



REPORT

BY

INDEPENDENT MONITORING BOARD

OF

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

FOSTON HALL

1ST DECEMBER 2010 to 30TH NOVEMBER 2011

CONTENTS

CONTENTS	2
STATUTORY ROLE OF THE INDEPENDENT MONITORING BOARD	3
DESCRIPTION OF THE PRISON	4
BUILDINGS AND GROUNDS	5
ACCOMMODATION	5
EXECUTIVE SUMMARY	6
DIVERSITY	7
LEARNING AND SKILLS	7
HEALTHCARE AND MENTAL HEALTH	8
SAFER CUSTODY	8
CARE AND SEPARATION UNIT	9
STAFF	9
PRISONERS	10
CATERING AND KITCHEN	10
REGIME AND ACTIVITIES	11
APPLICATIONS TO THE INDEPENDENT MONITORING BOARD	11
BOARD STATISTICS	12
APPLICATION STATISTICS	13

STATUTORY ROLE OF THE INDEPENDENT MONITORING BOARD

01. The Prisons Act 1952 and the Immigration and Asylum Act 1999 require every prison and IRC to be monitored by an independent Board appointed by the Secretary of State for Justice from members of the community in which the prison or centre is situated.
02. The Board, is specifically charged to:-
 - a) Satisfy itself as to the humane and just treatment of those held in custody within its prison and the range and adequacy of the programmes preparing them for release,
 - b) Inform promptly the Secretary of State or any official to whom authority has been delegated, as it judges appropriate, any concerns it has,
 - c) Report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact these have on those in its custody.
03. To enable the Board to carry out these duties effectively its members have the right of access to every prisoner and most parts of the prison and also to the prison's records.

DESCRIPTION OF THE PRISON

01. Foston Hall is a closed women's prison and accommodates just under 300 prisoners, both convicted and on remand. This number constantly fluctuates slightly. On 30th November 2011 there were 288 prisoners.

02. Physical health provision is commissioned by Derbyshire County Primary Care Trust and provided by Derbyshire Health United. Mental health provision is commissioned by Derbyshire County Primary Care Trust, and provided by Derbyshire Mental Health Trust

03. Lincoln College is the provider of Learning and Skills, in the main prison and Remand centre. Derby College continues to provide the British Institute of Cleaning and Science in the main prison.

04. Offender Management and Counselling, Assessment, Referral, Advice and Throughcare Team staff initiate programmes which can link with agencies in the outside community to support prisoners after release.

BUILDINGS AND GROUNDS

01. The main prison for sentenced prisoners is located in the hall and in ready-to-use units, whilst the remand centre has its own compound within the grounds.
02. The remand centre is independent of the main prison in all aspects and has its own facilities, except that meals for both are prepared in the main prison kitchen. Remand prisoners are occasionally accommodated in the prison Care and Separation Unit, some administrative and specialist staff cover all areas, and staff from any of the areas can reinforce those in any other areas in an emergency.
03. The grounds and gardens are very well maintained by the prisoners under the very keen supervision of the gardening staff.
04. The prisoners respect, and take a pride in their environment, and litter and rubbish in the grounds and graffiti and damage to the buildings are rare.

ACCOMMODATION

01. Prison wings A, B, C (induction) and F (voluntary drugs testing) are separate two storey, ready-to-use wooden buildings, with single en-suite cells, with a small number of double cells in A and in B, dining room and servery, recreation room lounge, personal laundry room and offices.
02. Prison wing E is located on two upper floors on the north of the hall, and the single and shared rooms are not en-suite, but women living in them have chosen to do so. It has a lounge/dining room with servery, personal laundry, washing and shower areas, and toilets.
03. Prison wing D was created in two storeys of an earlier building in 1997, with no single cells and all cells being partially en-suite, having wash basins and toilets. In some cases four prisoners are forced to share a toilet in cell, with the only privacy being a curtain which does not even reach the ground. The wing has a dining area, servery, lounge, shower rooms, personal laundry room and offices.
04. The remand centre is a two-storey brick building with accommodation in mostly single en-suite cells, and there is a dining room and servery, recreation room, lounge, personal laundry room and offices. The centre has provision for health care, probation, drugs counselling and support, hair dressing, learning and skills, and religion and faith activities.
05. T Wing, which was previously used to accommodate young women and has 16 cells, now houses adult prisoners on enhanced status.

EXECUTIVE SUMMARY

ISSUES REQUIRING MINISTERIAL RESPONSE

- 01 Foston Hall lacks the facilities in-house to provide an adequate service to women prisoners who have mental health problems. In acute cases, it is necessary for mentally ill prisoners to be segregated and their mental health needs are not properly met in these conditions. This requires a national response and joint action between health and justice departments working together to develop improved access for women prisoners. This issue has been raised in the Board reports since 1997.
- 02 The problem with recruitment and retention of Healthcare staff could adversely affect the provision of health care within the establishment.
- 03 Foston Hall has a small, but growing, population of women sex offenders. Nationally there are no structured treatment programmes or interventions for women sex offenders to reduce their risk of reoffending while serving prison sentences. This is an issue which requires a national solution and action to develop an effective accredited treatment programme for women sex offenders. This issue was raised in the Board report for 2008/2009 and 2009/2010 and is raised again in this Report.
04. It is of concern that there is no accredited drugs treatment programme provided in the prison. This issue was first raised in the Board report for 2008 /09.
- 05 We deplore the living conditions on D Wing (as detailed in Accommodation 03 above) which are substantially overcrowded, unhygienic and degrading. We have drawn this matter to the attention of previous Ministers and the Area Manager but conditions have not improved.

DIVERSITY

01. The several races and nationalities in all areas generally live together harmoniously as far as the Board can tell.
02. On the staff are Christian (Anglican, Free, Pentecostal and Roman Catholic) and Muslim chaplains, and those for other denominations and beliefs visit when requested. We are not aware of any conflicts, but rather good relationships between prisoners of different faiths or of none.
03. Proper provision is made for bona-fide members of all faiths to hold their religious observances and celebrations, and the needs of various races and ages are recognised and catered for. This includes the availability of appropriate alternative meals for those with particular racial or religious needs, or genuine personal requirements.
04. In addition to providing for the recognised racial and religious needs of prisoners, staff make every effort to satisfy the bona-fide personal needs of all prisoners and are commended for it.
05. There continues to be a need for the language issue of foreign nationality women to be assessed and provided for.

LEARNING AND SKILLS

01. Women in the main prison are able to study for, and gain, various educational and vocational qualifications in numerous academic and practical subjects.
02. Women on remand are not obliged to undertake any activities, but they are encouraged to take advantage of the computer, art, and environmental recycling classes available.
03. There is considerable academic, artistic and practical ability and skill among the women in all areas, and many deserve to be commended for the way in which, with the encouragement and support of dedicated staff, they develop them.

HEALTHCARE AND MENTAL HEALTH

01. Physical health provision is commissioned by Derbyshire County Primary Care Trust and provided by Derbyshire Health United. Mental health provision is commissioned by Derbyshire County Primary Care Trust, and provided by Derbyshire Mental Health Trust

02. **in the prison:-**
 - a) The medical centre has offices, storage areas, treatment room, pharmacy and dispensary. There is no overnight accommodation.

 - b) There is 24 hour nurse cover, and there are regular attendances by general medical practitioners, dentists, opticians, psychiatrists, psychologists and counsellors.

03. **In the remand centre:-**
 - a) There is an interview room for nursing staff use, a surgery for general medical practitioners, and a dispensary.

 - b) A range of detoxification advice, counselling and referral programmes, with nursing staff support, is available to prisoners in need of them.

04. The concern previously felt by the Board with regard to low attendance for hospital and dental appointments is no longer the issue that it was.

05. Like most prison establishments, Foston Hall does not have either the facilities or the expertise to care for prisoners with severe personality disorders or psychiatric needs who are on long term sentences. This is a problem which can only be solved through joint action by national health and penal authorities, with Government support. Meanwhile, women with this need have no access to the appropriate help, and have to be confined to the Care and Separation Unit.

SAFER CUSTODY

01. The regime in Foston Hall is intended to encourage prisoners, through appropriate discipline, guidance, support and freedom, to become independent and self-disciplined individuals, in the hope that this will stand them in good stead when they are released, to their benefit, and to the benefit of the communities in which they will live.

02. The Board and prison staff monitor the level of bullying and self harm and the number of incidents of these is a matter of concern to the Board.

03. The Listener Support programme is to be applauded and the Board recognises the contribution that this makes to a safer establishment.

CARE AND SEPARATION UNIT

01. The Care and Separation Unit, (referred to within the prison as the Reflection Unit) for segregated prisoners, is located in the main prison, and is used for both sentenced and remand prisoners. It can accommodate seven in basic single cells, two of which provide for closer observation.
02. In the experience of the Board the unit staff are very patient, professional and understandings of the problems experienced by women in their charge and, whilst exercising the necessary disciplinary authority over them, endeavour to support the women as much as they can
03. Staff make documentation available to, and willingly share their knowledge of prisoners with, Board members.
04. A member of the Board is designated to co-ordinate the attendance of Board members at Reviews, and is the contact for Care and Separation Unit staff.
05. Reviews and adjudications that have been observed by Board members have been attended by appropriate members of staff, and have been conducted in a formal but positive manner, always with the intention, which is usually realised, of providing appropriate support for the prisoners involved, as well as necessary protection for staff and other prisoners.
06. We continue to be seriously concerned that there is inadequate provision in the nation's penal and health systems for prisoners with serious personality disorders, with the result that, because of their often uncontrollable behaviour, they are occasionally confined for prolonged periods in the Care and Separation Unit, to the inevitable long term disadvantage of such prisoners, despite the professional care and understanding they receive from staff.

STAFF

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

PRISONERS

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

CATERING AND KITCHEN

01. Menus are displayed in advance on all wings and the remand centre.
02. All prisoners are expected to order in the week before delivery, using a computer read slip system.
03. Meals are prepared in the kitchen in the main prison and delivered on trolleys to serveries on all wings, and the remand centre, from where they are served to prisoners.
04. Given the financial constraints imposed externally the meals are varied, and nutritious, and appropriate diets are provided for those requiring them for medical, religious or genuine personal reasons.
05. Most complaints relate to quantities being too small, rather than the choice or preparation. We are concerned that financial restraints and increasing costs will affect this issue even more.
06. A complaints system enables women to raise issues with kitchen staff, in log books, and most are dealt with by the catering staff.

REGIME AND ACTIVITIES

01. In the main prison, women under state retirement age are employed in numerous paid activities, including in the gardens and grounds, as cleaners in the many buildings, as students in learning and skills, programmes and cleaning science classes, and in the animal sanctuary, textile workshop, kitchen, library, and chapel and hairdressing salon.
02. The remand centre provides information technology, art, and environmental recycling classes, mostly at basic level.
03. Population pressures and a reduced regime impact upon the availability of paid activities for prisoners, an issue which has often been brought to the Board's attention.

APPLICATIONS TO THE INDEPENDENT MONITORING BOARD

01. Forms on which prisoners can make confidential applications to see Board members are openly available on all prison wings, and in the remand centre together with wall notices explaining the procedures involved.
02. Board members have regular contacts with prisoners whilst undertaking visits or attending meetings, and are able to deal with many issues raised in an informal way.
03. Applications by prisoners and responses by Board members are recorded in a log book, or on the relevant application form, the contents of which are confidential to Board members.
04. The Board notes a marked increase in the number of formal applications this year compared to last year, without speculating as to the main cause for this increase.

BOARD STATISTICS

Recommended Complement of Board Members	10
Number of Board Members at the start of the reporting period	7
Number of Board members at the end of the reporting period	6
Number of new members joining within the reporting period	0
Number of members leaving within reporting period	1
Number of attendances at meetings other than Board meetings	52
Total number of visits to the prison/IRC (including all meetings)	202
Total number of applications received	107
Total number of segregation reviews held	94
Total number of segregation reviews attended	21

WRITTEN APPLICATION STATISTICS

CODE	SUBJECT	2010/11
A	Accommodation	13
B	Adjudications	2
C	Diversity related	5
D	Education/employment/training	18
E	Family/visits	2
F	Food/kitchen related	3
G	Health related	19
H	Property	7
I	Sentence related	4
J	Staff/prisoner/detainee related	15
K	Transfers	3
L	Miscellaneous	16
	TOTAL NUMBER OF APPLICATIONS	107