



Annual Report

Independent Monitoring Board

HMP Leyhill

February 2012- January 2013

**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 200 Lifer/ISP 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 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 the education and work skills of prisoners and promote good attitudes and 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). Until 1st August 2012 the following support was provided to prisoners:

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

As from 1st August the providers were as follows:

Information, advice and guidance (Tribal Ltd, now 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 offer support to prisoners from time to time within the Establishment and in the wider community. RECOOP run a Day Centre for older prisoners, The Lobsterpot, on a daily basis.

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

During the week commencing 16th April 2012, the Establishment was subject to an Announced Inspection by HM Inspectorate of Prisons which confirmed that HMP Leyhill provided a safe, decent environment in which to prepare the men it held for release back into the community and carefully managed the risks involved in so doing.

4. Executive Summary

Overall The Board feels that HMP Leyhill provides a safe, decent environment to prepare the men it holds for release back into the community. The establishment continues to carefully manage the risks involved in dealing with a highly complex group of prisoners, despite the change in population with the increase in Lifer and IPP numbers and the significant impact of 'Fair and Sustainable' on management and staff during the reporting year.

4.1 Concerns

4.1.1 During the reporting year the number of IPP and Lifer prisoners increased substantially. The increase, particularly in IPP prisoners had a significant impact on the running of the establishment. (p10 5.5.2)

4.1.2 The arrival of prisoners with little information regarding the location of Leyhill and the accessibility for family visits, gave rise to concern during the year. (p10.5.5.5)

4.1.3 The increasing age profile of prisoners highlighted the need for consideration to be given to provision and funding of social care for such prisoners. (p9 5.3.3)

4.1.4 Clarification is required regarding responsibility for end of life care, both social and medical. (p9 5.3.2)

4.1.5 The change of emphasis from classroom based learning to employment skill training, whilst in its early stages during the reporting period, is of concern in that some prisoners may be at risk of being disadvantaged by the change. (p9 5.2.2)

4.2 Issues Requiring a Response

4.2.1 From the Minister

The lack of a clear policy identifying responsibility for funding and provision of social care for elderly/disabled prisoners is of concern to the Board. (p9 5.3.3)

Likewise, the arrangements for the funding and provision of out of hours medical cover for end of life care is a concern. (p9 5.3.2)

The Board requests that the Minister review the availability of suitable Hostel places. (p10 5.5.4)

4.2.2 From the Prison Service

With the reduction in classroom learning, will every endeavour be made to ensure prisoners arriving at Category D establishments have previously completed the necessary basic educational courses, particularly with regard to literacy in cases where prisoners are SEN, Foreign Nationals or Dyslexic. (p9 5.2.2)

The Board has concerns that IPP prisoners being moved to Open conditions at an early stage of their sentence is giving rise to an increasing demand on the available resources. (p10 5.5.2)

Should IPP prisoners continue to be moved to Category D establishments in the same numbers, their suitability for Open Conditions must be ensured. (p10 5.5.3)

Sending Establishments should be required to offer more complete information to prisoners prior to their transfer to Leyhill. (p10 5.5.5)

The provision of restricted Internet access for the Prisoner Advice Centre should be considered. (p13 6.4.2)

Regarding the contractual arrangements for the transportation of prisoners, the lack of space for both prisoners and two boxes of property per prisoner should be reviewed. (p13 6.5.3)

4.3 Previously Reported Concerns

Items from the Annual Report 2011-12 remaining unresolved at the time of this Report include:

Failings in the Contract for the transportation of prisoners by GeoAmy (p13 6.5.2) and (p13 6.5.3)

Funding for care of terminally ill prisoners (p9 5.3.2)

Shortage of suitable Hostel places (p10 5.5.4)

Increasing number of IPP prisoners (p10 5.5.3) and (p12 6.3.2)

Section 5.

5.1 Equality and Inclusion

5.1.1 Following the unexpected death of a Muslim prisoner, the Establishment and the Imam are to be commended on the excellent help and support shown to the family. This support included a specially arranged visit for prayers to be said at the deceased prisoner's room.

5.1.2 A Diversity Awareness Day organised by the prison was a huge success, with over 200 prisoners attending, together with a cross section of staff

5.1.3 The homophobic views and attitudes prevalent in some cultures were, and continue to be, addressed through the establishment of a Diversity Forum. In addition to the presentation on Diversity included in Induction training, a bi-monthly magazine was proposed.

5.1.4 A prisoner led Diversity Consultation Group collates information from a number of targeted forums including those for, Disabled, Foreign National, Traveller and Gay prisoners amongst others.

5.1.5 Following the changes to the provision of Learning and Skills, fewer places were available in literacy classes and provision of TEFL ceased, as did provision for dyslexic and SEN prisoners.

5.1.6 Provision for disabled prisoners was positively commented upon by prisoners, as was the treatment they received during an observed lock down procedure.

5.1.7 The UK Border Agency continued to hold regular surgeries for Foreign National prisoners.

5.1.8 The Kitchen continued to provide excellent and appropriate menus for all ethnic and religious festivals; prisoners particularly expressed their thanks during Ramadan.

5.2 Education Learning and Skills

5.2.1 During the reporting year a change to Weston College to deliver Learning and Skills was effective from August 1st 2012. This brought about a stronger emphasis on delivering vocational training linked to employment both inside the prison and through work placements in the community. As a result there was a significant reduction in basic literacy classes and recreational sessions such as Yoga, Music and Art.

5.2.2 The potential impact of reduction on classroom based training raised concerns with the Board with regard to the loss of English speaking classes for Foreign Nationals and provision for SEN and dyslexic prisoners and was raised with the Governor who confirmed that the provision of vocational training, together with related academic qualifications was designed to better prepare prisoners for release and resettlement and was, in part, based on the understanding that all appropriate academic training would have been undertaken at previous Establishments prior to prisoners arriving at a Category D Open prison.

5.2.3 The prison continued to seek out, and obtain, employment opportunities in the local community with some 130 prisoners regularly working out. The opportunity afforded to Lifers and harder to place prisoners by being able to undertake voluntary and ultimately, paid work in the community, enabled them to progress the ROTL and Hostel applications necessary in the lead up to release.

5.2.4 Opportunities to gain work experience have a real impact on prisoners' ability to find employment and, following the announced inspection by HM Chief Inspector of Prisons in April 2012, the Report recorded that a third of prisoners who had been discharged in the three months prior to the Inspection had found permanent employment on release.

5.3 Healthcare and Mental Health

5.3.1 The Healthcare Centre continued to work well and deliver a good level of service. An appointments system was introduced and prisoners were able both to make and attend appointments easily with access to a GP being within 4 to 5 days. Unfortunately, this was not the case with Dental appointments where although initial inspections were timely, long delays for treatment were experienced.

5.3.2 The provision of Palliative Care facilities for terminally ill prisoners in order that they may, if they wish, receive end of life care at Leyhill, is likely to be of great benefit, given the increasing age profile of the prison population within HMP Leyhill and the prison estate as a whole, however, responsibility for out of hours medical and social care remains to be clarified.

5.3.3 The observed need for social care of a number of elderly prisoners, coupled with the increasing overall age profile, highlighted the need for a clear policy for, and understanding of, which agencies will take responsibility for such care in the future. Within the reporting period this care has largely been provided voluntarily by prison orderlies and uniformed staff together with the facilities available from Healthcare.

5.3.4 An excellent relationship exists between CARATS, Healthcare and the Gym which is aimed primarily at helping prisoners to remain drug free. The programmes available in the Gym place significant emphasis on the well-being of prisoners of all ages.

5.3.5 Mental Health continued to be well addressed with ACCTs being particularly well handled by all staff.

5.4 Purposeful Activity

5.4.1 There is an expectation that every prisoner of working age, unless unfit for work or in education, will be employed either within the Establishment or in the community.

5.4.2 On site work opportunities include Laundry, Joinery, Printing, Warehousing, Horticulture, Waste Recycling, Vehicle Valeting, Industrial Cleaning, Catering and Animal Husbandry. Through the Gate working includes both voluntary and paid work across a range of supervised and unsupervised activities, including working directly for a variety of employers in the local community.

5.4.3 A wide range of indoor and outdoor personal fitness and sporting activities is available through the Gym and PE department with special sessions for elderly prisoners and those referred through Healthcare.

5.5 Resettlement

5.5.1 During the reporting period the number of IPP prisoners substantially increased, with the total number of Lifer and IPP prisoners now being close to half the population as opposed to the previous cap of 120 lifer and IPP prisoners.

5.5.2 This increase in IPP numbers has a significant impact across the whole Establishment particularly with regard to resources available to progress preparation for Parole Boards.

5.5.3 Some IPP prisoners were over tariff and some with only a short tariff appear to have been accelerated into Open conditions without being able to fully benefit from the opportunities for resettlement available. During the reporting period there was a marked increase in the number, and proportion of the total, of IPP prisoners subject to Adjudication.

5.5.4 A lack of Hostel places was a continuing problem during the reporting year with some progress towards Parole being delayed for some prisoners. Prisoners reported being frustrated by delays in Parole Boards, some of which, but not all, were attributable to difficulties with outside Probation services.

5.5.5 Some prisoners continued to arrive at Leyhill with unrealistic expectations and incomplete knowledge of the established arrangements and procedures. In particular the arrangements for ROTL were often not understood leading to frustration with perceived delays in obtaining home leaves. In addition, some prisoners moving to HMP Leyhill were not clear as to the location and distances from their family, such that, for some, family visits

became considerably more difficult and, in a few cases, impossible. The loss of this important link with families gave rise to a number of prisoners requesting transfers and was a significant source of applications to the Board.

5.6 Safer Custody

5.6.1 Generally prisoners reported feeling safe. However, an elderly prisoner commented that he felt less safe in circumstances where drugs could be available.

5.6.2 During the reporting year testing for the synthetic drug 'Spice' was introduced.

5.6.3 Previously expressed concerns by prisoners not wishing to make complaints for fear of being returned to closed conditions decreased significantly.

5.6.4 Although the number of ACCTs had reduced, the number of open VR books periodically increased. However, 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 Residential Services

5.7.1 Accommodation is divided into 3 units, A, B and C. B unit has a landing for men over the age of 50, a landing 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.

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

5.7.3 The majority of prisoners are housed in single rooms with communal recesses on each landing, although dormitory accommodation is used from time to time when numbers increase, at which time they may be used for new receptions until such time as other rooms become available.

5.7.4 Although facilities overall are good, a much needed programme of refurbishment of recesses is on-going.

5.7.5 Unit staff interact well with prisoners and are readily available to discuss any issues of concern. Prisoners generally know their Personal Officer.

5.7.6 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 are well catered for and those prisoners who wish to prepare some of their own food have the opportunity to use limited kitchen facilities on the units.

5.7.7 Great improvements have been seen in the Canteen service, and although complaints regarding items to be included on the list have been received from time to time, the PCC takes the lead in these discussions.

5.7.8 Unemployed prisoners over the age of 50 can use the day centre, The Lobsterpot, where a range of educational, recreational and life skill activities is available.

5.7.9 Following on from The Lobsterpot, a project, 'Silver Dreams' which delivers life plans for elderly prisoners was developed. A successful bid for lottery funding secured this project but for one year only. Through the available life skill initiatives, which amongst other topics, include cookery classes and computing, older prisoners are being encouraged to take greater personal responsibility for their future.

Section 6

6.1 Adjudications

Members of the Board attended and monitored a selection of Adjudications throughout the reporting period. The Board was satisfied that the appropriate procedures were followed and that the Adjudications were conducted in a fair and professional manner.

6.2 Chaplaincy

Excellent support for the full range of faiths continued to be given by the Chaplaincy team. Dates and descriptions of all festivals were well communicated and celebrated.

6.3 Offender Management Unit

6.3.1 The Unit continued to play a key role in the process of risk assessing prisoners prior to Release on Temporary Licence and during the reporting period over 20,000 ROTL applications were processed.

6.3.2 The increase in the number of IPP prisoners and Lifer prisoners created an additional work load to the existing staff in the preparation of papers both for ROTLs and Parole Board hearings at a time when the departmental organisation continued to evolve.

6.3.3 There remains 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.

6.4 Prisoner Consultative Committee and Advice Centre

6.4.1 The PCC continued to meet on a regular basis to provide an opportunity for prisoners to discuss concerns with a member of the Senior Management Team. This forum provided prisoners with an opportunity not only to raise issues, but also to actively seek out suggestions for solutions.

6.4.2 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. The lack of internet access became an issue as Local Authority Housing Departments increasingly demanded electronically based applications.

6.5 Reception

6.5.1 GEOAmy continued to provide Prisoner Transport. Whilst many of the issues which were outstanding at the beginning of this reporting period have been resolved, in particular times of arrival, not all have been satisfactorily addressed.

6.5.2 The Board continued to have concerns relating to prisoners arriving with insufficient paperwork to confirm their identity, category and, at times, suitability on physical or mental health grounds, for Open conditions. On occasion, this resulted in prisoners being returned to the sending prison, or other Closed conditions.

6.5.3 The lack of space for the contracted two volumetric boxes per prisoner on the vans continued to be a problem, with lack of space on the vans giving rise to property being either left at the sending prison or, on occasion, the number of prisoners being transported being reduced in favour of transporting property.

6.5.4 It was reported by a prisoner that during transit, although refreshment had been offered, no Halal food was available to him. This was brought to the attention of the Lay Observers.

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	11
Number of Board members at the end of the reporting period	9
Number of new members joining within the reporting period	0
Number of members leaving within reporting period	2
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	Nov.'12

Code	Subject	Year 2012-13	Year 2011-12	Year 2010-11	Year 2009-10
A	Accommodation	0	0	0	0
B	Adjudications	3	5	5	3
C	Equality & Diversity (inc religion)	0	0	0	0
D	Education/employment/training inc IEP	6	16	9	3
E 1	Family/visits inc mail & phone	0	0	2	2
E 2	Finance/pay	0	0	0	0
F	Food/kitchen related	0	1	2	0
G	Health related	7	3	7	0
H 1	Property (within current establishment)	0	1	2	3
H 2	Property (during transfer/in another establishment)	8	1	7	7
H 3	Canteen, facilities, Catalogue shopping, Argos	0	0	0	0
I	Sentence related (inc. HDC, ROTL, parole, release dates, re-cat etc)	18	17	42	40
J	Staff/prisoner/detainee concerns inc bullying	0	4	3	3
K	Transfers	14	1	1	9
L	Miscellaneous	9	2	7	3
	Total number of IMB applications	65	51	89	74
	Of total, number of Confidential Access	2	1	0	1

8. 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/ISP	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 Offender and Prisoners
ROTL	Release on Temporary Licence
SEN	Special Educational Needs
TEFL	Teaching English as a Foreign Language
VR	Violence Reduction

