist to train Custodial Managers to supervise Risk Boards. The IMB remains convinced that the Risk Boards deserve to be given the highest priority and their effectiveness is greater when a Governor is in charge. Attendance by and contributions from Security remain unpredictable due, presumably, to low staffing. Changes to ROTL requirements have been absorbed and implemented on the Risk Boards, so the men are now clear that they do not have an automatic right to ROTL.

When all the relevant parties attend, there is commendable professionalism in the conduct of these boards, and a strong demonstration of good working relationships.

### **6(iv) Drugs and Alcohol**

About half the prison population attends RAPT (Rehabilitation of Addicted Prisoners Trust), which provides counselling on both drug and alcohol addiction. The provision of this service by an external agency has removed from BH the need to have its own drug strategy, but vigilance regarding drug and alcohol use is high. Men sign a compact on arrival at the prison, acknowledging that they must not use drugs or alcohol. There has been no increase in men returned to closed conditions for failing the regime, which remains at about 24 a year.

### **6(v)Timpsons**

The Timpsons Academy, which opened in 2012, provides an excellent resource to the prison in allowing serving prisoners to experience a 5 day working week with the possibility of a job on release if they complete the 16 week apprenticeship satisfactorily.

The lack of effective liaison between the prison and Timpsons has been a continuing concern, (see 6.1,) with management failing to take simple steps to create a good working relationship. As a result, only a few men from Blantyre House have benefitted from the training during the

year and most of the places have been taken by men travelling from as far afield as HMPs Ford, Rochester and Standford Hill.

## SECTION SEVEN

### THE WORK OF THE IMB

<b>BOARD STATISTICS</b>	
<b>Recommended Complement of Board Members</b>	<b>10</b>
<b>Number of Board members at the start of the reporting period</b>	<b>9</b>
<b>Number of Board members at the end of the reporting period</b>	<b>8</b>
<b>Number of new members joining within the reporting period</b>	<b>4</b>
<b>Number of members leaving within reporting period</b>	<b>4</b>
<b>Total number of Board meetings during reporting period</b>	<b>12</b>
<b>Total number of visits to the Establishment</b>	<b>289</b>
<b>Total number of segregation reviews held</b>	<b>0</b>
<b>Total number of segregation reviews attended</b>	<b>0</b>
<b>Date of Annual Team Performance Review</b>	<b>02/12/2014</b>

## Applications

Code	Subject	Year 2012	Year 2013	Year 2014	Year
A	Accommodation				
B	Adjudications		1	4	
C	Equality & Diversity (inc religion)				
D	Education/employment/training inc IEP			1	
E 1	Family/visits inc mail & phone				
E 2	Finance/pay				
F	Food/kitchen related		2	2	
G	Health related				
H 1	Property (within current establishment)			1	
H 2	Property (during transfer/in another establishment)	1	1		
H 3	Canteen, facilities, Catalogue shopping, Argos				
I	Sentence related (inc. HDC, ROTL, parole, release dates, re-cat etc)		3	3	
J	Staff/prisoner/detainee concerns inc bullying		1	1	
K	Transfers				
L	Miscellaneous		4	6	
	<b>Total number of IMB applications</b>	<b>1</b>	<b>10</b>	<b>18</b>	
	<b>Of total: number of IMB Confidential Access was:</b>	<b>0</b>	<b>0</b>	<b>3</b>	

