



Annual Report
Independent Monitoring Board

HMP Leyhill

February 2011- January 2012

Chair: Stephanie Fairhead

Vice Chair: Allan Taylor

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1. The Statutory Role of the Independent Monitoring Board

The Prisons Act 1952 and the Immigration and Asylum Act 1999 require every prison and Immigration Removal/Reception Centre (IRC) to be monitored by an independent Board appointed by the Minister of Justice 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 Minister of Justice, or any official to whom authority has been delegated, any concerns it may have;

report annually to the Minister of Justice on how well the prison has met the standards and requirements placed on it and what impact these have on those in its custody;

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

2. Description of Leyhill

HMP Leyhill is a Category D Open Prison in a rural setting, located off the M5 motorway between Bristol and Gloucester.

During the reporting period there were changes to the occupational capacity of 532, with a reduction in April through to September to 491 during refurbishment of some of the accommodation units, and the occupancy of two rooms by a terminally ill prisoner. The ratio of ISP and Lifer prisoners to Determinant Sentenced Prisoners fluctuated during the year as there was no cap on the number of ISP and Lifer prisoners.

The prison holds a highly complex group of prisoners; it manages the risk associated with such offenders being held in the Open Estate in a highly responsible and successful manner, with risk assessment being a core part of management. It is one of only two establishments in the Open Estate to accept sex offender and child offender life sentenced prisoners.

Prisoners needing to show they have made progress in their offending behaviour prior to parole are required to be tested in the community. To this end opportunities are available to obtain work experience in the community local to the establishment.

As an Open establishment HMP Leyhill has the responsibility to:

protect the public by holding prisoners committed to their care in a safe, decent and healthy environment;

prepare prisoners for safe resettlement on completion of their sentence by providing a variety of constructive programmes that target their offending behaviour;

improve their education and work skills and promote good attitudes towards behaviour.

The Learning and Skills provision in the prison is funded by the Learning and Skills Council as part of the South West Offender Learning and Skills Council (OLASS). It provides the following support to prisoners:

information advice and guidance (Tribal Ltd)
personal development, social and life skills (A4e)
work related learning (Strode College and Nergy).

3. Executive Summary

Issues of concern requiring a response from the Minister

Failings in the contract for the transport of prisoners by GeoAmy (14.10)
Funding for care of terminally ill prisoners (8.8 and 11.15)
Lack of hostel places (9.10)

Issues of concern requiring a response from the CEO

Unrealistic expectations of opportunities for prisoners arriving at Leyhill (8.9)
Inappropriate transfers to Leyhill (10.14)
Increasing numbers of ISP prisoners (10.13)

Issues of concern requiring a response from the Deputy Director of Custody

Long delays in dental appointments for other than assessment (8.8))
Lack of medical cover at weekends (8.8)

4. Work of the Independent Monitoring Board

The main priority for the IMB is to monitor the way in which the prison carries out its responsibilities with regard to its duty of care for prisoners. To enable this to be carried out successfully, the Board must work together as a team, have good communication networks to ensure there is a consistent approach, and understand how to monitor effectively. Through the Annual Team Performance Review, the Leyhill Board evaluates current monitoring procedures, identifies new strategies to focus on and seeks to develop further the monitoring role.

Board Statistics

Recommended complement of members	13
Number of members at the start of reporting period	14
Number of members at the end of the reporting period	11

Number of new members joining within the reporting period	5
Number of members leaving during the reporting period	3
Total number of board meetings during the reporting period	10
Average number of attendances at board meetings during reporting period	9.7
Total number of visits to the prison (including all meetings)	387
Total number of Applications received	58

The Board began the reporting year with 14 members and during the year two members retired and one member died; a further member was unable to carry out any duties after October as a result of long term sickness.

Five new members continued to be mentored through their probationary year and were all appointed in October 2011

Applications Received

Code	Subject	2010/11	2011/12
A1	Adjudications – internal	5	5
A2	Adjudications – external		
B1	Property related to previous prison/IRC	7	1
B2	Property related to HMP Leyhill	2	1
B3	Canteen/Argos/Facilities list		
C	Health related	7	3
D1	Visits	2	
D2	Resettlement issues	5	2
D3	Mail/Pin phones		
E1	Employment/Education	9	16
E2	IEP		
E3	Rule 45/49		
F	Food/Kitchen related	2	1
G1	App. About staff (including bullying)	3	3
G2	App. about prisoners/detainees (including bullying)		1
G3	App. for staff		
H1	Basic sentence (including Remand time)	2	

H2	HDC	6	4
H3	Immigration/Deportation	2	
H4	Categorisation		
H5	Police Days		
H6	ROTL	24	10
H7	Parole Board	3	
I	Transfers	1	1
J1	Cell quality		
J2	Wing/Cell allocation		
J3	Complaints – forms/procedures		
K	Miscellaneous	7	2
	Confidential		1

Total number of applications	92	58
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Applications to the Board were down 37% over the previous reporting period

The main sources of Applications were:

Subject	2010/11	2011/12
HDC	6%	7%
ROTL	26%	17%
Property	10%	3%
Adjudications	5%	9%
Employment/Education	10%	27%
Health Related	7%	5%

In addition to regular rota duties, members have taken specific monitoring roles in all aspects of the prison regime under the following headings:

Reducing Reoffending	Learning and Skills	Residential	Operations	Healthcare/Prisoner Welfare
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Specific items brought to the attention of the Governor and discussed at Board Meetings, have Included:

Concerns

- Long delays for dental appointments (8.8)
- Distribution of medication and medical cover at weekends (8.8)
- Unrealistic expectation of opportunities available at HMP Leyhill (8.9 and 9.10)
- Prisoner working hours and 40% levy (8.9)
- Inappropriate transfers (9.10 and 10.14)
- Lack of hostel places (9.10)
- Loss of indoor sports hall (10.11)
- Prisoner transport (10.14)
- Facilities for prisoners returning from work (9.9)
- Perceived belief that complaining about regime would lead to return to closed conditions (11.16)

Areas of Excellence

- Care for a terminally ill prisoner and his family (8.8, 7.6 and 11.15)
- Through the Gate working (8.9)
- Recognition and respect for faith related festivals (7.6)

5. Adjudications

Various members of the Board attended and monitored adjudications throughout the reporting period. We are satisfied that the appropriate procedures were followed and that the adjudications were conducted in a fair and professional manner.

6. Chaplaincy

The Chapel continued to offer good support for the full range of faiths with dates and descriptions of Festivals being well communicated.

A new Church of England Chaplain took up her post during the year.

The significant Muslim population was very well served by the Imam who is fully integrated into the life of the prison. On the occasion of the death in custody of a young Muslim man, the knowledge and assistance of the Imam was vital, and his continuing care and support of the family was commendable.

Strong support was given to a terminally ill prisoner, his family, staff members and other prisoners during his illness and after his death. In accordance with his wishes, his funeral service was held in the Prison Chapel.

7. Diversity

Diversity training continued to be delivered to all staff and the establishment is committed to a fully diverse environment.

Particularly good support was given to a transgender prisoner.

8. Healthcare

After initial problems with the new contract, a good level of healthcare was delivered, although a waiting list for dental treatment and the limited number of dental sessions was a concern.

The illness, and subsequent death in custody of a prisoner, served to highlight some problems with the lack of out of hours and weekend medical cover with relation to the dispensing and administering of medication. However, at all times excellent care, both personal and medical, was given to the prisoner who was cared for in the establishment until his death.

A closer relationship between CARATS and healthcare was initiated with the siting of the CARATS team within the Health centre.

Mental health issues were well served by a full time mental health nurse, although some concern was expressed at the lack of cover during illness or annual leave.

The IDTS programme continued to be delivered, with up to three prisoners participating at any one time.

9. Learning and Skills

A wide range of courses, both educational and vocational, was available. However, a concern was raised that some prisoners arrived at Leyhill with unrealistic expectations of what courses would be available.

Through the Gate continued to provide work opportunities for prisoners, including sex offenders who are more difficult to place. On average over 130 prisoners per week were engaged in meaningful work outside the prison.

The introduction of the 40% levy on prisoners who earn more than £20 per week necessitated a requirement for Bank accounts to be opened and this was accomplished through Bristol Credit Union.

The additional administrative workload to employers in connection with deducting the levy resulted in the loss of thirteen employment places but during the year replacement employment was sought and found.

Problems with prisoners returning from work placements having lengthy waits to be processed were addressed and resolved, and arrangements were put in place for a hot evening meal to be available to those returning later than the scheduled meal time.

Sufficient work placements for prisoners of working age were available throughout the prison and there was an expectation that all able prisoners of working age would be employed or in education.

Many of the work placements within the establishment offered the opportunity for prisoners to obtain a related qualification such as NVQ.

The Library membership was over 80% with Foreign Nationals well represented and RNIB membership providing access to Talking Books.

Storybook Dads proved an excellent initiative with an editing suite being completed during the reporting year. The programme delivers literacy and creativity skills and is linked to the training delivered as part of the Families Pathways.

10. Offender Management Unit

The OMU plays a key role in the process of risk assessing prisoners prior to them being granted Release on Temporary Licence in preparation for release.

OMU staffing arrangements continued to evolve, and during the reporting period some 20,000 ROTLs were processed. The revised policy for ROTL, introduced in the previous reporting period, resulted in a reduction of 9% in the number of ROTL related Applications to the Board.

Prisoners continued to arrive during the period with an incorrect understanding of the procedures prior to a first ROTL at HMP Leyhill, despite improved communication with the sending establishments.

On occasion prisoners were transferred to HMP Leyhill with the incorrect assumption that they would quickly be transferred to another Open Establishment closer to their home address. This gave rise to disappointment and, in some cases, difficulties in maintaining family ties through visits.

Some Lifer prisoners were, on occasion, unable to take up a ROTL owing to a lack of hostel places thereby introducing a potential delay to their release date.

11. PE/Gym

The PE Department worked closely with Healthcare to provide a wide range of targeted fitness programmes, including separate sessions for the over 50 age group.

Prisoners were encouraged to undertake training to become Health Trainers with a recognised qualification.

During the year, the sports hall was re-designated as a weights room, with the consequent loss of a facility for indoor team games.

12. Prisoner Consultative Committee and Advice Centre

The PCC continued to meet on a regular basis providing a forum for prisoners to discuss concerns with a member of the Senior Management Team. Topics brought up at this forum were always taken seriously, given due consideration and suggestions implemented where appropriate,.

The PCC operated a 'drop in' centre offering the opportunity for prisoners to raise any issue of concern for future discussion.

The Advice Centre is a prisoner run facility offering support and advice on numerous subjects of concern e.g. housing, finance, travel, visits, ROTL, probation, employment etc. It was a well used resources with up to 600 appointments being made per month and was an excellent source of information for prisoners.

13. Psychology

The Sentinel project continued to be an effective tool in monitoring and working with the more serious offenders. Training was available to all staff in order that a prisoner's behaviour could be monitored in all aspects of his prison life. This ensured a comprehensive psychological picture could be created and become available to his psychologist.

During the reporting period the increase in IPP prisoners arriving, some without completed OASys documentation, resulted in a significant increase in the need for assessment and reports.

14. Reception

During the year responsibility for prisoner transport was taken on by GeoAmy, since when the Board has been aware of numerous problems; receptions have arrived at inappropriate times, prisoners have arrived with little, or no, notice and the wrong paperwork is a frequent issue. At times, prisoners have been found to be unsuitable for Open Conditions which has necessitated return to the sending establishment.

Delays have also been encountered in transport being available for prisoners who are being 'shipped' for security reasons, resulting in the need for the holding rooms to be used.

15. Residential

Over 100 prisoners were over the age of 50 years during the reporting period. The increasing numbers of elderly and disabled prisoners led to eight rooms being converted to four large rooms able to accommodate wheelchair users.

The daycentre for the over 50s, The Lobsterpot, continued to be run by RECOOP with the support of a regular core of volunteers. The centre provided not only a social resource for prisoners but also a range of stimulating activities and information and advice on life skills for the older prisoner pertaining to release and life in the community.

As a result of the death in custody of a terminally ill prisoner who had requested to be allowed to remain in HMP Leyhill until his death, as he considered it his 'home,' and the conversion of an office in order that the prisoner could have a much larger room to facilitate medical care and the accommodation of visitors, the very welcome building of a palliative care unit was commenced as it had become apparent that a lack of facilities was available for such an event.

The Palliative Care Suite will become operational in the reporting year 2012/13 and it is to be hoped that funding will be available to provide both social and medical care for the terminally ill.

The level of care and consideration of staff and prisoners given to the deceased was commendable. Staff, in particular, gave excellent support to the prisoner, his family and other prisoners during his illness and following his death.

It was unfortunate that following an expected death from natural causes, there was a requirement to treat the place of death as a 'scene of crime' which required the attendance of the Police. This was stressful to staff and prisoners.

The high level of care and consideration shown to families was again evident on the unexpected sudden death from natural causes of a young Muslim prisoner.

16. Safer Custody

There appeared to be a feeling amongst prisoners that making a complaint would result in being 'shipped' back to closed conditions. On investigation this was found to be untrue and the Board sought to reassure prisoners accordingly.

ACCT procedures have been observed to be well handled and isolated incidents of offence related bullying were quickly and effectively dealt with.

Trained Listeners are available throughout the prison and the Samaritans are regular visitors.

Positive feedback and appreciation was received in a letter to the Board from a prisoner who had experienced psychological bullying and intimidation. The matter had been expertly handled at HMP Leyhill and he asked that his thanks be passed to the officers involved.

17. Training of Board Members

The main focus for training during the reporting year was the induction and training of five new members who were subsequently appointed to the Board. During the year they all completed the New Members' Course.

Visits were made to other Establishments and the Vice Chair completed the National Vice Chairs' Course. In-house training courses, where appropriate, were also attended by Board members.

Training mornings to review the work of the Board were organised and, in addition, members of the Senior Management Team attended Board Meetings from time to time in order to update members on a range of issues.

18. Acknowledgements

The work of the Independent Monitoring Board relies on good teamwork and the co-operation of the Governor, Senior Management Team and other members of the HMP Leyhill staff, all of whom have provided support, advice and help to the Board whilst carrying out their role. In particular the Board has been most fortunate in the excellent support and work of the IMB Clerk and I would like to thank her and the other members of the Business Support Unit for all their help.

I would like to commend all members of the Board for their hard work and commitment to their role as independent monitors.

Glossary

ACCT	Assessment Care in Custody Teamwork
CARATS	Counselling Assessment, Referral, Advice and Throughcare
HDC	Home Detention Curfew
IDTS	Integrated Drug Treatment System
IEP	Incentives and Earned Privileges
IMB	Independent Monitoring Board
IPP	Indeterminate sentence for Public Protection
IRC	Immigration and Removal Centre
NVQ	National Vocational Qualification
OASys	Offender Assessment System
OLASS	Offender Learning and Skills Service
OMU	Offender Management Unit
PCC	Prisoner Consultative Committee
RECOOP	Resettlement and Care of Older ex Offenders and Prisoner
RNIB	Royal National Institute for the Blind
ROTL	Release on Temporary Licence