



Annual Report

Independent Monitoring Board

HMP Leyhill

February 2013 - January 2014

**Chair: Stephanie Fairhead
Vice Chair: Allan Taylor**

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.

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3. Description of HMP Leyhill

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

The prison holds a highly complex group of prisoners, with a total capacity during the reporting period of 527. 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. The ratio of Indeterminate Sentenced Prisoners and Lifer Prisoners to Determinant Sentenced Prisoners increased during the year such that by the end of the reporting period, there were some 250 Lifer/ISP (Indeterminate Sentence for Public Protection) prisoners held in the establishment.

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 from 1st August 2012 the Learning and Skills providers were as follows:

Information, advice and guidance, National Careers Service
Personal development, Social and Life Skills and Work related Learning, Weston College and Nergy

Healthcare services were delivered jointly by Bristol Community Health and General Practice provider, Hanham Health.

Mental Health services were provided by Avon and Wiltshire Partnership Mental Health Trust.

A variety of voluntary organisations offered support to prisoners from time to time within the Establishment and in the wider community. RECOOP (Resettlement and Care of Older ex Offenders and Prisoners) ran a Day Centre for older prisoners, The Lobsterpot, on a daily basis.

Escort Services to and from the prison were provided by GEOAmy.

4. EXECUTIVE SUMMARY

Overall, the Board feels that HMP Leyhill provided a safe, decent environment to prepare the men it holds for release back in to the community. The establishment continued to carefully manage the risks involved in dealing with a highly complex group of prisoners and to demonstrated good relationships between staff and prisoners

During the reporting year there was a change of Governor.

Following the implementation of Fair and Sustainable, changes in both uniformed and administrative staff occurred, with some positions being filled by staff from HMP Gloucester on its closure.

Despite every effort and the continued zero tolerance policy, drug use continued to be a problem. (5.7.2 and 5.7.3)

Changes to the IEP (Incentive and Earned Privileges) policy, although nationally effective from 1st November 2013, were not implemented during the reporting year, although good preparatory work was undertaken and prisoners kept well informed of the changes (6.3.3)

4.1 Concerns

- 4.1.1** Medical cover at weekends, particularly regarding the dispensing of medication, (5.3.5)
- 4.1.2** Non availability of social care for elderly prisoners (5.6.8)
- 4.1.3** Lack of Hostel places (5.5.1 and 5.5.2)
- 4.1.4** Lack of continuing funding of the Lobsterpot Day Centre (5.1.9, 5.4.8 and 5.6.9)
- 4.1.5** Lack of computer access for the Prisoner Advice Centre (6.3.4 and the Chapel 6.1.1)
- 4.1.6** Poor links between Sentence Plans and Learning and Skills (5.2.4)
- 4.1.7** Availability of, and constant changes to, synthetic drugs (5.7.2 and 5.7.3) and cessation of VDT (Voluntary Drug Testing), (5.7.4)
- 4.1.8** Lack of capacity in prisoner transport (6.4.2)
- 4.1.9** Arrival of prisoners unsuited to open conditions (6.4.3)

4.2 Issues Requiring a Response

4.2.1 From the Minister

Will a clearly defined policy regarding social care for elderly prisoners become available? (5.6.8)

Will a review be undertaken regarding availability of suitable Hostel accommodation for prisoners on release? (5.5.1 and 5.5.2)

Could arrangements for dispensing medication at weekends and out of hours be reviewed? (5.3.5)

Will funding be put in place for the provision of day centre facilities for elderly prisoners? (5.1.9, 5.4.8 and 5.6.9)

Will the current contractual arrangements with GeoAmy which restrict the movement of prisoners and property be reviewed? (6.4.2)

4.2.2 From the Prison Service

Could links between Sentence Plans and Learning and Skills be improved? (5.2.4)

With the increase in availability and apparent use of synthetic drugs, will continued efforts be made to develop suitable testing regimes? (5.7.2, 5.7.3 and 5.7.4)

Will the current restriction on the use of computers by nominated prisoners be reviewed? (6.3.4 and 6.1.1)

Could sending establishments do more to ensure that only prisoners fulfilling the requirements of open conditions be sent to HMP Leyhill? (6.4.3)

Section 5.

5.1 Equality and Inclusion

5.1.1 The IMB are represented at bi monthly DREAT (Diversity Racial and Equality Action Team) meetings to which the prisoner led Diversity Consultation Group reports on information collated from a number of targeted forums, including Disabled, Foreign National, Travellers and Gay prisoners, amongst others.

5.1.2 Work was undertaken during the year to identify and improve employment areas within the establishment which could be proving difficult for disabled prisoners to access.

5.1.3 Despite a restricted catering budget, the Kitchen continued to provide varied menus for all racial and ethnic groups, including Halal meals. Particularly successful was Black History Week.

5.1.4 Problems were encountered during the year in relation to the preparation and serving of Halal meals. Both the Imam and the Catering Manager worked hard on this problem and, with the assistance of the Head of Residential Services, new systems were put in place, including a new, separate, servery and hatch for Halal food only. Training was also given to a Muslim cook.

5.1.5 During the reporting year an elderly, disabled prisoner experienced problems with the non availability of hostel accommodation suitable for him on his release.

5.1.6 Particular support was given to Muslim prisoners during the period of Ramadan, e.g. on reception a Muslim prisoner was met by a fellow Muslim, in order to offer support to him during the fasting period.

5.1.7 Prisoners expressed their gratitude to the management of the prison for the flexibility shown during Ramadan when the shortened daylight period lead to 3 prayer calls within a shorter time span and also for the ready provision of prayer mats for men in A and C Units who were unable to attend prayers in the B Unit Prayer Room after lock down.

5.1.8 Problems experienced regarding homophobic bullying were quickly and effectively dealt with.

5.1.9 The Lobster Pot Day Centre which is an excellent, charity run, resource for prisoners aged over 50, was threatened with closure during the reporting year as at March 2014 funding was due to cease and other sources of revenue could not be found

5.2 Education Learning and Skills

5.2.1 During the reporting year there was a change of emphasis in that participation in learning and skills programmes was based on vocational, as opposed to academic, benefits with a view to resettlement, rehabilitation and employment. This resulted in fewer classroom based courses.

5.2.2 Welcome introductions were the 'Barbering' course, and a new Decorating course. Cookery courses and Dry Stone Walling continued to be well supported.

5.2.3 The link between Sentence Plans and Learning and Skills was not always clear and, as a result, prisoners were not always able to find suitable courses or employment related to their existing skills. During the reporting year this was noted and was being addressed

5.2.4 With the closure of the Staff Mess and the transfer of the Weston College member to the Education department, some catering training places were lost.

5.2.5 The closure of the Mess also impacted on training places in Farms and Gardens where some vegetables had been grown particularly for the Mess.

5.3 Healthcare

5.3.1 Healthcare continued to be provided on an appointments system, with prisoners attending at the Health Centre for treatment. The services were available only during the working week and out of hours doctor services were utilised at weekend and when required.

5.3.2 During the reporting year the care and treatment of terminally ill prisoners was exemplary, with accommodation in the latter stages of illness being in the specially adapted Palliative Care Suite.

5.3.3 Problems with the provision of medical and social care on a 24 hour basis for terminally ill prisoners were addressed and resolved during the reporting year

5.3.4. Prior to being admitted to the Palliative Care facility, prisoners were accommodated in specially adapted rooms on B Unit.

5.3.5 Some problems arose regarding the dispensing of medication, out of hours, to a seriously ill prisoner prior to admission to the Palliative Care Suite, however, with the provision of a safe for storage of his medication, every effort was made by Healthcare and Unit staff to assist and supervise the prisoner when accessing his medication

5.3.6 On occasion there were significant backlogs of prisoners awaiting dental treatment or optical examinations. These were addressed and waiting lists were reduced to acceptable levels at the end of the reporting period.

5.3.7 The ageing population continued to increase the demand for optical and podiatry services, the latter service being increasingly important to diabetic prisoners

5.3.8 The demand for such services is unlikely to decrease in the foreseeable future, although the provision of exercise classes for the over 50's and substance misuse classes organised by the Gym were making a valuable contribution to the health and well being of the older prisoner

5.4 Purposeful Activity

5.4.1 There was an expectation that every prisoner of working age, unless medically unfit, or in education, would be employed in the establishment or in the community.

5.4.2 On site work opportunities included, Laundry, Joinery, Printing, Warehousing, Horticulture, Waste Recycling, Vehicle Valeting, Animal Husbandry and Industrial Cleaning.

5.4.3 Opportunities for work in the community were provided by the Through the Gate (TTG) programme and some 120 prisoners, of which some two thirds were lifers, were able to take up paid or voluntary employment in a range of external businesses and industries.

5.4.4 A problem with non payment of wages by one external employer was resolved by prison staff who arranged to reimburse the prisoners concerned until such time as the amount due was received from the employer.

5.4.5 The Gymnasium continued to offer a wide range of activities and classes, all of which were well attended. Of particular note were the classes aimed specifically at those prisoners referred by Healthcare

5.4.6 The closure of two prisons in the South West region during the reporting year resulted in a reduction in demand in the Laundry and, as in the Joinery and Print Shop, this area relied on maintaining a full 'order book' to employ and train prisoners allocated to these industries.

5.4.7 Some 75% of prisoners regularly accessed the library facilities during the reporting year.

5.4.8 The Lobster Pot Day Centre continued to provide opportunities for elderly (over 50) prisoners to make good use of their time. The potential loss of funding for this important facility as at March 2014, was of concern, particularly as the age profile of prisoners at HMP Leyhill was expected to increase.

5.4.9 The proposed loss of a significant proportion of the available playing field space was of concern as there was likely to be a reduction in the opportunities for prisoners to be involved with team sports and to interact with teams from outside of the prison.

5.4.10 During the year some prisoners undertook a range of charitable projects, including raising money for a local Hospice.

5.4.11 The external employer, DHL, expanded their operation within the prison during the year and, as a result, increased the number of opportunities for employment. There were, however, a number of employer/employee incidents requiring investigation and, although these were resolved, there remained an unsettled atmosphere and, despite the financial attraction, there was no waiting list of prisoners wishing to take this employment.

5.5. Resettlement

5.5.1 During the reporting year problems were experienced with the availability of Hostel places.

5.5.2 A particular problem was experienced by a wheelchair bound, elderly prisoner who had a past history of sex offending. This offender gained his Parole in August 2013, but at the end of the reporting period was still in custody as no suitable hostel place had become available despite every effort being made on his behalf.

5.5.3 Changes in the ROTL (Release on Temporary Licence) arrangements necessitated the updating of OASys (Offender Assessment System) reports for some 270 existing prisoners, in addition to each new reception. Arrangements were made to prioritise Lifer and IPP prisoners in order to facilitate Parole hearings, which led to some delays for determinate prisoners. Every effort was made by staff to minimise the impact of such delay, although problems in communication between OMU (Offender Management Unit) and prisoners continued throughout the reporting period.

5.5.4 A lack of internet access for the Prisoner Advice Centre continued to hamper contact with Local Authority housing departments to ensure suitable accommodation for prisoners on release.

5.5.5 Some disquiet was expressed by long term prisoners at the 40% deduction from wages which they felt prevented the saving of funds to assist them on release.

5.5.6 There was a perception by some prisoners that requirements for ROTL as part of their resettlement plans were more stringent at HMP Leyhill than at other Open establishments.

5.6 Residential Services

5.6.1 Accommodation is divided into 3 units, A, B and C. B unit has a landing for men over the age of 50, a landing with some larger rooms to accommodate wheelchairs, for disabled prisoners and the Palliative Care Suite, whilst C unit offers accommodation to prisoners who have demonstrated an on-going ability to take more responsibility for their own actions.

5.6.2 There is no segregation of prisoners and no vulnerable prisoner unit.

5.6.3 The majority of prisoners were housed in single rooms with communal recesses, although dormitory accommodation was used from time to time when numbers dictated.

5.6.4 A programme of refurbishment of recesses was on-going, but continuing problems were reported during the year, the hot water supply to C unit being a frequent complaint from prisoners.

5.6.5 Washing machines for personal laundry, although available, still awaited full installation, necessitating personal laundry being washed in bulk in the industrial machines.

5.6.6 Unit staff interacted well with prisoners and were readily available to discuss any issues of concern. The good relationships between staff and prisoners was particularly shown in times of illness or stress; on the occasions when the Palliative Care Suite was in use, the care and compassion shown to families by both staff and prisoners was excellent.

5.6.7. Following the death of a prisoner in hospital, despite the lack of current contact details for next of kin, staff worked well and thoroughly with the Police to ensure the family were informed.

5.6.8 Although social care became available once a prisoner was admitted to the Palliative Care Suite, no service was available to assist elderly prisoners who were forced to rely on assistance from fellow prisoners

5.6.9 The kitchen continued to offer a varied selection of food for all groups with three meals per day, lunch time generally being soup, sandwiches and fruit and the evening menu offering a choice of meals. The particular needs of ethnic groups were well catered for and those prisoners who wished to prepare some of their own food had the opportunity to use limited kitchen facilities on the units.

5.6.10 The Lobster Pot continued to offer a wide range of education, recreational and life skills, however, funding was due to cease in March 2014 and further finance did not appear to be available.

5.7 Safer Custody

5.7.1 Generally prisoners reported feeling safe

5.7.2 Synthetic drugs such as 'Spice' continued to be available and to constantly evolve, making detection difficult.

5.7.3 Of the 194 transfers from HMP Leyhill, a significant number of prisoners were returned to closed conditions as a result of Security intelligence indicating involvement in the use and/or supply of drugs.

5.7.4 The cessation of VDT (Voluntary Drug Testing) was a cause for concern

5.7.5 When an ACCT (Assessment Care in Custody Teamwork) was opened, the prisoner concerned was given excellent support by Unit staff

5.7.6 When VR (Violence Reduction) books were opened these were thoroughly investigated, monitored, and appropriate steps taken to ensure satisfactory outcomes, including, on occasion, the returning of perpetrators to closed conditions

5.7.7 A small number of cases of homophobic bullying were identified as such. These were promptly and sympathetically dealt with.

5.7.8 Non compliant prisoners being returned to closed condition were located in the Holding Rooms in Reception when GEOAmy transport was not immediately available. On one occasion, a prisoner awaiting transfer used the plastic furniture in the Holding Room to inflict significant damage to the fabric of the room before being removed under C and R procedures after all attempts at calming him down, including attendance by Healthcare and Mental Health practitioners, had failed. Subsequently, furniture in the Holding Rooms was replaced with more substantial items.

5.7.9 The Board were notified of any situation in which non compliant prisoners were being moved back to closed conditions, and all observed transfers demonstrated a sensitive, patient and professional approach, such that the case cited in 5.7.7 was an exception.

Section 6

6.1 Chapel

6.1.1 Dates and descriptions of all festivals were well communicated and celebrated, although during the year the lack of computer and printer access impacted on the opportunities to publicise such services.

6.1.2 Excellent support continued to be given to the full range of faiths by the Chaplaincy team.

6.2 Offender Management Unit

6.2.1 The Unit continued to play a key role in the process of risk assessing prisoners prior to Release on Temporary Licence.

6.2.2 As a result of the nationally imposed changes to ROTL the necessity to rewrite OASys assessments at short notice involved an additional workload to an already extremely busy department, but all efforts were made to minimise the impact on prisoners.

6.2.3 Most Applications received by the Board concerning ROTL/HDC (Home Detention Curfew), on being followed up, were found to be being processed as quickly as possible. However, in one case an unacceptable delay in processing a prisoner's appeal against HDC refusal occurred, it was brought to a satisfactory conclusion when the Board took this up with the Acting Governor.

6.2.4 There remained a lack of understanding on the part of some prisoners on arrival at HMP Leyhill of the arrangements for ROTL. This, together with some poor communication on progress towards ROTL contributed towards frustration being expressed by prisoners, although during the year this was improved by the devolving of information to the PCC (Prisoner Consultative Committee) who were charged with passing this on to other prisoners

6.3 Prisoner Consultative Committee and Advice Centre

6.3.1 The PCC continued to meet on a regular basis, providing the opportunity for prisoners to discuss concerns with a member of the Senior Management Team. This forum was able to raise issues which had been discussed by prisoners in smaller, topic related, groups and to actively seek out solutions.

6.3.2 The involvement of the PCC in assisting with the communication of ROTL changes was of great benefit.

6.3.3 Impending changes to the IEP (Incentive and Earned Privileges) policy were clearly outlined to prisoners and the PCC was instrumental in circulating all necessary information to prisoners.

6.3.4 The Advice Centre continued to be an excellent prisoner run resource, providing support and advice on topics such as housing, finance, travel, ROTL and many other areas of concern to prisoners.

6.3.5 Sadly, during the year the Advice Centre was less effective as a result of the continuing lack of internet access as Local Authority Housing Departments increasingly demanded electronically based applications.

6.4 Reception

6.4.1 GEOAmy continued to provide Prisoner Transport and where delays were encountered in moving prisoners back to closed conditions, prisoners were generally well managed and, on those occasions where GEOAmy were unable to provide transport within a reasonable time scale, alternative prison transport was organised

6.4.2 The inability of GEOAmy to carry the contracted amount of prisoner property resulted in property being left behind at sending establishments on occasion.

6.4.3 A number of the 636 arrivals during the year were found to have incorrect, or incomplete paperwork, or to be unsuitable for Open Conditions. GEOAmy staff reported that increased problems had been encountered as they were not required to check documentation on collection of prisoners.

6.4.4 One under age prisoner was sent to HMP Leyhill during the year and was transferred after three weeks.

6.4.5 One prisoner had not been within the prison system for the required time prior to transfer to Open Conditions but GEOAmy refused to return him to the sending prison, resulting in HMP Leyhill staff being required to transport the prisoner.

6.4.6 Plastic furniture initially installed in the Holding Rooms was replaced with furniture made from solid materials after an incident in which a prisoner was able to destroy a chair and use it to seriously damage the room.

7. The Work of the Board.

| | |
|--|---------|
| BOARD STATISTICS | |
| Recommended Complement of Board Members | 13 |
| Number of Board members at the start of the reporting period | 7 |
| Number of Board members at the end of the reporting period | 13 |
| Number of new members joining within the reporting period | 6 |
| Number of members leaving within reporting period | 0 |
| Total number of Board meetings during reporting period | 10 |
| Total number of visits to the Establishment | 333 |
| Total number of segregation reviews held | n/a |
| Total number of segregation reviews attended | n/a |
| Date of Annual Team Performance Review | 26/6/13 |

| Code | Subject | Year 2013-14 | Year 2012-13 | Year 2011-12 | Year 2010-11 |
|-------------|--|-------------------------|-------------------------|-------------------------|-------------------------|
| A | Accommodation | 1 | 0 | 0 | 0 |
| B | Adjudications | 3 | 3 | 5 | 5 |
| C | Equality & Diversity (inc religion) | 3 | 0 | 0 | 0 |
| D | Education/employment/training inc IEP | 2 | 6 | 6 | 9 |
| E 1 | Family/visits inc mail & phone | 5 | 0 | 0 | 2 |
| E 2 | Finance/pay | 5 | 0 | 0 | 0 |
| F | Food/kitchen related | 3 | 0 | 1 | 2 |
| G | Health related | 4 | 7 | 3 | 7 |
| H 1 | Property (within current establishment) | 3 | 0 | 1 | 2 |
| H 2 | Property (during transfer/in another establishment) | 3 | 8 | 1 | 7 |
| H 3 | Canteen, facilities, Catalogue shopping, Argos | 0 | 0 | 0 | 0 |
| I | Sentence related (inc. HDC, ROTL, parole, release dates, re-cat etc) | 36 | 18 | 17 | 42 |
| J | Staff/prisoner/detainee concerns inc bullying | 3 | 0 | 4 | 3 |
| K | Transfers | 2 | 14 | 1 | 1 |
| L | Miscellaneous | 5 | 9 | 2 | 7 |
| | Total number of IMB applications | 78 | 65 | 51 | 89 |
| | Of total, number of Confidential Access | 0 | 2 | 1 | 0 |

8. Glossary

| | |
|---------|--|
| ACCT | Assessment Care in Custody Teamwork |
| DREAT | Diversity Racial and Equality Action Team |
| HDC | Home Detention Curfew |
| IEP | Incentive and Earned Privileges |
| IMB | Independent Monitoring Board |
| IPP/ISP | Indeterminate Sentence for Public Protection |
| IRC | Immigration and Removal Centre |
| OASys | Offender Assessment System |
| OMU | Offender Management Unit |
| PCC | Prisoner Consultative Committee |
| RECOOP | Resettlement and Care of Older ex Offender and Prisoners |
| ROTL | Release on Temporary Licence |
| TTG | Through the Gate |
| VDT | Voluntary Drug Testing |
| VR | Violence Reduction |

