



HMP WHITEMOOR

ANNUAL REPORT

2013

(1 June 2012 – 31 May 2013)

Monitoring Fairness And Respect

For People In Custody

1 Foreword

1.1 The Statutory Role of the IMB

1.1.1 The Prisons Act 1952 requires every prison to be monitored by an independent Board appointed by the Justice Secretary from members of the community in which the prison is situated.

1.1.2 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 the authority as the Board 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 this has had on those in its custody.

(4) 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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3 Description of HMP Whitemoor

3.1 The Prison

3.1.1 Her Majesty's Prison (HMP) Whitemoor is located to the north of the Cambridgeshire town of March. Opened in 1992 as a maximum security prison for men in Categories A and B, it is one of eight prisons in England that form the High Security Estate (HSE). On 31 May 2013 the prison held 456 prisoners, against an operational capacity of 458. Just over one-third were Category A (150) or High Risk Category A (15)

3.1.1 All Whitemoor prisoners are accommodated in single cells with integral sanitation but separate showers. There are three main wings. In addition, the Fens Unit (D Wing), accommodates up to 70 prisoners diagnosed with a Dangerous and Severe Personality Disorder (DSPD). HMP Whitemoor also holds up to ten prisoners in one of the three Closed Supervision Centres (CSC), operating under a nationally coordinated management strategy to provide a secure, isolated location for those prisoners who consistently and violently disrupt normal wing life.

3.1.2 The prison had 682 staff as at 31 May 2013. Of the 682, 37% were women; 4% were BME; 4% were disabled; 32% of the Senior Management Team were women.

4 Executive Summary

4.1 Summary

4.1.1 The Board's overall impression of Whitemoor is of a prison staffed with dedicated and good-humoured personnel. Change however seems to be driven by cost-cutting and national re-labelling rather than by systematic and participatory analysis. (6.1)

4.1.2 A number of issues that we raised last year still concern us (4.5). We were disappointed that the Minister's response sought to rebut rather than address criticisms. Indeed, in our everyday dealings with Whitemoor's soon to arrive new Governing Governor we would welcome a greater willingness to engage in discussion, at a point before decisions are taken. Staff at all levels might also welcome such an approach.

4.1.3 The deconstruction of the Equality Action Team and the dismissal of ideas for promoting wide-reaching dialogue give an impression of a half-hearted and disjointed attitude towards encouraging harmony and understanding within Whitemoor's very diverse community. (5.1.3)

- 4.1.4 For educational provision Whitemoor is clustered with a group of prisons whose residents' needs are very different from those of long-term prisoners in the dispersal system. Staff recruitment problems, exacerbated by the change of provider and by slow security checks, have constrained the delivery of courses, in turn threatening loss of funding to other prisons in the cluster. (5.2.2)
- 4.1.5 The Board welcome continuing progress in the provision of healthcare and acknowledge the benefits of having co-located the Mental Health In-reach Team with other health workers. We hope that the provision and control of prescription drugs can be uniformly tight in all parts of the prison. (5.3.1-5.3.4)
- 4.1.6 Service-wide changes towards prisoners working have not reached Whitemoor (5.4.1)
- 4.1.7 The reorganisation of the Offender Management Unit is delivering benefits. (5.5.1) The Board are however concerned that the national team seem unwilling to downgrade the categorisation of prisoners who deny their offences, and they seem to have a limited understanding of how to handle prisoners with a Dangerous and Severe Personality Disorder. (5.5.3)
- 4.1.8 The Safer Custody Team is at times stretched. (5.6.1) Because of security considerations little use is made of the Listener Suite. That and problems with the Samaritans phone limit the availability of support for those in emotional crisis. (5.6.3) A heavily disproportionate number of Assessment, Care in Custody and Teamwork (ACCT) documents are opened for prisoners with Dangerous and Severe Personality Disorder, with some open almost continuously. (5.6.5)
- 4.1.9 The Care and Separation Unit has become a waiting area for prisoners who should be located elsewhere but for whom places cannot be found. We note especially those awaiting assessment for or return to Close Supervision Centres, and those deselected from the wing for prisoners with Dangerous and Severe Personality Disorders. Segregating prisoners with limited facilities and privileges for periods in excess of six months is far too common and is traumatic for the many whose personal condition is already fragile. The Board have started to refuse to countersign authorisation documents and propose in future to do so routinely if there is no credible exit strategy for a prisoner. (5.7.1-5.7.3)

4.2 Issues requiring a response from the Minister

- 4.2.1 Will the Minister please reconsider the recommendation of Her Majesty's Chief Inspector of Prisons that Whitemoor should directly promote dialogue between staff and Black and Minority Ethnic (BME) prisoners, as well as with Muslim prisoners, and between those groups and all other prisoners? (4.5.2 and 5.1.3)

4.2.2 Will the Minister please direct officials to ensure that facilities are made available and that routes for movement are open so that the Care and Separation Unit is not used for the long-term holding of prisoners who do not deserve to be held in isolated and deprived conditions, and whose welfare might be seriously harmed by such confinement? (5.7.1-5.7.2)

4.3 Issues for the Minister's attention

4.3.1 The Crisis Suite in the wing for prisoners with a Dangerous and Severe Personality Disorder (the Fens Unit) is being used to hold prisoners in segregated conditions in excess of six months for no reason other than that they have been deselected from treatment but cannot be located elsewhere. (5.7.4) Some medical and mental health personnel outside of the Fens Unit have questioned whether certain aspects of the drugs regime require attention. (5.3.4)

4.3.2 The central Category A Review Team (CART) appear to be unwilling to recategorise Cat A prisoners who deny their offence. (5.5.3)

4.4 Issues for the Prison Service's response

4.4.1 Will the Prison Service please reflect on how best to provide the services of Samaritans and Listeners trained by them in a prison in which Samaritans phones do not work on half of the wings and perceived cell sharing risks mean that the Listener Suite can seldom be used? (5.6.3)

4.5 Last year's concerns

4.5.1 We welcomed the Minister's assurance in response to our observations last year that enough High Secure Hospital beds had been commissioned to accommodate the needs of mentally ill prisoners. We note however that the numbers waiting for assessment or location to Close Supervision Centres are even worse than when we raised the matter last year.

4.5.2 We remain disappointed that there is no intention to implement the recommendation of Her Majesty's Chief Inspector of Prisons that dialogue should be promoted between BME and Muslim prisoners and staff, and between BME, Muslim and other prisoners. And our doubts about breaking up the Equality Action Team have not been assuaged.

4.5.3 We see no progress in Whitemoor adopting working arrangements for prisoners that are more commercially directed.

5 Mandatory areas

5.1 Equality and inclusion

5.1.1 Whitemoor has a very diverse population – 60% Black and Minority Ethnic (BME); 41% Muslim; 23% foreign nationals. Although those figures have not

greatly changed, they were already above the average for the High Security Estate. We note the Minister's assurance in response to our report last year that there is no national strategy to move Muslim prisoners to Whitemoor.

- 5.1.2 Against that background the Board expressed concern last year at the demise of a strong, effective Equality Action Team. Our concern remains. The team now comprises an Evaluation Officer and a Disability Liaison Officer, housed with the Safer Prisons Team; there is also a Foreign Nationals Officer in the Offender Management Unit (OMU). Their budget for extracurricular activities has been curtailed in line with everything else, meaning that most of the activities for foreign nationals forecast by the Minister in response to our report last year have not happened.
- 5.1.3 Despite the Minister arguing against the point, we are still disappointed that the recommendation of Her Majesty's Chief Inspector of Prisons that dialogue should be promoted between BME and Muslim prisoners and staff, and between BME, Muslim and other prisoners has not been implemented. One of the alternative approaches instead advocated by the Minister included a partnership with Peterborough Race Equality Council. We are glad that one of their representatives attends meetings in the prison (on the few occasions they are held), and that the Equality Officer is in contact with them (and also with Gypsy/ Travellers' representatives). Acting as a conduit between these groups and everyone else is however hard work for an officer who in practice can do little more than respond to specific cases. The Minister also referred to the role of the Chaplaincy. Whilst we have great respect for them, and applaud their work, spreading information and changing attitudes on the part of all prisoners and staff is too much for one group of people who are there primarily to serve the faith interests of their adherents. And of course, there are many other areas for Equality Action than those of religion. The Board believe that a prison community is an ideal place in which to promote better understanding between diverse groups, and it would contribute to a more peaceful living and working environment.
- 5.1.4 For disabled prisoners, there has been good progress on wheelchair access ramps, and a holding cell in Visits has been adapted for disabled prisoners.
- 5.1.5 There has been no progress in setting up a support group for prisoners who are gay, bisexual or transgender, despite surveys suggesting that in some parts of the prison there are those who are ready to be open about their sexuality.
- 5.1.6 We are pleased that the number of places on C Wing for over-50s prisoners has been increased, though there is still a waiting list. Staff cuts mean there is no longer a crafts day for the over-50s, with no one to supervise the use of scissors. This and the cuts to foreign nationals' activities point to a reduced Prison Service less and less able to cope with the needs of those who differ from the stereotypical average prisoner.

5.2 Education, Learning and Skills

- 5.2.1 As forecast in our report for 2012, the delayed change of education provider to A4E and the introduction of the OLASS 4 contract have caused instability in the provision of education. Prisoner attendance by the end of the period was only 75% of that planned. The great majority of class closures were due to A4E staffing shortages. A4E are making valiant efforts to recruit, including setting up a new management structure, but are hampered by the delays in security vetting.
- 5.2.2 Under OLASS 4, for funding and management purposes, all prisons are grouped in regional clusters, the rationale being that a prisoner will stay in his region throughout his time in custody. As a High Security prison, Whitemoor is in a cluster which is irrelevant to the path of a prisoner through the dispersal system, so no benefit accrues from it. The under-delivery of hours has caused pressure to take future funds allocated to Whitemoor elsewhere in the cluster; negotiations on this continue.
- 5.2.3 225 prisoners were enrolled by the end of the period. Under the rules of OLASS 4, most courses must be accredited and completed with a specified time. Achievement had been poor, but was improving and was in excess of 60% at the end of the period.
- 5.2.4 As predicted, under the rules of OLASS 4, level 3 courses are no longer provided by A4E, so the continuous path of education for long term prisoners is broken. We may expect the Open University and other distance learning courses to cease once the present students complete their courses. How many level 2 courses is it reasonable to expect a learner to take?
- 5.2.5 The prison-run training courses all appear to be safe and are well attended. Workshop 10 has been transferred to A4E who have updated the equipment and are successfully running good accredited courses. The virtual campus installed in workshop 5, with the capacity to address the needs of up to 35 prisoners, is still not usable after years of planning.
- 5.2.6 Detailed curriculum planning is made on the basis of a needs assessment, for the education year beginning 1 August, but the Skills Funding Agency do not issue the budget until two weeks before that date.

5.3 Healthcare and Mental Health

- 5.3.1 Healthcare provision at Whitemoor continues to improve. All of the 84 recommendations in the 2011 Healthcare delivery plan have been delivered. Monitoring against Prison Health Performance and Quality Indicators (PHPQIs) shows no red lights for any of the 31 indicators.
- 5.3.2 Although there is good evidence that healthcare provision in Whitemoor is at least as good as in the community, needs are sometimes greater. For example, the wait of over 60 days to see the dentist equates to the experience

of the average NHS patient outside; but prisoners coming into the system have approximately four times the problems with their teeth than the average person in the community.

- 5.3.3 On prescriptions, the prison has adopted SYSTEM ONE, allowing comprehensive electronic information on all prisoners, highlighting prescribing issues. We are pleased to note that the doctor has been resilient against complaints from patients seeking to self-medicate with their preferred painkillers and treatments.
- 5.3.4 We have picked up concerns on the part of health and mental health staff outside of D Wing about the use of medication for prisoners with Dangerous and Severe Personality Disorder on the Fens Unit. The Unit has its own drugs regime, beyond the influence of Healthcare. Patients there are not allowed medicines in their possession, and medicines have to be seen to be taken, but it would appear that the 'see to take' approach is not infallible and that some of the prisoners still manage to retain some of their medication.
- 5.3.5 It is disappointing that technical problems with Tele-Medicine remain unresolved, and we are surprised that it had not been noted in advance that the distance from the Tele-Medicine hub would be a problem. BT are seeking a solution. Televisual contact with specialists will reduce bed-watch costs.
- 5.3.6 A grant was given by the King's Fund to refurbish a cell on the Healthcare spur to 'enhance the healing environment' and to provide end of life care. However, in April 2013 the necessary end of life training for use of the cell had not been completed and it was not in use. As with Tele-Medicine, and as we note elsewhere in respect of the Listener Suite, we are unsure how effective Whitemoor is at the planning stage in envisaging a project through its whole cycle to implementation.
- 5.3.7 The Mental Health group have moved into the main office on the Healthcare spur, much enhancing interdisciplinary working, and giving better access to the wings. The In-Reach team are satisfactorily staffed with two full time members and visiting specialists. Pressures on staff are increased by the reluctance of other prisons to accept any prisoner with mental health problems or learning difficulties. There is no wing in any prison in the country that specialises in taking prisoners with learning difficulties.
- 5.3.8 On illicit drugs, detection is much more effective following a reorganisation of the team early this year, leading to a reduction in the levels of class 'A' drugs and cannabis. However, the misuse of steroids continues and due to the large number of different types, is more of a problem to detect and control. The prison has worked hard to strike the right balance between mandatory drug testing, the provision of information to prisoners, and access to drugs teams.

5.4 Purposeful activity (includes work)

- 5.4.1 In response to our report last year, the Minister highlighted the role of ONE3ONE Solutions in increasing commercial work activity for offenders in custody. We are not aware of any changes in Whitemoor that could increase either the number of workplaces or the length of working day, or more generally give a work experience akin to that expected outside.
- 5.4.2 Given the limited amount of work available, education is a critical source of purposeful activity in Whitemoor. Because of OLASS 4 policy, staffing and related funding issues, as well as being clustered with prisons whose needs are very different (see 5.2.2 above) the prison is at a disadvantage in trying to provide sufficient and appropriate education.

5.5 Resettlement

- 5.5.1 The introduction of a single line manager for the Offender Management Unit (OMU) is starting to show benefits. Prisoner sentence planning supervision is split into two pods with each having a mixture of Lifer, IPP (Imprisonment for Public Protection) and Determinate under their control. This is further broken down with Offender Supervisors working in pairs to provide continuity of cover. These new arrangements have improved relationships with the Wings, Chaplaincy and Security. Drop-in centres are now regularly held on each Wing, giving prisoners easier and informal access to offender supervisors. The Board are also pleased to note that the countersigning and selective independent checking of OASys reports has reduced prisoner complaints.
- 5.5.2 There has been encouraging news too on moving prisoners to lower category prisons. 355 cases were reviewed, with 129 prisoners being recommended for progressive moves, and 123 transferring during the period of report. This was a significant improvement on the 82 moves in the previous year.
- 5.5.3 The re-categorisation of Cat A prisoners has been less encouraging. From the 121 reviews during the year under report only 9 prisoners were recommended for re-categorisation to Cat B, and just 4 of them were accepted by the central Category A Review Team (CART). The Board are disappointed to note their impression that members of CART are taking a harder line on prisoners who may be well behaved but are still in some form of denial. There also appeared to be a lack of understanding within CART on Dangerous and Severe Personality Disorder (DSPD) prisoners recommended for downgrading.
- 5.5.4 Sentence Planning Review Boards conducted 476 reviews in the reporting year. The availability of outside probation staff to participate has improved but these cases are still a low priority in their workload because of the outstanding lengthy sentences of many of their Whitemoor prisoners.
- 5.5.5 The Board are concerned that during the last 12 months one Cat A prisoner has been released directly to the outside world, contrary to normal arrangements

for preparing offenders in both their and the public's interests.

5.6 Safer Custody

5.6.1 Although Safer Custody is taken seriously in Whitemoor, one of the two Officer posts was cut as part of prison-wide reductions, and the former Senior Officer post is covered by the same person on promotion to Custodial Manager, who additionally now oversees the Care and Separation Unit. The quality and dedication of these officers and their administrative support disguises the occasional thinness of the cover when leave and rest days coincide.

5.6.2 At the crux of the Safer Custody programme at Whitemoor is the Assessment, Care in Custody and Teamwork (ACCT) document. In the year under report 107 ACCT documents were opened, compared to 122 in the previous 12 months. Occasional use is also made of gated cells for constant observation (used for 7 prisoners, spanning a total of 75 days).

5.6.3 A lesser role is in practice ascribed to Samaritans and Listeners. There were 10 active Listeners at the end of the reporting year, trained and supported by King's Lynn Samaritans. The support that Samaritans can offer is limited by the failure of dedicated phones to work on two of the four residential wings, meaning that prisoners from the other wings have to be taken to Healthcare or the CSU to use the Samaritans phones there – not always easy at night. Although Listeners are commendably active, especially with informal contacts, their role at night is constrained by a reluctance to utilise the dedicated Listener Suite – used only once since its inception (some observers say it has been used twice), despite the Listeners' wish to access it. In most cases the reason for rejection was because of the perceived cell-sharing risk. Listeners comment that prisoners who are judged a threat to staff are not necessarily a threat to fellow prisoners. Whilst the Board acknowledge the prison's duty of care to Listeners and the inherent problems of a High Security prison, we hope that ways will evolve to ensure that staff are as far as possible risk aware rather than risk averse in dealing with prisoners in emotional crisis.

5.6.4 The cause of a death in custody in September 2012 has yet to be decided by the Coroner. It was followed by an attempted suicide by another prisoner. One person close to the man who died needed support. It was unfortunate that, although long completed, official authority had not at that time been granted for use of the Listener Suite.

5.6.5 We remarked last year that a disproportionately high number of ACCT documents were opened for D Wing. In 2012-13 it was 62%, compared to 56% in the year before, and only one-third in 2010. (The Wing accounts for only around 15% of the prison population.) Although that is partly understandable, given that the wing comprises prisoners with Dangerous and Severe Personality Disorders, we note that ACCTs are being used long-term,

at times almost continuously for some prisoners. Given that ACCT Reviews take up a large proportion of the workload of the Safer Custody team, we wonder if any shortage in posts should be covered from D Wing's complement.

5.6.6 The incidence of violence in Whitemoor remains low. The Board applaud that the prison continues to seek prosecution for any assaults on staff.

5.7 Care and Separation, and Close Supervision

5.7.1 In last year's report we recorded our very serious concerns about the number of mentally ill prisoners, and those awaiting return to or assessment for the Close Supervision Centre (CSC) system, being held for extensive periods in the Care and Separation Unit (CSU). Sadly, the numbers waiting for CSC moves are now even worse. Furthermore, the CSU has held an increasing number of prisoners who have deselected from the Dangerous and Severe Personality Disorder (DSPD) Wing. More generally, the CSU at Whitemoor has become a waiting area for prisoners who should be located elsewhere but cannot be. On 27 May the CSU held 23 prisoners, of whom four had been there for longer than six months (two for eight months); a further two had been there for longer than three months. Snapshots throughout the year give much the same picture.

5.7.2 The use of what amounts to long-term solitary confinement is a cruel punishment for any prisoner, not least for those who are mentally ill or have a personality disorder. Too often we hear in CSU Reviews that the situation for an individual is inexcusable but that Whitemoor staff have no idea when something will happen, making the stay seem indefinite. Despite the very best professional work by CSU staff, for whom we have great respect, we see no point in using the euphemism Care and Separation for what is a Segregation Block.

5.7.3 During one CSU Review the Board declined to endorse one prisoner remaining segregated as there was no exit strategy for him. In a subsequent Review we were assured that a solution was in hand, but in fact it was weeks before the prisoner was moved. As the national management of difficult to place prisoners is now impossible to comprehend, the Board propose to be robust in refusing to sign documentation for long-term CSU residents for whom there is no clear exit plan.

5.7.4 In addition to our concerns about the CSU, D Wing sometimes uses its Crisis Suite for what is in effect an extension of the CSU. At reporting year end, one prisoner had been held in the Suite for more than 6 months, not because he was in crisis but because he was de-selected from the programme for Dangerous and Severe Personality Disorder and had nowhere to go. The Board note that by holding a prisoner in the Crisis Suite they are denying him

the fortnightly monitoring and authorisation that would be required were he held in the CSU.

6 Other areas of the Prison

6.1 General impressions

6.1.1 The Board's overall impression of Whitemoor is of a prison staffed with dedicated and good-humoured personnel, many of whom have commendably high-levels of skills in dealing with often difficult prisoners. We note the enthusiasm with which the recently departed Governing Governor has sought to be ahead of other parts of the Prison Service in cost-cutting. From the varied backgrounds of Board members in both the public and private sectors we are accustomed to organisations that take a more participatory approach to the management of change. As it has affected us – in administrative support for the Board – we have been disappointed to be told of decisions made rather than to be consulted. We have been similarly surprised when staff have learned of changes in their own sections only at prison-wide staff briefings.

6.1.2 In terms of improving the living and working environment for prisoners and staff, the Board's impression has been that this was a year of continuing and continuous reorganisation of systems, more to do with cost-cutting than of progress. As last year, we saw staff reductions leaving resources so tight that training was a continuing casualty. The notion that this can be compensated for by offering training in smaller doses on the wings seems fanciful. And the idea that some staff posts be closed as occupants vacate them can undermine staff made to feel already surplus to requirements.

7 The work of the IMB at Whitemoor

7.1 The Board

7.1.1 This year we have decided to make our report strongly focused on the matters that concern us most. We look forward to an equally focused reply from those to whom the report is addressed.

7.1.2 Early in 2013, with no consultation, the post of IMB Clerk was abolished by the introduction of 'Fair and Sustainable.' The alternative arrangements are taking some time to be as effective.

7.1.3 During the year we undertook a recruiting campaign and recommended that eight candidates should be appointed to bring us up to our establishment of sixteen. Two candidates were unable to complete the current CT security vetting and so were lost to us. Management of the recruiting process was a nightmare, due to unresolved procedural differences between the Secretariat and NOMS.

7.1.4 We have ended the period with a strong and competent Board. The existing members have not stinted in their support for the new, who in turn have worked hard to acquire the skills and experience to take a full role in Board activities.

7.1.5 As is our usual practice, many members have contributed to this report, which was collated and edited by the Vice Chairman.

7.2 Applications to the IMB

By Secretariat's code		Further subdivision	
A	Accommodation	11	
			Accommodation 5
			Location 6
B	Adjudications	3	
C	Diversity related	8	
			Race relations 5
			Religious issue 1
			Bullying 2
D	Education/ Employment	5	
			Education 3
			Employment 2
E	Family/ Visits	7	
			Visits 5
			Mail 1
			Money 1
F	Food/ kitchen related	3	
G	Health related	14	
			Healthcare Centre 13
			Health & Safety 1
H	Property	24	
I	Sentence related	15	
J	Staff/Prisoner related	9	
K	Transfers	9	
L	Miscellaneous	57	
			Complaints system 7
			Security 7
			Prisoners Monies 5
			PIN 3
			IEP 1
			Other 34

7.3 Visits by IMB members

7.3.1 IMB Members undertook 685 visits to the prison, 204 of which were on rota, and five of which were to attend Incidents or use of the Special Cell. They attended 154 meetings and 26 CSU Reviews.