



**Annual Report  
to  
The Secretary of State**

covering the period  
1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014

**The Independent Monitoring Board  
HMP Pentonville  
LONDON  
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## EXECUTIVE SUMMARY

Last year we expressed concern over the impact of reductions in funding which were then imminent. We are sorry to record that our fears were fully justified: the negative impact of those reductions is a recurring theme of our present report. Local management and frontline staff alike have struggled to cope with lower staffing levels and, out of necessity, an emergency regime has been imposed. Landing staff have less time in which to attend to the needs of prisoners, officers are frequently redeployed to areas of work with which they are unfamiliar, specialist functions have suffered, and constructive activity has had to be sacrificed to the more immediate and pressing requirements of ensuring a secure and safe regime. It is a bleak picture.

Much of our report deals with the deterioration we have witnessed since last year. In fairness, we wish to record also our awareness of the many personnel at all levels who, in the face of real difficulty, have made great efforts to maintain a safe and humane environment for the prisoners who depend on them.

Although much good work continues in the field of equality and diversity, this has to some extent been undermined by the loss of dedicated staff. We note a reduction in the number of prisoners detained solely for the resolution of immigration issues but we concur with the view expressed by Her Majesty's Chief Inspector of Prisons that Pentonville is not a suitable establishment for the detention of this category of prisoner, and we do not think that there should be any in this prison.

The loss of workshop activity brought about by the necessity of ensuring sufficient staff in residential areas makes a mockery of expressed government ambitions for prisoners to be working hours more akin to those worked in the community. Attendance at education has been variable, reaching depressingly low levels at times. Despite a fall in library attendance there have been some outstanding achievements in the area of improving literacy. Levels of purposeful activity have also suffered from delays in re-establishing a permanent gymnasium.

Healthcare is a crucial aspect of the regime. There is a high level of medical need in the prison and we think that overall the provision of clinical services is satisfactory. There has, though, been uncertainty occasioned by an imminent change of health provider, and we have noted some doubts over governance issues. Although we are doubtful whether the large number of prisoners affected by mental illness, learning difficulties and personality disorders are as well supported as they might be, it is encouraging to note that transfer of those found to require treatment in psychiatric establishments has become much quicker. The daycare facility in the healthcare centre provides valuable support for some prisoners, and achieves admirable results in activities such as pottery but it has been sadly under-used.

It is on the wings that we observe the most pernicious effects of reductions in funding. Staffing levels are noticeably lower, increasing anxiety about the safety both of staff and of prisoners. Officers, under pressure to maintain a safe environment, are less attentive to individual prisoners and their problems, resulting in potentially dangerous levels of frustration and dissatisfaction, and fewer opportunities to develop options for resettlement and rehabilitation. Changes to regimes have resulted in prisoners being allowed less time out of their cells: the typical prisoner will spend at least fifteen hours of every day locked in his

cell, and some will be there for longer. The arrival of Young Adults in the prison has been smoothly managed but there are well-founded concerns that they bring with them violent tendencies and fierce gang loyalties which may aggravate the problems of containing the increasing violence in the prison. Shortcomings in arrangements for booking visits have been a constant source of irritation to prisoners and visitors. The relocation of the Vulnerable Prisoners' Unit has had some beneficial effects but there remain problems in maintaining a suitable regime for these prisoners.

The Board has seen a dramatic rise in the number of applications by prisoners to see its members, and we believe this is largely due to a lack of confidence in the prison complaints system. We think that neither the speed nor the quality of responses from the official system matches what prisoners are entitled to expect. We also believe that the lack of staff time to deal with problems and the ineffectiveness of the personal officer scheme contribute to this trend.

We observed last year that Pentonville is in urgent need of capital investment to bring it up to acceptable, modern, standards. We note that Her Majesty's Chief Inspector of Prisons expressed the same view in the report of an unannounced inspection conducted in September 2013. A new Governing Governor took up post in November and we are encouraged to hear from him that he is seeking the allocation of funds for a number of projects which, if achieved, will go some way to improving the physical environment and the regime of the prison. We hope that these aspirations are realised.

It would be unrealistic to ignore the wider financial imperatives faced by government. However, funding cuts have consequences. The cuts applied to Pentonville over the last year have resulted in a prison which is less decent, less safe and less able to further the prospects of prisoner rehabilitation.

## **THE STATUTORY ROLE OF THE IMB**

The Prison Act 1952 requires every prison to be monitored by an independent board appointed by the Secretary of State from members of the community in which the prison is situated. The board is 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 Secretary of State, or any official to whom he has delegated authority as it judges appropriate, any concern it has.
- report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact these have on those in its custody.

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

This is the report of the Independent Monitoring Board, Her Majesty's Prison Pentonville, for 2014. It covers the period from 1st April 2013 to 31st March 2014.

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### **3 DESCRIPTION OF THE PRISON**

Her Majesty's Prison Pentonville on Caledonian Road in inner North London is a Category B local prison primarily serving the magistrates' and crown courts in north and east London. The four cell blocks remain in size and layout much as they were when the prison opened in 1842 though cells originally intended for one prisoner now hold two.

Pentonville holds Category B & C adult males and (since November 2013) Young Adult males (18, 19 and 20 year olds). Almost half the adults held are on remand. Most of the others are either prisoners serving short terms, those recently convicted but still unsentenced, or those sentenced to longer terms and awaiting transfer to other establishments. About 80% of the Young Adults are on remand and once sentenced they are quickly transferred to other prisons. Almost 70% of prisoners are held for three months or less and very few for more than 12 months. The high turnover has major implications for assessment, education and treatment programmes.

Certified Normal Accommodation (CNA) is the Prison Service's own measure of uncrowded capacity. For Pentonville the CNA is 915 prisoners. A prison's operational capacity is the maximum number of prisoners it can hold without serious risk to safety, security, good order, and the proper running of the planned regime. During the reporting year the prison's approved operational capacity was 1310. The number of prisoners increased over the period and in the third and fourth quarters was often close to or above 1300.

## **4 THIS REPORT**

This report records the working of HMP Pentonville from 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014. It is intended to monitor progress or lack of progress during that period. Each section details the work of a specific area of the prison of concern or particular interest to us.

The Executive Summary above identifies particular matters that the IMB considers a priority. We list specific questions for the Secretary of State, the Deputy Director of Custody, London, and the No. 1 Governor.

### **Introductory Note: NEW WAYS of WORKING**

In March 2013 the government required the Ministry of Justice (among others) to make further substantial reductions in expenditure. The Ministry of Justice imposed a share of these reductions on public sector prisons. The National Offender Management Service (NOMS) addressed this partly by cuts in the allocation of staffing and partly by introducing a new core day entailing a split regime (a split day): half of the prisoners can undertake out of cell activities in the morning and the other half in the afternoon. With some exceptions, prisoners can no longer work or study for whole days with consequent loss of earnings and increased time locked in their cells. The name for these new arrangements, introduced in October 2013, is 'New Ways of Working' which we refer to as NWoW.

The number of staff funded for Pentonville has been cut during 2013-14 from 543 to 478, a reduction of 12%. Over a five year period the number of uniformed staff posts in the prison has been reduced by more than 30%. The diminution in funded posts has been aggravated by significant difficulties in recruitment resulting in even fewer staff in place.

## **5 PARTICULAR ISSUES REQUIRING A RESPONSE**

### **5.1 Questions to the Secretary of State**

1. Pentonville is in desperate need of physical improvement to bring it up to modern standards. What capital investment is planned for the prison and how soon will money be made available so that work can begin?
2. Do you plan to review the budget cuts imposed last October given their very negative effect on Pentonville?
3. Funding cuts have meant that to try to maintain a safe and consistent level of staffing on the wings, Pentonville has closed most of its workshops. We understand that the Secretary of State expects prisoners to work. What steps does he therefore propose to take to enable the prison to employ sufficient staff so that all prisoners can work, and can work full days rather than the half days currently imposed by NOMS?
4. HM Chief Inspector of Prisons has expressed the view that Pentonville is not a suitable place to detain sentence-expired detainees. How soon will this category of prisoner be removed entirely from the prison?
5. We observe that under New Ways of Working prison staff have insufficient time to attend to the everyday queries raised by prisoners who therefore turn to the IMB to obtain answers to their questions and to resolve other difficulties. Is the Minister content that the role of the IMB should become that of auxiliary staff and a lost property tracing service?

### **5.2 Questions to the Deputy Director of Custody, London**

1. The dispersal of Young Adults, who are several times more likely to be involved in violent incidents, into the adult prison estate has added further stress to an overstretched workforce of officers. The YAs in adult prisons are no longer provided with the intensive educational and therapeutic support previously available in specialist units to reduce reoffending. Is NOMS monitoring the situation closely and do the results of any such monitoring demonstrate that the dispersal was a helpful move?

### **5.3 Questions to the No. 1 Governor**

1. Has the 'personal officer' scheme been effectively abandoned and is there any plan to revive it?
2. What will be done to increase the confidence of prisoners in the complaints system?

## **6 EQUALITY AND INCLUSION**

### **6.1 General**

The Board recognises that the period following the changes entailed by NWoW was one of great pressure on staffing and consequent difficulty in meeting prisoners' needs. We are aware that serious efforts to address this have been made by management and that since January there has been improvement at least in meeting short term challenges.

The Board regrets that dedicated Disability Liaison Officer (DLO) and Foreign National Prisoners (FNP) Officer posts were lost under NWoW. Although their functions have been transferred elsewhere, the roles were not fully staffed by the end of our reporting period on March 31<sup>st</sup>. In the interim, frequent staff redeployment meant that there was no effective focus for disability support. We hope that the new arrangements will rectify this very soon.

The prison continues to hold prisoner-staff consultation meetings every other month covering Equality and Diversity (E&D) and FNPs, as well as internal staff meetings focusing on E&D. Staff shortages have unfortunately delayed recruitment of prisoner Equalities' representatives so that at the end of the reporting period there were too few to engage with both staff and other prisoners.

We are pleased that from April 1<sup>st</sup> 2014 the prison will be using the new national Equalities Monitoring Tool. This will replace a system focused on Black and Minority Ethnic (BME) prisoners and instead collect data for prisoners across the full range of protected characteristics. For example, details of prisoners' disabilities and sexual orientation will be captured at prison reception. We will be interested to see how this information is used.

### **6.2 Equality and Diversity**

Analysis of the past year using the new monitoring tool suggests that BME prisoners are more likely to be on Basic which is the lowest rung of the Incentives and Earned Privileges (IEP) scheme and is used for disciplinary purposes. They may also be disproportionately represented in adjudications. We understand that these trends will be investigated to clarify the causes. Another concern is that East European prisoners are not proportionally represented at the top level – Enhanced – apparently because it is more difficult to get them to apply for this status. Why this should be so is not clear and raises the question of whether language difficulties play a part.

#### **6.1 Foreign nationals**

Pentonville holds around 400 foreign national prisoners with four countries (Lithuania, Poland, Republic of Ireland and Romania) contributing the highest numbers, though not always in this order. The Board is aware that in the past it has been alleged that some prisoners misrepresented their nationalities in order to avoid being deported and we therefore recognise that these figures must be viewed with some caution. Translation and interpretation services, which include using other prisoners' language skills where appropriate, remain patchy. This will be at least partly addressed from April by improved interpretation phones and up to date staff/prisoner translator lists. Commendably the prison attempts to liaise with consulates, and consular visits have been arranged at the request of prisoners or consulates.

The loss of the dedicated FNP officer caused severe problems, particularly with prisoners being unable to make the monthly calls home to which they were entitled. We are very

pleased to report that despite the loss, this distressing problem appears to have been solved: a marked reduction in complaints confirms that most prisoners are getting their monthly calls on time. The Board regrets, however, the cancellation in late 2013 of some of the monthly workshops (question and answer sessions) for foreign national prisoners and sole detainees (prisoners held under immigration powers even though they have completed their sentences). This is particularly to be regretted since these sessions are attended by Home Office Immigration staff whose help is essential to such prisoners. On the positive side, the meetings recommenced in January with the added presence of the charity Detention Action which supports prisoners with immigration issues.

Another positive feature is that from late March Home Office staff began to monitor all new prisoners as soon as they come into the establishment so that immigration processes can now begin at Reception. The Board welcomes this development which is due to be rolled out nationally and hopes that it will reduce the great difficulties experienced by so many foreign national prisoners and the staff who deal with them.

Last year the Board registered its dismay at the plight of sole detainees. Resources at Pentonville are not comparable with those available in Immigration Removal Centres (IRCs) and many individuals experience great distress. We are therefore delighted that the numbers of such detainees have been coming down. There were 59 in February but by April (just outside our reporting period) the number had fallen to 38.

## **7 EDUCATION, LEARNING AND SKILLS**

### **7.1 Workshops**

Last year we commented on how few prisoners were able to engage in purposeful activity. It is therefore particularly dispiriting to report that the situation in the workshops has deteriorated with decreasing numbers of prisoners able to make use of them. Delays in labour banding (the allocation of prisoners to bands which dictate the jobs for which they are eligible) were already considerable; the introduction of the Activity Hub through which all work applications now have to pass is alleged to have exacerbated the situation by the slowness of its processing as well as by allocating prisoners who did not want to work and excluding many who did. Problems with delivery of prisoners from the wings and difficulties in recruiting civilian instructors have also played a part. During the reporting period the forklift truck training programme (with 6 part-time places) ceased although it was an accredited course and one of the few activities said to provide a real chance of work after release. There is, however, a welcome proposal to replace it with the recycling of televisions and computer equipment which would provide work for 25-30 men. The Speedy Hire contract also came to an end though training by BICS (British Institute of Cleaning Science) and the multi-skills workshop (giving, for example, instruction in basic carpentry and NVQ qualifications) continued until February when all but tailoring (with 50 part-time places) and the multi-skills workshop closed: staff cuts under NWoW had put such strain on the staffing of the wings that workshop officers were redeployed full time to the rest of the prison. This arrangement is due to end in May 2014 but is dependent on the difficult business of recruiting new staff. We very much hope that the immensely valuable opportunities for training and work which are so essential to prisoners' mental health and rehabilitation will be restored in the near future.

## 7.2 Education

Education is provided by A4e. The Education department offers a wide range of courses including English as a Second Language (ESOL), English, Maths, ICT, Learning Support, Peer Mentoring, Health and Safety, Radio Production, Art and Design, Barbering, Multi-Media and Business Studies. Some of these have been grouped together for improved understanding. For example, journalism, media and radio are now one class. Most courses are certified at various levels by several agencies including the Open College network and City and Guilds.

Throughout the year there have been problems in getting prisoners to Education and classes have been under capacity. This has been made worse by staff shortages caused by NWoW with attendance dropping to 35%. Allocation of prisoners has increased over the year (up to 75% in March 2013) but attendance remains lower than it should be. After a slow start, the Virtual Campus now operates in Pentonville providing controlled, supervised access to the internet for education and job-seeking. It is based in Education with a pilot scheme in the Library. The prison continues to face the challenge of making more prisoners aware of the educational provision available to them.

## 7.3 Library

There were 7031 recorded visits to the library in the reporting year, a significant decrease from the previous year's total of 11,300 – itself down from 12,300 in 2011-2012. The most notable drop took place following the introduction of NWoW in October which exacerbated the impact of a steady reduction in staffing levels. In August 2013 there were 1015 visits, decreasing to 791 in September and 443 in October and dropping to an all year low of 344 in February. With the embedding of NWoW and other measures taken by the library and prison management, there was a hopeful sign in the increase to 399 visits in March and increasing participation in reading plans, reader-development and other activities. Wing visits to the library will take place only in the afternoons with an officer from G wing (where the library is located) detailed to escort prisoners each day. This should facilitate communication and establish a clear line of responsibility and the Board hopes that it will mean an end to the problem of prisoners not being delivered for scheduled sessions. Overall however, the new regime and staff cuts are likely to keep the number of library visits significantly below those reached in previous years.

More generally, we are pleased to report that the library appears to have done remarkably well in the circumstances and with only three part time staff. Pentonville is the only prison in the country to have won for three years running the Gold Award in the Six Book Challenge, a national initiative for schools, colleges, workplace and prisons: readers complete the reading of six books and write a report on each. Last year Pentonville came second in England in all categories. The Toe by Toe mentoring project continued to assist prisoners to learn to read or to improve their reading skills; the Family Fables scheme enabled some prisoners to record stories for their children, and events such as Black History Month and Poetry Slam were yet again a success. The book stock remains at a high level, quantitatively and qualitatively, thanks to increased charitable donations by publishers and to the library's books budget remaining unchanged. This has made possible some improvements in catering to the needs of the growing number of foreign national prisoners from Eastern Europe. New computers were installed at the very end of the reporting year. They are, however, intended only for use by Education and sadly, appear likely to be underutilised.

#### **7.4 Physical Education**

It has been suggested that we should expect 40% of prisoners to use gym facilities but that at Pentonville only 20% do so. The main gymnasium closed permanently in June 2012 for security reasons. Work began on a new one but progress has been slow and there is still no date for the opening. Considerable effort has been put into making temporary arrangements – on C wing for example and in Healthcare with a small gym area for prisoners with mental health issues. The Governor is also making funds available for a further facility in one of the workshops to open by the summer of 2014. Nevertheless, the impact of NWoW has seriously affected the numbers who can attend PE and there are particular problems of access for Vulnerable Prisoners. It has been claimed that between Christmas 2013 and April 2014 for example, there were only four occasions when prisoners could have their normal weekend gym sessions. It is quite clear that in spite of efforts by management, the PE facilities are far from adequate for a population of incarcerated men many of whom spend fifteen hours a day or more locked in their cells.

### **8 HEALTH CARE AND MENTAL HEALTH**

That Pentonville prisoners have a high level of medical need is not surprising. According to the 2013 HIMP report, 11% of prisoners arrive at the prison malnourished. In addition large numbers of prisoners have drug and alcohol dependencies and many appear to have mental health conditions. There is also a noticeable number of prisoners whose challenging behaviour is attributed to personality disorder. It is surprising that there is apparently no incidence of multi-drug-resistant TB given the high level of TB in London generally but we are assured that this is the case. Long-standing problems in the provision of health care remain, including a high vacancy rate particularly among nurses, the relatively high incidence of non-attendance at healthcare appointments and the integration of health services into a custodial environment constrained by the demands of the prison regime. A positive factor is that the officer staffing of healthcare facilities and the provision of health services appear to have been less adversely affected than other areas of the prison by the introduction of NWoW.

During the reporting period, Whittington Health was responsible for primary, secondary and specialist health services. Mental health in-reach services and daycare were provided by Camden and Islington NHS Foundation Trust while forensic psychiatry was subcontracted to Barnet, Enfield and Haringey Mental Health Trust. On 1st May 2014 the contract with Whittington Health passes to a new provider, Care UK. The tendering process for new providers and the run up to the award of new contracts has preoccupied senior staff, introducing a degree of uncertainty into the provision of healthcare and its integration into the custodial regime. Aspects of governance appear to have faltered. The Partnership Board did not appear to meet after July 2013 and the monthly Clinical Governance Committee seemed to lack a clear strategic brief. The Board also experienced difficulties in gaining access to performance information that had previously been made available to it. Nevertheless, we feel that the delivery of physical health care is generally good.

Primary care services include Reception (where all prisoners are medically screened), nursing and general medical services and allied services including physiotherapy, podiatry and radiography. There is a team of five GPs who run 10 clinics each week. A nurse-run 'walk-in' clinic operates daily in the main prison. A Long Term Conditions specialist nurse provides twice-weekly clinics for prisoners with diabetes, asthma, epilepsy and chronic obstructive

pulmonary disease. Pharmacy technicians offer a smoking cessation service. The waiting times for this are long. A weekly in-reach service provides support and treatment to prisoners with sexual health issues. There are also Wellman and Hepatitis B vaccination clinics. We note that there is as yet no separate holding area for Vulnerable Prisoners who therefore sometimes cannot be delivered to attend their appointments.

The prison has a purpose-built healthcare centre with 22 in-patient beds, a number of consulting rooms and a daycare facility for those patients with mental health problems that are managed on the wings. Most inpatient beds are occupied by men who are seriously mentally unwell and the wards were full to capacity for most of the year. The Board continues to be impressed by the patience and care displayed by staff in their interactions with patients, some of whose behaviour can be very challenging. We note also that after a highly critical infection control audit the previous year, great efforts have been made towards improvement in this area.

Mental health remains a concern. A mental health in-reach team offers assessment, triage and wing-based treatments and liaises with external providers for those prisoners requiring mental health aftercare on release. The team deals with approximately 25-30 referrals per week. There have been concerns for some time that the team is not sufficiently integrated into the day-to-day work of the wings and a move from the healthcare centre to one of the wings is projected. We have the impression that there are more prisoners with mental health problems than are receiving treatment and this tends to confirm our long-held view that many prisoners are not getting the mental health support that they need. We are very pleased, however, that transfers under the Mental Health Act to either secure units or to psychiatric intensive care, formerly subject to long delays, now routinely occur well within recommended timescales.

Non-medical prison staff also have to manage prisoners with mental and physical difficulties. Many officers are keen to know more about mental illnesses and personality disorder, which - as they observe - are frequent amongst prisoners on the wings. We commented last year on the limited support for personality-disordered prisoners. Funding was obtained during the year for a mental health worker to work one day per week in the prison in order to advise on managing challenging behaviours of the kind exhibited by such offenders and by men who frequently self-harm. We regret that this plan appears not to have been implemented and that support from clinical psychology and group therapies has not been available.

Daycare offers structured programmes, including art, pottery and music, for prisoners with mental illnesses or complex needs. While usually busy, lively and well-attended, problems with the introduction of NWoW and a new Activities Hub depressed attendance rates way below capacity in the latter part of 2013 with no attendance at all on some days. Attendance has since returned to normal level – 18 prisoners in each of the morning and afternoon shifts. Daycare runs a particularly successful pottery class and prisoners' work there has attracted national awards. There have been long-standing plans to increase daycare provision which will come to fruition in the early summer of 2014.

Failure to attend healthcare appointments has been a problem in Pentonville for many years. In June/July 2013 when the failure rate had been averaging 65% for some time, non-attending prisoners were surveyed: over half of them claimed either to have been unaware of an appointment or not to have been unlocked for it. Matters had improved by August/September 2013, when the rate was said to be 30% and was 'being addressed'. It rose to 60% later in the year but concerted action brought it down to 10%. This is an impressive improvement

although it has not been consistently sustained and the rate rose again to 20-30% in the early months of 2014, with the rate for GP clinics hovering around 30%. While these non-attendance rates are a considerable improvement on the earlier position, they are some way above the maximum 10% rate deemed acceptable by HM Inspectorate.

An area of concern is the availability of X-rays. Equipment is in place but there are not always expert staff to operate it so that prisoners have to attend outside clinics and require officer escorts which puts pressure on staffing. On the positive side, clinic waiting times do not seem to have been an issue in this reporting year and dental waiting times which were especially problematic in the past, now appear to be at acceptable levels. A one-day Care Quality Commission (CQC) inspection of one of the clinics in September 2013 found that the service met CQC's standards for care of and respect for patients, cleanliness and record keeping.

Complaints about medical matters accounted for 12% of the 1248 written applications made by prisoners to see the Board. Most applications were concerned with apparent problems in obtaining GP appointments or with concerns about what prisoners considered to be inappropriate prescribing. Recorded complaints to Healthcare rather than to the IMB follow a similar pattern but the incidence of complaints is substantially lower. The discrepancy appears to be accounted for by the fact that most of these are classified by Healthcare as 'queries' rather than complaints.

## **9 SAFER CUSTODY**

The rapid turnover and challenging nature of the population, the numbers involved and the pressures on the regime create an environment in which the risks of prisoners self-harming are high. During the year under review there was one apparently self-inflicted death in the prison and there were 639 reported instances of prisoner self-harm. The self-harm figure represents an increase of more than a third on last year.

The prison employs a range of measures to manage the risks of self-harm. The 'ACCT' document records issues of concern about a prisoner considered to be at serious risk of self-harm, and forms the basis of plans to safeguard him. There is a difficult balance to be struck with these documents. An omission to open one when a prisoner is a self-harm risk could have tragic consequences. Against that, if these documents are opened too readily, perhaps unnecessarily, the care and effort devoted to each one is liable to be diluted, again with potentially serious consequences. During the reporting year 815 such documents were opened, a figure little different from that of last year. Examination of these documents reveals some cause for concern in that there are an uncomfortable number of omissions – to hold timely reviews, to set appropriate care plans, to follow up issues of concern.

Listeners are Samaritan-trained prisoners who respond to requests by prisoners who feel the need for support. Although there are occasional difficulties over the access that listeners are allowed, the arrangements are generally very well supported by prison management. A major problem, arising from the turnover of prisoners, is that of maintaining sufficient numbers; there have been times when the number of listeners has been far too low.

A development of the past year has been the enhanced case review. A prisoner who has been on constant watch will be involved in a review to consider what measures are required to bring the need for constant watch safely to an end.

There is a monthly safer custody meeting for staff throughout the prison, and a dedicated safer custody team. In the past these have been valuable in the management of self-harm risks but towards the latter part of our reporting year the impact of cuts in the prison budget has been to jeopardise their effectiveness. Attendance at the regular meetings is noticeably lower, and members of the safer custody team have found themselves redeployed elsewhere to tasks judged to be of more immediate priority.

In recent years much effort has been directed towards reducing the level of violence within the prison. In a large and overcrowded establishment such as this, housing a difficult population, the containment of violence will never be straightforward. The task was made no easier when, in the autumn, the prison was required to take 18-20 year olds who were on remand – a group that has been noted in the past for gang loyalties and a ready propensity to violence. The prison recorded 614 violent incidents during the year – more than double last year's figure. Of those violent incidents, 277 were directed at staff. It is difficult to know how far such a worrying increase can be attributed to more stringent reporting standards and how far to a significantly more violent environment. What is certainly the case is that the level of violence is a matter of deep concern, and the signs are that it is on the increase.

Perpetrators of violence are subject to sanctions – downgrading of their IEP status, adjudication, or, in very serious cases, prosecution in the courts. A monthly meeting monitors trends in violence and also considers the management of those identified as violent prisoners. The same is regrettably true of violence-reduction measures as was said (above) of safer custody – attendance at monthly meetings has dropped and staff are often redeployed.

## **10 THE WINGS**

Repainting of some landings has improved the appearance of parts of the prison, otherwise the physical environment remains unacceptable: prisoners spend a minimum of 15 hours out of 24 locked up; they share ill-ventilated cells built nearly two hundred years ago and intended for one person; they must urinate and defaecate in the small room where they also eat and sleep; cockroaches remain a problem in some areas; every week there is a shortage of clean kit especially towels. Such conditions are not conducive to decency or likely to encourage rehabilitation.

We have reported on the poverty of the prison environment for years but cuts to staffing from October 2013 have made life on the residential units still more difficult. They not only caused problems getting prisoners to medical and other appointments but led to exercise and association being cancelled unpredictably. The new No.1 Governor has ensured that the regime is now more consistent but some losses remain: evening association – a time when prisoners making phone calls might hope to find family and friends at home – no longer exists. Officers have less time to help individuals, a problem exacerbated by the fact that staffing levels often prevent officers from leaving the wings during working time to resolve prisoner difficulties as they had done previously. IMB members note that it is more difficult to find an officer to talk to and that prisoners are out of their cells for less time making it

harder to talk to them and to monitor the working of the wings. While some prisoners complain about individual officers, others pay tribute to the support and help they offer. IMB members know that many staff, despite the increased demands on them, regularly put themselves out to meet prisoners' needs and assist IMB members to do so. Nevertheless, many officers say they no longer feel safe because there are not enough of them and if they are not safe themselves they cannot keep prisoners safe either. The wings are bleak enough places: the Board is concerned that they are becoming more dangerous too.

- A Wing – Reception and Induction: see Section 14
- Jubilee Wing (drug-free unit): see Section 10.3
- C Wing – Mainly remanded prisoners
- D Wing – Working and Enhanced (IEP) prisoners
- E Wing – Drug programme continuation wing
- F Wing – Substance Misuse Stabilisation Unit (primarily IDTS): see Section 16
- G Wing – Prisoners attending Education, Workshops & Offending behaviour courses
- Segregation Unit – on the lower ground floor of E Wing: see Section 10.1
- Vulnerable Prisoners' Unit – on the fifth floor of F wing: see Section 10.2

### **10.1 Segregation Unit (E1)**

The Segregation Unit location (effectively in a basement) is unpleasant and degrading: the lack of natural light, the grim facilities, the impossibility of eradicating cockroaches and the general impression of age and squalor persist. Concerns were raised during the year about experienced staff leaving and the fact that there is now no dedicated Senior Officer in charge. We know that at times staff have faced weeks of dealing with difficult and violent prisoners, including those on dirty protests. It is to officers' credit that they continue to manage the regime appropriately under these challenging conditions. Pressure on staff, however, means that the IMB cannot easily talk to prisoners in the morning when the unit is busy with adjudications: staff cannot be spared to open cell doors and the numbers moving around the unit makes it a difficult place to operate.

Numbers in the unit vary on a daily basis although it seemed to get busier over the year. Weekly reviews of prisoners held on grounds of good order and discipline (GOOD) are conducted with impressive fairness and although the IMB was concerned about two prisoners each held for more than two months, in both cases it was felt that the prison was making every effort to move them on to a more appropriate location. As in the past, we are pleased that the special cell was used very rarely and then usually only for short periods of about an hour.

Adjudications (which are disciplinary hearings as distinct from reviews) take place six days a week in front of a governor or, twice a month, before a district judge acting as independent adjudicator. Staffing and time pressures have sometimes led to cases over-running the mandatory time-limits and having to be dropped but as we reported last year, the general view of Board members who attend (as observers only) is that hearings are conducted very fairly.

## **10.2 Vulnerable Prisoners' Unit**

Because its location in the basement of G wing was condemned as a fire risk the VPU was transferred to smaller accommodation on the top floor of F wing in April 2013, with convicted inmates from the old unit transferring to HMP High Down. Persistent staff shortages on G1 had also led to problems with regime, while overcrowding meant constant use of overflow cells on open wings. We are pleased to report that since the transfer the problem of overflow has largely been solved.

Although F5 is brighter and less insanitary than G1, its location on the top floor of a wing makes delivery of prisoners to such locations as Healthcare, the library, and exercise yards problematic. This is aggravated by increasing understaffing in the prison. Movement of VPs from F5 for any purpose requires other F wing landings to be locked down and this has caused resentment: prisoners on these landings have blamed the VPs for what they perceived as curtailment of their association time. During the year there were recurring complaints from VPs about the late and inadequate serving of food and they also expressed anxiety that their food might be contaminated by prisoners on lower landings who have access to the officer-supervised servery. As far as the Board is aware there was no evidence of this. We recognise that finding accommodation for Vulnerable Prisoners in Pentonville is not easy but note that the more open layout of F5 potentially exposes prisoners to abuse from lower floors, and vice versa. Although there have been only a small number of such incidents this is not ideal for a population in need of protection.

The transfer to F5 has also meant the halving of education sessions for VPs. Those classes still available accommodate only eight prisoners at a time and take place at a table in the middle of the landing with consequent disruption from the presence of other prisoners. Work for VPs, long a problem, is to be partly solved by their being employed in the clothing exchange and on ground parties. We are pleased that some of the security and labour banding issues that had excluded VPs from much work have been resolved by the recognition that, within this population, length of sentence is not a sufficient measure of relevant risk.

Shortage of toilet rolls is reported from time to time and, as everywhere in the prison, shortage of clean kit. In general, VPs seem settled on F5 and they speak highly of the care they receive from nearly all the staff who work there.

## **10.3 Jubilee wing**

Jubilee wing is intended for prisoners who have committed themselves to remaining drug free. The main problem here is that reductions in staff have meant reductions in the number of drug tests conducted. The wing had only been allocated two officers on weekdays (down from five before NWoW) and one at weekends. Jubilee wing was otherwise regularly reported as running smoothly and is a noticeably calmer, more pleasant part of the prison.

## **10.4 Young Adults**

Young Adults (YAs) – 18, 19 and 20 year olds – were accepted into Pentonville from 4th November 2013. They are housed throughout the prison but are mainly concentrated in A and G wings. The number has steadily risen and at the end of our reporting period it was hovering around 100. There is a separate adjudication tariff arrangement and a YA prisoner may only share a cell with another YA, otherwise they are treated exactly like other prisoners. It is very unfortunate that these often difficult young men began arriving just when staffing had been reduced by 12% under NWoW. Officers have had no specific training in dealing

with YAs and the IMB is particularly concerned that there is no targeted regime for them such as age-related mentoring or training schemes.

There is a view that YAs are more likely than older prisoners to be members of gangs and also a perception that there has been a small rise in violence since the arrival of these younger men. At the end of February the prison began to collect statistics on the proportion of violent incidents involving YAs. Over an eight week period from 25th February approximately 7% of Pentonville prisoners were YAs but they were involved in 33% of the violent incidents. The prison is working with outside agencies to identify gang membership which it hopes will help reduce prison violence. We remain concerned, however, that such young prisoners have particular needs that Pentonville is not equipped to address.

## **11 KITCHEN**

Cuts in the number of uniformed kitchen staff under NWoW, and the threat of their replacement by civilian employees, has left remaining officers demoralised. This has been aggravated by a consistent failure of the Activities Hub to deliver the requisite two shifts of 12 workers per day to the kitchens. The estate-wide change from hot to cold lunches has proved unpopular with some inmates at Pentonville. It is seen by staff as costlier, more time-consuming and unsuited to the layout of the new kitchen although it does allow lunch to be served more quickly on the wings. Kitchen workers complain that the new shift system leaves them no time for association, and without access to PIN phones. On the hugely positive side however, the kitchens were awarded five stars in an Environmental Health inspection in September 2013.

## **12 CHAPLAINCY**

Significant progress has been made in this area and some of the major concerns raised in the previous annual report have been addressed: the new managing chaplain is in post; an Anglican chaplain has been selected and we hope is soon to be in post; the mosque's leaking roof has been fixed, and an extra Friday prayers session is now offered which, in spite of some escorting issues, addresses the increased demand. Issues to do with meals for followers of various religious diets have been resolved and dietary requirements for a range of religious festivals (Hindu, Sikh, Muslim, and Jewish) have been efficiently met.

The Chaplaincy has long been in touch with a volunteer priest with the aim of providing an orthodox Christian service for the growing number of prisoners from Eastern Europe. We hope that with a managing chaplain in place this will, at last, be organised on a regular basis. The chaplaincy is also looking into arranging for a Mormon service for the growing number of prisoners of this denomination.

The Board is aware of the Chaplaincy's concern at the drop in attendance at religious classes, an issue that deserves greater attention particularly in view of the emphasis in the Minister's response to our comments last year about the lack of 'purposeful activity'. Part of the drop is attributable to the teething problems of NWoW though some progress is being made by involving the chaplains in escorting prisoners to religious classes and services. Another important factor is the prison's prioritisation of work and education over religious classes in

what, in effect, has become a four day working/activities week. Discussions are in progress about targeting the approximately 50% of prisoners not engaged in work or education. This, however, leaves the question of a significant group among those already engaged in work or education who are keen or keener to attend religious classes and may benefit from them to a greater extent than others.

### **13 VISITS AND VISITORS' CENTRE**

Last year we noted a great improvement in the booking of visits. This year we have to report that staff reductions since NWoW have had a devastating impact on the telephone booking service. About 70 bookings a day are made by phone. Visitors complain about having to wait for an hour on the phone to make a booking or of not being able to get through at all which is not surprising since there is just one line for calls handled by one person. Sometimes this person may be asked to help out at the front desk in the visitors' centre, in which case the telephone line may be left unmanned for periods of up to an hour.

Another alarming consequence of NWoW concerns legal visits to which prisoners are entitled and upon which they depend. Up to 150 email requests for such visits are received a day. Legal firms have complained about not being able to book urgent legal visits at short notice but of having to give two or three weeks' notice because of the limited availability of rooms. The problem has been exacerbated by the cancellation of evening legal visits because of staff reductions. On the other hand, more availability has been created by opening the visits' hall to legal visits on Friday mornings as of 28<sup>th</sup> March, though concern has been expressed about the possible lack of privacy under these conditions.

This year fewer visitors had problems with handing in property, though there were occasions when this facility was suspended because of staff shortages: visitors with property had to be turned away causing great frustration and distress.

The visitors' centre is run by Spurgeons, one of the UK's largest children's charities. The staff and volunteers are very helpful and the centre has a range of relevant pamphlets on visit procedures and travel grants, providing much more information than can be found on the prison's website. Spurgeons organises Family Days about once every six weeks. These are for Enhanced prisoners with children aged three to thirteen and the focus is on the parent bonding with his children through structured activities. On average about 35 inmates attend each session. Another activity that Spurgeons organises is the Arsenal coaching morning, which is held during school holidays.

The main hall of the visits hall caters for up to 56 inmates and their visitors – up to three adults and children per prisoner. There are also four cubicles for closed visits (visits in conditions restricting physical contact between prisoner and visitor for reasons of security). Although it is generally acknowledged that visits are a common way of bringing in drugs in small quantities, security measures seem to us less stringent since the introduction of NWoW.

## **14 RECEPTION, A WING, FIRST NIGHT CENTRE, AND INDUCTION**

### **14.1 Reception**

Reception is an exceptionally busy unit with about 8000 prisoners a year arriving from the courts. The total number of prisoner movements is in the region of 33,000 annually. In receiving new prisoners as well as sending prisoners out to the courts in the morning (with all their property) and receiving many of them back again, Reception processes up to 100 incoming prisoners most of them in the evening, about a third of them new to Pentonville. Although there were reports of first night procedures finishing as late as 10.00 pm in July 2013, the system seemed to be running well and generally finishing on time until November 2013. Under NWoW however, things went downhill: there were fewer trained staff to process arriving prisoners which frequently took until after midnight. This put huge pressure on staff and meant that often highly stressed prisoners were not settled in cells until the early hours of the morning.

### **14.2 A Wing and First Night Centre**

A wing, where most new prisoners spend their first five days, has suffered the same staff reduction problems as the rest of the prison. There is also said to be more unrest on the wing because of the number of Young Adults present. There is no fully self-contained 'first night centre' and it has been suggested that not keeping first night prisoners separate from the others is more stressful for them and makes initial processes more difficult to conduct. Vulnerable prisoners go straight to their own unit if they are identified in time and prisoners requiring drug detoxification go straight to F wing. Both locations have their own induction processes. All other new prisoners are supposed to receive induction on A wing.

### **14.3 Induction**

Compulsory induction sessions occur on the first day after admission and consist of a morning period in which prisoners are introduced to the rules and procedures of the prison and an afternoon Education session in which the Basic Skills Assessment (literacy and numeracy) takes place. An attempt is made to get prisoners to the library on their first morning too. Optional induction sessions, for example for the gym, take place over the next four days. The quality of the first session has varied over the year with reports of some excellent and sympathetic presentations by officers and also of occasions where equipment broke down, the induction presentation material could not be found or the process was interrupted by other activity because the room was not exclusively allocated to induction. Although non-English speakers are given information in their own language wherever possible, we remain concerned as to how much those prisoners understand – especially if theirs is not one of the six languages into which the induction booklet has been translated. We note with concern also Board members' reports that staff cuts have at times resulted in hasty, deferred or even missed inductions.

## **15 OFFENDER MANAGEMENT (Probation & Parole, IPPs & Lifers, Resettlement)**

Pentonville remains an unsuitable location for prisoners serving indeterminate sentences for public protection (IPP) and those men sentenced to life imprisonment as it provides little or nothing in the way of rehabilitative work – primarily offence-related and offending-related courses – that would enable them to show the Parole Board that their risk is low enough to merit release. At the end of the reporting year, 18 life-sentenced prisoners were held in Pentonville, five of them on recall, and therefore awaiting a Parole Board hearing. HM

Inspectorate has commented that no lifer should remain in Pentonville for more than 12 months. This timescale has largely been adhered to and it is encouraging that the prison housed only one such prisoner, for whom a transfer had been agreed. There were nine prisoners serving an indeterminate public protection sentence, four of them on recall. Considerable efforts had been made to transfer one of the latter, a young man with complex needs who had been in Pentonville for nine months, but without success.

## **16 DRUGS AND SECURITY**

### **16.1 Drugs**

Mandatory Drug Test (MDT) rates have been erratic throughout the year with a high 32% in February, a low of 8.6% in March and a monthly average of 16.8%. In most months the figure has been above the 13.5% target (13% from January 2014). Regular drug testing has been affected by the reduction in staffing levels. The running of the drug-stabilisation wing (F wing) has been satisfactory but overcrowding in the prison has meant that the wing inevitably houses some non-drug related prisoners. This problem is exacerbated by the reluctance of some prisoners to move off a wing they find comfortable – perhaps because it is smaller than others and has a very fixed routine.

Phoenix Futures has held the drug services' contract 'Building Futures' since October 2012. Unfortunately, NWoW and a high number of prison lockdowns throughout the year affected the ability to deliver interventions and attendance at groups dropped to a low of approximately 30% in November. Over the past year Building Futures has varied the support it offers to include therapies (dance movement therapy, drama therapy, creative recovery) and mutual aid groups. It now employs 15 peer supporters and has introduced a community engagement team which focuses on supporting Through the Gate services.

### **16.2 Security**

Drugs are still clearly coming into the prison as mandatory drugs tests show. Gate security looked set to be updated when the Traka Key Vend system was heralded but its implementation has been delayed by technical problems.

### **16.3 Use of Force**

The use of force statistics show great variation on a monthly basis. Of concern is the fact that Young Adults (in Pentonville since November 2013) have figured in a disproportionate way in the numbers of prisoners against whom force has been used. As an example, in March 2014, force was used in total 21 times, 15 times against adults and six times against YAs in a prison population of about 1150 adults and 90 YAs. This contributes to our concerns about whether Young Adult offenders should be in an adult prison.

## **17 PRISONERS' WRITTEN REQUESTS AND COMPLAINTS**

As we have highlighted in two previous reports, the system should be reserved for those matters that genuinely cannot be dealt with by wing staff in general and Personal Officers in particular. Sadly, the introduction of NWoW last autumn was a major set-back for the prison's personal officer scheme, with the reduced number of wing staff having much less time to spend on dealing with prisoners' verbal requests and complaints on the wing when they arise.

As a result, prisoners have to resort to written complaints. The consequent volume of paperwork is very time-consuming for staff (especially managers) and resolution of problems is delayed.

### **17.1 Applications**

Applications are requests. Some areas have their own systems: Healthcare, Chaplaincy, Reception (including property), Visits and the IMB. All other matters are dealt with by Pentonville's general applications system and a reply must be sent to the prisoner within three working days of an application reaching the relevant department. In August 2013 this system was generally running smoothly and on most working days all the general applications collected early that morning had been processed by the end of the day and could be sent to departments. Since then however, staff shortages have meant that new general applications are not collected from the wing boxes perhaps for several days in succession, leading to backlogs with consequent delays to replies. This not only causes frustration but prompts prisoners to re-send applications so compounding the problem.

### **17.2 Complaints**

We continue to be very concerned about the large numbers of prisoners' written complaints. The main areas remain Reception (mostly lost property or property not yet received), money and PIN numbers. As we have noted before, between 2008-09 and 2011-12 the number of written complaints increased by 67%. In 2011-12 they had reached about 73 a week. The numbers for the six months March-August 2013 remained at this high level. In the first five months of 2014 the weekly number of complaints rose by about a further 16% compared with the same period in 2013. The trend is clearly and worryingly upward.

Several reviews in recent years have led to revisions of the complaints processes, including giving staff more time to provide good quality initial responses with the aim of reducing the number of follow-up complaints from dissatisfied prisoners. It remains clear, however, that prisoners do not have confidence in the system. While a number of complaints relate to relatively minor issues, it is none the less important, especially in the absence of an effective personal officer scheme, that prisoners receive timely but considered and respectful replies. Complainants often say that they received late replies or none at all. During the summer of 2013 about half of complaints – around six to ten late responses every day – had to be chased up and monitoring showed that the quality of replies was very variable: some were very good but too many were rather dismissive or showed insufficient effort or investigation.

In early February 2014, the No.1 Governor told us that a senior manager had been asked to review the applications and complaints systems with particular reference to the quality and timeliness of the replies. In the Governor's view, they should be better recorded and logged on the wings. The responses should be legible and informative, the tone should be right, and a quality control system should monitor the responses. Since January 2013 a sample of 15 replies per month has been examined by the senior manager. Most were found to be late and some were assessed as unhelpful. As a result, it has been suggested that routine three-day and five-day reminders should be sent to all staff found to be out-of-time with their replies but it is not yet clear how the poor quality of too many of the replies can be rectified and this remains an area of concern to the Board.

## **18 MAKE-UP OF THE INDEPENDENT MONITORING BOARD**

In March 2014 the IMB at HMP Pentonville had twenty one members. Four members resigned during the reporting year and none was appointed.

### **18.1 Weekly Rota Visits**

Members on rota duty regularly monitor the prison's facilities and treatment of prisoners, giving a sense of how Pentonville is running. Key areas (Healthcare, the Segregation Unit and the Vulnerable Prisoners' Unit) are reviewed each week, with other areas visited less frequently. The IMB member on rota will visit the prison several times in the week and write a report at the end of it. This is sent to the No.1 Governor, who responds in writing to specific issues and concerns in time for our monthly Board Meetings.

### **18.2 Applications**

On Wednesday afternoons, members speak to prisoners who have put in written applications to see them. In the period of this report, the IMB received 1248 such applications. This is an increase of 17.5% on last year and more than three times as many as in 2010-11 when the number was 395. Some applicants are not seen on the first occasion because they are at court, on visits, or otherwise engaged; arrangements are made for them to be seen the following week. Prisoners may also put in applications under confidential access. These are dealt with by the member on rota. Additionally, members will meet prisoners, as well as staff, during their visits to the prison, and frequently receive and respond to prisoners' oral applications if they are urgent. It should be noted that this means that the actual number of appeals for assistance is even higher than the figures above suggest.

<i>Area</i>	<i>Year to 31st March 2014</i>								
	<i>Approximate percentage of written applications dealt with</i>								
	<i>2004</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>
Property and Cash	17	20	25	21	23	14	14	18	23
Medical	12	8	12	13	11	12	9	12	12
Transfers/Category	15	10	9	12	9	11	9	12	10
Sentence Calculation	10	4	5	5	3	6	8	5	3
Regime	3	5	4	4	2	8	6	7	3
Visits	6	7	8	8	11	8	5	3	3
Telephones	5	1	2	5	5	2	4	5	6
Mail	4	4	1	<1	1	2	4	**	**
HDC	-	-	-	-	-	2	4	2	5
Legal issues	-	-	2	2	1	3	3	2	<1
Requests / Complaints	3	5	3	2	2	3	3	3	3
Bullying	2	1	2	3	2	3	2	3	4
General IMB advice	2	2	4	2	2	1	2	2	2
Housing/Resettlement	-	-	2	2	<1	1	2	1	<1
Assault	1	1	1	2	1	2	2	***	***
Work	1	3	1	3	2	-	2	5	3
Education	-	<1	2	<1	<1	1	2	1	1
Licence recall, etc	4	5	2	2	5	4	2	1	1
Adjudications	1	1	3	<1	2	2	2	1	<1
Foreign Nationals	<1	5	1	2	4	3	2	4	5
Probation	1	<1	1	<1	2	2	1	1	1
Food	2	2	1	<1	2	4	1	<1	<1
Library	<1	0	0	0	0	-	<1	<1	<1
E-man status*	2	<1	1	0	0	-	0	<1	<1
Racial abuse/incident	-	-	1	<1	1	-	0	1	<1
Miscellaneous	10	14	7	11	9	8	9	9	10

\* *Prisoner regarded as at high risk of attempting to escape.*

\*\**Included in property/cash*

\*\*\**Included in bullying*

- *Not recorded separately.*

## ANNEX 1 – BOARD STATISTICS

### Part 1 - General Statistics

Recommended complement of Board Members	20
Number of Members at the start of the reporting period	21
Number of Members at the end of the reporting period	17
Number of new Members joining during the reporting period	0
Number of Members leaving within the reporting period	4
Total number of written applications received	1248
Total number of segregation review meetings held	50
Total number of segregation review meetings attended	50

### Part 2 – Membership at end March 2014

#### *Member*

Gordon Cropper  
Jean Silkoff  
Ann Waters

Chair  
Vice Chair  
Vice Chair

Pamela Beevers  
Emma Bell  
Alan Bevan  
Peter Cousins  
Charles Darwent

Bashir Ebrahim-Khan  
Gabriel George

On leave since July 2013

Jane Gibson  
Kate Johns

On six months leave from Jan 2014  
Information Officer

David Miller  
Mohammad Nafissi  
Naomi Rich  
Alex Watson  
Mollie Weatheritt

Board Development Officer