



HMP RYE HILL
INDEPENDENT MONITORING BOARD
ANNUAL REPORT

April 2013 – March 2014



Section 1

STATUTORY ROLE OF THE IMB

The Prison Act 1952 and the Immigration and Asylum Act 1999 require every prison and IRC to be monitored by an independent Board appointed by the Secretary of State from members of the community in which the prison or centre is situated.

The Board is specifically charged to:

- (1) satisfy itself as to the humane and just treatment of those held in custody within its prison and the range and adequacy of the programmes preparing them for release.
- (2) inform promptly the Secretary of State, or any official to whom he has delegated authority as it judges appropriate, any concern it has.
- (3) **report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact 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.

Section 2

CONTENTS

STATUTORY ROLE OF THE IMB.....	2
CONTENTS.....	3
DESCRIPTION & FUNCTION OF THE ESTABLISHMENT.....	4
EXECUTIVE SUMMARY.....	5
ISSUES REQUIRING A RESPONSE.....	6
ESSENTIAL REPORTING AREAS.....	7
5.1 Major changes during the year.....	7
5.2 Equality and Inclusion.....	7
5.3 Education, Learning and Skills.....	7
5.4 Healthcare and Mental Health.....	8
5.5 Purposeful Activity (including work).....	8
5.6 Resettlement.....	9
5.7 Safer Custody.....	9
5.8 Segregation, Care and Separation, Close Supervision.....	9
5.9 Residential Services (including accommodation, food and kitchens).....	10
OTHER AREAS.....	11
6.1 Drugs/Substance Misuse.....	11
6.2 Incentives and Earned Privileges.....	11
6.3 Reception, Admissions and Property.....	11
6.4 The Prison Council.....	11
THE WORK OF THE INDEPENDENT MONITORING BOARD.....	12
7.1 Membership and Recruitment.....	12
7.2 Applications to the Board.....	12
7.3 Board Statistics.....	12
Acknowledgement.....	13

Section 3

DESCRIPTION & FUNCTION OF THE ESTABLISHMENT

- HMP Rye Hill opened in January 2001 and was operated by Group 4 Falck, which became Global Solutions Limited (GSL) in 2004, on a 25 year contract to the Home Office. In May 2008 GSL was bought by G4S who took over the running of the prison.
- The premises are purpose built with eight residential units consisting of two Vulnerable Prisoner units intended to house only prisoners who have committed an offence making them eligible for the Sex Offenders Treatment Programme (SOTP) who are held separately from mainstream prisoners, and six mainstream units.
- It is proposed to re-role the prison during 2014 to house only prisoners that have been convicted of a sexual offence.
- The prison is a Category B male training prison with certified normal accommodation of 600 and operational capacity of 625. It held 621 prisoners at the end of the current reporting period.
- The prison currently holds 132 prisoners under traditional life sentences with a further 112 held under Indeterminate Sentence for Public Protection (ISPP).
- There are 468 category B, 150 category C prisoners and 3 category D prisoners.
- 17% of the prisoners are foreign national prisoners, which is slightly lower than last year.
- The ethnic breakdown has remained reasonably stable for some years at approximately 60% White, 23% Black and 8% Asian.
- Prisoners over the age of 50 represent 14% of the total population with 27% of these over 65 years.
- Health care is provided by sub-contract to a division of G4S called G4S Integrated Services.
- The Education provider is City College Manchester.
- Catering is provided by Aramark.
- Links with Samaritans are established together with a Listeners Service.

Section 4

EXECUTIVE SUMMARY

This report covers the period from 1st April 2013 to 31st March 2014.

There have been a number of strategic and operational changes during the year that have led to inevitable periods of instability while the changes are implemented (see section 5.1). The proposal to re-role HMP Rye Hill to a Sex Offender only establishment may well have been a contributor to some of the issues seen this year, however it also provides an opportunity for the prison to address some of the items raised below.

The high rate of senior and middle management staff changes reported last year has continued. However at the end of the reporting year the situation is much improved and there is now a full Senior Management Team in place and a number of newly qualified officers have joined the staff roster. The staffing situation in the Care and Separation Unit (CSU) that gave special concern last year has also improved noticeably (see section 5.8).

The major concern of the IMB this year has been the level of violence and serious incidents which has remained higher than previous years and has included assaults on both staff and other prisoners. The improved use of the Incentives and Earned Privileges (IEP) scheme with a more representative number of prisoners on basic regime (see section 6.2) together with an improved approach to the management of adjudications will, hopefully, help to address this.

The lack of purposeful activity opportunities has been frustrating for both the prisoners and the staff and it is hoped that improvements under way will address this as a priority (see section 5.5).

As reported in previous years there are still a lot of ISPP prisoners over tariff and concerns about lack of courses needed to progress their sentence plans continue (see section 5.3).

The trend for more prisoners to be released direct from HMP Rye Hill continues. The prison was designed for mid-term, long sentence prisoners and unlike local prisons can only provide limited support to prisoners to prepare for release. Regrettably almost immediate recalls are being seen for some prisoners (see section 5.6).

It is very pleasing to report that Sunday visit sessions are now available and well supported (see section 5.9).

Overall the prison has been more unsettled during this reporting year with increased incidents of violence and prisoners reporting unease over an atmosphere of low-level threat. This cannot be wholly attributed to the uncertainty over the re-role but the anticipated disruption of such a major dispersal exercise for the mainstream prisoners may have exacerbated the violent behaviour.

ISSUES REQUIRING A RESPONSE

Due to the re-role, which is now under way, and the probability that the new population post re-role will have a very different behaviour and needs profile, including being less likely to challenge via physical violence, we do not feel it is necessary to request an action response on any of the operational points raised above.

However we do wish to again raise the following **policy issues** for response from the **Minister**:

1. More proactive measures are needed to ensure the progress of ISPP prisoners that are beyond tariff. It is asked that the Minister considers providing additional support to allow these prisoners to meet their parole board release requirements as quickly as possible.
2. The arrangements for release of long sentence prisoners are not currently giving them a good basis to avoid re-offending. We would like reassurance that the proposed changes to 'the through the prison gate' re-settlement services will not exclude the harder to manage prisoners such as those with long sentences for violent or sexual offences.
3. It is of concern that there are still a large number of prisoners with mental health issues and prisoners needing psychiatric hospital admission have experienced very long waiting periods.

Section 5

ESSENTIAL REPORTING AREAS

5.1 Major changes during the year

There have been a number of strategic and operational changes during the year that have led to inevitable periods of instability while the changes are implemented.

These have included a new senior and middle management staffing structure, a change to the full staffing profile and rostering approach leading to some job role changes for a significant percentage of staff, a high staff attrition rate followed by a major recruitment exercise for new prison custody officers and their integration into the experienced workforce and in addition the strategic proposal and detailed planning for the change to an all sex offender prison.

Although clear future benefits could be seen from the transformation the sheer level of change, especially in the latter part of the year, and its day by day impact on both prisoners and staff has contributed to the atmosphere of unrest and uncertainty that has perhaps triggered some of the increased violence.

5.2 Equality and Inclusion

The Equality Action Team (EAT) has met regularly throughout the year and each strand, i.e. Race, Disability, Faith & Belief, Age, Gender & Sexual Orientation, Gypsy & Roma, and Foreign Nationals has also met regularly and been led by senior members of staff. It is pleasing to report that a Gypsy & Roma group is now in place and the response from prisoners has been positive. In addition, work has progressed on the sensitive strand of Gender & Sexual Orientation, and a forum is now in place. The strand forum meetings have identified problems and action has been taken where possible and necessary.

Of some concern is the attendance at planned EAT meetings which has sometimes been poor due to postponement and rescheduling of meetings. Also, the anticipated re-role has had a detrimental effect in so far that prisoners have generally not filled vacancies for Residential Wing Representatives, and by the end of year only 3 out of a total of 8 were in place.

5.3 Education, Learning and Skills

Attendance in education has continued to fall which may be due to higher pay potential for work in Industries. In June 2013, only 3500 education sessions were attended out of a scheduled 4200. A change in rosters has meant a prison custody officer is not permanently present in Education having a roving patrol brief and leaving staff with concerns about security.

The Offending Behaviour Programmes team has been involved in planning for the re-role with an increase in Staff and Staff Training. However the 4 currently available rooms used by Programmes are not adequate for the predicted demand for SOTP courses post re-role and further facilities will be needed.

There remain a high number of mainstream prisoners on ISPP tariffs for whom there are no appropriate courses to prove a mitigation of risk. They are not suitable for the Thinking Skills Programme as offered at Rye Hill due to their offending category or their mental health and the suggested change that would require the Parole Board to look for evidence to hold a prisoner past tariff rather than putting the onus on prisoners to prove their reduced risk via courses does not seem to be operating as intended.

5.4 Healthcare and Mental Health

Following the issues over staffing last year a new clinical lead is now in post. However, healthcare was understaffed/Bank staffed throughout the year and this led to insufficient continuity. Other vacancies for 2 general nurses and a disability nurse remain unfilled at the end of March. GP cover is currently part time/locum but it is hoped a local GP practice may provide general medical care in future.

The in-patient cells were closed in Dec 2013 leaving only one constant watch cell and a Crisis Suite (used also for group work). Three cells are still being used as stores and await refurbishment.

It is of concern that there are still a large number of prisoners with mental health issues. Prison based therapy has improved but prisoners needing psychiatric hospital admission have experienced very long waiting periods.

The psychiatrist now attends twice weekly instead of once. IAPT is working well with 15-20 self referrals per month and all assessed within 5 working days for individual or group work. An occupational therapist will soon be added to the team. In-reach also has an improved response time of 5 days.

It is planned that more clinics are to be delivered on the units which should reduce escort problems and delays. Hospital escorts for out-patient treatment have now improved at 2-3 per day unless operational emergencies take priority.

After a 6-month wait, bathing facilities for disabled men have finally improved with a refitted bath and installation of a working hoist.

5.5 Purposeful Activity (including work)

Purposeful activity hours have been below target for most of the year. The lack of work opportunities has been frustrating for both the prisoners and the prison staff with further improvement in this area a priority.

Progress has however been made on establishing new poly tunnels and gardening training for the Drug Recovery unit prisoners, a new training kitchen has been opened and two of the Industries workshops have been refurbished with the aim of increasing places.

Senior Managers responsible for Purposeful Activity continue to try and bring in new contracts to allow the refurbished workshops to be fully utilised.

5.6 Resettlement

Although it was not originally intended that so many prisoners are released direct from Rye Hill; in the past year 38 have stayed until their release date, only slightly fewer than in the previous year. Reducing Re-offending and Resettlement Meetings have been held regularly throughout the year and an Action Plan which focuses on 7 key pathways to release without re-offending has been developed.

It is unfortunate that Rye Hill does not allocate specific resources to aid Resettlement nor the "local" knowledge necessary to support this. A Resource Directory of relevant external providers has been generated in order to aid resettlement however the offender management team continues to rely heavily on the advance resettlement activities provided by local probation services. Regrettably where this has failed a number of offenders have been recalled within days of release.

5.7 Safer Custody

Figures for Use of Force, assaults, and self-harm are all up on the previous year although changes in the numbers on self-harm and anti-social behaviour support programmes have not significantly changed. It is not entirely clear whether progress on the violence reduction plan has been made but incidents of violence were higher than would be expected, especially in the second half of the reporting year.

There has been a high number of Serious Incidents (though many of them comparatively minor) of which IMB has not always been properly informed.

There have been 3 changes of senior management in Safer Custody this year and at least 2 more in Security. This has not made it easy to achieve a consistency of approach however a number of changes made have brought benefits.

Following a review there has been reduced, but more targeted, use of drug detection dogs this year. There has been a high number of finds of banned substances; however spikes in the drug testing figures have still occurred.

It is of concern that the number of Security Information Reports (SIR) has fallen to less than half previous numbers. This may have been due to the change to an electronic system, which seems to have made it more difficult for staff to report concerns either because of access to the system or difficulty using it. Targets for cell searches have sometimes fallen behind. This seems to be linked to pressures on staff numbers.

There has also been a worrying number of key-lock failures, particularly during the first half of the year.

The prison has felt more unsettled than in previous years and anecdotally, prisoners have indicated unease over low level threats and violence

5.8 Segregation, Care and Separation, Close Supervision

The CSU has been over-populated too often in the reporting year. Arranging transfers out, even in urgent cases, has been difficult and very real efforts to reduce numbers held in CSU have been largely unsuccessful. This has not been helped by the long held prisoner perception that residence in CSU can

be helpful in gaining transfer to another prison. However, there has been a significant reduction in the use of Health Care as an overflow to CSU.

Management of CSU was changed too often (senior management three times, middle management twice) to achieve consistency in running the unit. However, recent changes show signs of improving both the situation and the management of the unit. In particular the tone of interactions set by both managers is improving the respect and decency with which prisoners are being treated, often under very testing circumstances.

The reliability of proper procedures and processes in CSU has improved over the year and regimes in CSU have been increasingly rigorous. There is no evidence that offenders are not receiving their proper regimes and prisoners no longer feel CSU is a soft option. The timeliness and quality of information to IMB on admissions to CSU has improved.

CSU reviews have improved in quality both in terms of consistency and continuity of the reviewer's information. Adjudications have also improved with a smaller pool of adjudicators resulting in greater consistency of approach and a greatly reduced level of adjournments or dismissal of charges for being out of time.

In the Secretary of State's response to last year's report it was said that CSU Exit Plan meetings would be happening weekly. This did not happen and within weeks petered out almost completely, however with the recent change in Senior Manager, they have been restarted and have proved helpful.

It is still of concern that some prisoner stays in CSU have been prolonged beyond the desirable or even the reasonable. However, these numbers have lessened over the year.

5.9 Residential Services (including accommodation, food and kitchens)

Some of the accommodation units and the CSU need minor refurbishment with showers and floors being the main areas requiring attention; some of this work is now planned as part of the re-role.

There have been on-going staff shortages that have on occasion impacted regimes including occurrences of loss of association time plus cancelled gym sessions, library sessions and communal worship for some faiths. Additional Officers have now been recruited and the situation has improved but there are still some concerns at the end of the reporting period. The Prisoner induction programme continues to be unstructured and a heavy reliance is placed on the Induction Orderly. Regrettably plans to formalise this process appear to have been abandoned.

A recent change to a sandwich rather than a hot meal at lunchtime seems to have been accepted with few comments. The number of complaints about the food is low, although portion sizes continue to be queried.

Pleasingly, a new visits schedule has been put in place that includes more weekend visit slots including Sunday visits for the first time; a previous omission that had been mentioned many times in this report. The visit hall has been improved and better facilities provided for families.

Of concern is that staff are frequently being moved between roles so there is less continuity on the Units and therefore less likelihood of spotting changes in behaviour that may mean a prisoner is vulnerable or presenting a security risk.

Section 6

OTHER AREAS

6.1 Drugs/Substance Misuse

The Substance Misuse Service (SMS) has a new manager and a needs analysis produced a business case for the service which was approved by co-commissioners NHS/PHE. The new plan included a dedicated Recovery Unit with training servery, an educationally accredited training programme, group and individual talking therapies, acupuncture, Alcoholics Anonymous meetings, Narcotics Anonymous meetings, gardening, bee keeping and healthy living interventions. Some progress has been made including courses started by Ryton Gardens, although other areas, such as the Recovery Unit, have been very slow to be established during this reporting year.

6.2 Incentives and Earned Privileges

Comparing the figures there seems to have been an increase in the number of offenders on Basic this year. This is more representative of the number of incidents that have happened within the prison. Overall the appropriate use of IEPs as a behaviour management tool has improved. This has been assisted by the re-issued Prison Service Instruction (PSI), which includes rules for repayment by prisoners for damage to prison property. Some prisoners have found it difficult to adapt to the changes within the PSI.

6.3 Reception, Admissions and Property

Significant problems with property continue. CSU property, in particular, remains a big problem due to high numbers in CSU during the past year with large amounts of property coming in from cell clearance and storage cages too small to accommodate and lock it safely.

Procedures for dealing with incoming/outgoing property have improved though there was sometimes insufficient staff (possibly due to new rosters) and this led to a back log. It is helpful that prisoners with more property than the volumetric permitted for transport are now given time to select what property they will send to long-term storage and what they will take with them.

6.4 The Prison Council

The Prison Council is not working as intended and it is unclear how helpful this well-intentioned initiative will be. So far it has had little effect. Many promises of actions have been made to the Council but then delayed, delegated (and petered out), forgotten, etc. This is disheartening and demoralising for prisoner-councillors and attendance has faded significantly. The possible re-role has not helped as it has delayed agreed actions; furthermore many current councillors will be moved on if it comes to pass and this has not aided commitment.

Section 7

THE WORK OF THE INDEPENDENT MONITORING BOARD

7.1 Membership and Recruitment

At the end of the period there were 13 members, with the Board remaining significantly below establishment strength of 17. Prioritisation of monitoring areas has been in operation for most of the period.

During the year one member resigned and one new member was recruited, joining at the end of the reporting period. A recruitment campaign towards the end of the reporting period identified several new recruits.

7.2 Applications to the Board

See section 7.3 for breakdown of topics

321 applications were received during the period, a 9% increase over the previous period. Seven applications were received under Confidential Access. The increase may be due to some uncertainty regarding the projected re-role of the prison.

Property, health concerns, staff/offender concerns and sentence related issues contributed almost two-thirds of the submitted applications.

7.3 Board Statistics

BOARD STATISTICS	
Recommended Complement of Board Members	17
Number of Board members at the start of the reporting period	13
Number of Board members at the end of the reporting period	13
Number of new members joining within the reporting period	1
Number of members leaving within reporting period	1
Total number of Board meetings during reporting period	12
Total number of visits to the prison	588
Number of applications received	321
Number of CSU review sessions scheduled to be held*	Ca. 150
Number of CSU review sessions attended*	Ca. 150
Date of Annual Team Performance Review	19 March 2014

***A review session included up to 9 reviews**

Application Statistics

Code	Subject	2012/2013	2013/2014
A	Accommodation	5	5
B	Adjudications	0	3
C	Equality & Diversity (inc religion)	7	4
D	Education and library/employment/training inc IEP	32	16
E 1	Family/visits inc mail & phone	27	20
E 2	Finance/pay	15	7
F	Food/kitchen related	8	13
G	Health related	42	39
H 1	Property (within current establishment)	56	31
H 2	Property (during transfer/in another establishment)	8	55
H3	Canteen, facilities, Catalogue shopping, Argos	6	5
I	Sentence related (inc. HDC, ROTL, parole, release dates, re-cat etc)	15	38
J	Staff/prisoner/detainee concerns inc bullying	20	38
K	Transfers	13	23
L	Miscellaneous	40	24
	Total number of applications	295	321
	Of total: number of Confidential Access was:	2	7

For year 2013/2014, property includes claims for compensation for damaged/lost property.

Miscellaneous included non-property complaints against other establishments, witnessing signatures, health & safety, concerns from prisoner parents and re-role.

Acknowledgement

This report has been compiled from information gathered by all members of the Board.