



# **HMP Whatton**

## **Annual Report**

**June 2011 – May 2012**

*Compiled and submitted by the full Board*

*IMB Chairman:*

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## Section 1

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### Statutory Role of the IMB

The Prisons Act 1952 and the Immigration and Asylum Act 1999 require every prison and Immigration Removal Centre (IRC) to be monitored by an Independent Board appointed by the Home Secretary from members of the community in which the prison or centre is situated.

This Board known as the Independent Monitoring Board (IMB) 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 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, every part of the prison and to the prison's records, with the exception of an individual's medical records unless specifically granted in writing by each individual.

## Section 2

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### Contents

<b>Section 3</b>	<b>Page Number</b>
Description of HMP Whatton	4
<b>Section 4</b>	
Executive Summary	5
Areas of concern for the Board	7
Questions for the Minister	8
Questions for the Prison Service	9
<b>Section 5</b>	
Areas that require a report:-	
Diversity	10
Learning & Skills	10
Healthcare	11
Safer Custody	12
Care & Separation (CSU)	12
<b>Section 6</b>	
Other Areas:-	
Accommodation	13
Adjudications	13
IRMT	13
<b>Section 7</b>	
Work of the IMB	14
IMB Statistics	16
Prisoner Applications to the IMB	17

## Section 3

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### Description of HMP Whatton

HMP Whatton, Nottinghamshire, is a category 'C' training prison for adult male sex offenders. The prison offers a range of accredited offending behaviour programmes including sex offender treatment programmes and other academic and vocational education and training.

HMP Whatton's population of 840 prisoners comprises those who have offended against adults (30% of Whatton's prison population), those who have offended against children (70% of the Whatton's prison population), those who have been convicted of a sex offence as their index offence and those convicted of a non-sexually motivated index offence but which comprised some form of sexual element. The prison only accepts those offenders who have accepted responsibility for their offence or who are willing to do so and who are prepared to engage in programmes designed to address their offending behaviour. Those in denial present a challenge to the treatment-centred ethos of the establishment and so do not meet the prison's reception criteria. The number of indeterminate sentenced prisoners (ISP) held at Whatton (those who are serving a life sentence or Indeterminate Sentence for Public Protection (IPP) has risen steadily this year and at the end of this reporting year, 50% of the population were ISP's.

The residential accommodation consists of fourteen residential wings (A1-8; B1-3; and C1-3) and a Care and Separation Unit attached to A3 residential unit. Accommodation comprises a mixture of single and double and modern and older cells with some of the more modern cells comprising en-suite toilet, washing and showering facilities. Accommodation for purposeful activity includes a sports hall (including three badminton courts and a room for cardio vascular workouts); gymnasium with weight training facilities; several manufacturing workshops; a large education unit and a large kitchen facility, which includes a dedicated area and facilities for the use of prisoners undertaking the NVQ training in catering. The establishment also has a well-equipped healthcare centre, end of life suite and well-resourced library.

Outside of the prison secure compound is a purpose built Visitor Centre which is currently managed under contract with the Rushcliffe Council for Voluntary Services. There are external contracts placed with *Nottinghamshire County Council* for the supply of library literature etc and *Rushcliffe Council for Voluntary Services (RCVS)* who run the Visits Centre. In addition, there are two externally commissioned services. Healthcare in the prison is provided by the *Nottinghamshire Healthcare NHS Trust* and commissioned by *Nottingham North and East Clinical Commissions Group* and following a re-tendering exercise, Learning and Skills, which is currently provided by *Lincoln College*, will, from 1<sup>st</sup> August 2012, be provided by *Milton Keynes College*. The prison also has a contract with *Age Concern* and during the reporting year the prison has also built links with *Age UK*, *Circles UK* and other Third Sector agencies in order to improve the resettlement process for older and prisoners and those with learning difficulties.

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## Executive Summary:-

This report, compiled by the Independent Monitoring Board of HMP Whatton, covers the reporting period between 1<sup>st</sup> June 2011 and 31<sup>st</sup> May 2012. During this reporting year the prison has operated well and the Board considers that HMP Whatton provides a very safe environment where all prisoners are treated with respect and dignity and are provided with many opportunities to engage in purposeful activity to improve their life chances and address their offending behaviour.

The Board is pleased to report that the number of purposeful activity and prisoner unlock hours have been maintained at between 25 and 27 hours per week (purposeful activity) and approximately 42 hours per week (prisoner unlock) respectively throughout the reporting year. The number of prisoners in employment in the prison has also been maintained at approximately 600 with a further significant number undertaking offending behaviour programmes. The remainder are either unemployed or retired.

The Board is aware of the important work undertaken at the prison in providing offending behaviour programmes, which aim to encourage sex offenders to recognise and address the causes of their offending behaviour. Psychology has always been a very important aspect of the work of the Prison, as a much higher proportion of prisoners are engaged in offending behaviour treatment programmes than is the case in other prisons. Psychologists undertake their work to a high standard and many prisoners hold positive views of the service. In last year's Annual Report the Board reported that all qualified psychologists were to begin working under a central management structure rather than being under the authority of prison management and that the IMB would monitor the impact of this change on the psychology unit and provision of offending behaviour programmes. The Board is pleased to report that there appears to have been no negative impact on the provision, adequacy or range of Offending Behaviour Programmes offered to prisoners as a result of this change. During this year there has been an increased interest from the media, Ministry of Justice and local Member of Parliament in a new pilot project, whereby *anti-libidinal medication* thought to suppress sexual thoughts and urges have been taken by prisoners to help address their offending behaviour. So far, the results have been encouraging. The prison has also been successful in its bid for funding to create a sex offender treatment programme for deaf prisoners, who, previously, due to lack of qualified interpreters, were unable to undertake sex offender treatment and so were unsuitable for release from prison due to being unable to comply with their sentence plan requirement of reducing their offending behaviour. The prison has also been chosen as a pilot establishment for the Adapted Thinking Skills Programme.

In previous Annual Reports, the Board has voiced its criticism of prisoners being housed in 3 and 4 bed dormitories, in which prisoners eat, sleep and use washing and toilet facilities with minimum privacy (save for a curtain) in one confined space. In the Annual Report for 2010/11, the Board reported that the Governing Governor was considering options for alternative accommodation for prisoners in order to limit further the use of dormitories. Therefore, the Board is pleased to report that the prison has been successful in its bid for funding to turn a 4-bed

dormitory into a care suite for disabled prisoners. Once this is complete, only one 4-bed dormitory will be used to house prisoners. In the light of previous well-documented comment made by the Board and by Her Majesty's Inspectorate of Prisons in its recent inspection of HMP Whatton, the Board will support the prison management in any other policies or initiatives that might help lead to the termination of the use of the dormitory as prisoner accommodation.

In its Annual Report for 2010-11, the Board was critical that only two Category D establishments were willing to accept sex offenders from Whatton. The Board is pleased to report that, during this reporting year, more Category D prisoners have been able to move from Whatton to open conditions and the prison management is taking further steps to increase these numbers further. Again, the Board will be pleased to support the Governor and her staff in this.

During this year, the prison became a packing site for the national contract for the prison shop with the distribution firm DHL and fifty prisoners are now employed in a refurbished workshop picking and packing goods for delivery to prisoners in several other prisons.

During the reporting year, Her Majesty's Inspectorate of Prisons conducted an unannounced inspection of HMP Whatton. The prison was awarded a maximum score of 4 for safety and respect and a score of 3 for purposeful activity and resettlement. The HMIP supported comments made by the Board in its successive annual reports about the poor quality of prisoners' accommodation on B-Wing by reporting, amongst other concerns, that most cells on B wing are extremely small and cramped, and the dormitories are not fit for purpose. The HMIP also echoed some of the concerns raised previously by the IMB regarding the availability of some Offending Behaviour Programmes, particularly, that prisoners sent to the establishment to complete sex offender treatment programmes had to wait too long to access a course. Currently, the number of prisoners on waiting lists for courses is between two and five times higher (depending on the type of course) than the number of places actually available. The Governor has made a bid for additional funding to NOMS to increase the number of programmes per annum. At the time of writing this report, no response has been received to this request. In order to improve the information available to prisoners concerning programmes, the Psychology Department now produces a regular HMP Whatton Programmes Team News publication, which contains useful information about the various programmes offered at Whatton and up to date information about waiting lists for courses as well as other news and developments that are of interest to prisoners and staff.

During the reporting year, Her Royal Highness the Princess Royal visited the prison, in her role as Patron of the Butler Trust, to undertake the official opening of the recently completed palliative care suite, known as The Retreat. The visit also commemorated the Butler Trust Commendation, awarded to several members of staff for their role in the development and implementation of high quality care for prisoners with a terminal illness, based on best practice in palliative healthcare and a compassionate and humane approach to offenders and their families.

## **Areas of concern for the Board**

The Board at HMP Whatton appreciates the unique role of the prison in addressing offending behaviour and the resettlement needs of its unique population of prisoners. However, the Board is concerned that this appreciation is not shared by the Prison Service or Government.

First, continued criticism from the Board and more recently from Her Majesty's Inspectorate of Prisons of the lack of resourcing for sex offender behavioural treatment programmes means that a high number of prisoners are denied the opportunity to address the core reason for their offending behaviour (distorted sexual cognition) and to engage in therapeutic programmes that might aid their resettlement and their opportunities for leading a good and useful life on release. Whilst it is, generally, beyond the remit of the IMB to criticise or comment on broad aspects of government policy or decision making, the Board feels that the lack of financial resourcing for offending behaviour programmes is impacting upon the prison's capacity to provide its highest possible range and adequacy of programmes to prepare prisoners for release.

Second, the Board is concerned that the allocation of funding for Learning and Skills at Whatton education by the Offender Learning and Skills Service (OLASS) is the lowest of any closed prison in the East Midlands and represents a 36% cut in funding. The Board is concerned that this might put at risk the innovative and creative initiatives developed at HMP Whatton to reduce reoffending, including its innovative work with prisoners with learning difficulties. Many prisoners at Whatton need vocational skills since they are unable to return to previous careers and many prisoners with significant learning disabilities are provided with opportunities to use their time constructively in preparation for release. The Ofsted inspection of February 2012 showed that the department was working well, had many innovative features and was an effective and efficient unit. However, the Board is of the view that, as a specialist sex offender treatment centre, HMP Whatton is not best served by the imposition of formulae for funding that are designed for local non specialist prisons.

## **Questions to the Minister**

### **Inadequate resourcing of Sex Offender Treatment Programmes at HMP Whatton:**

Will the Minister confirm he will engage in discussion with the Prison Service with a view to revising the current funding arrangements for the prison sex offender behaviour having regard to this Board's comments in this and previous reports and with comments made by Her Majesty's Inspectorate of Prisons in its most recent inspection of HMP Whatton in January 2012, when it was reported that the current levels of funding for sex offender treatment at HMP Whatton, the largest sex offender treatment centre in Europe are inadequate?

## **Questions to the Prison Service**

### **Concerns regarding the allocation of OLASS funding for HMP Whatton:**

Given the specialist nature and unique role in preventing re-offending by a unique group of medium and high risk prisoners at HMP Whatton, will the Prison Service confirm it will give urgent consideration to changing the OLASS funding formula in place at HMP Whatton which is designed for local non specialist prisons and totally inappropriate for this establishment?

## Section 5

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### 5.1. Diversity:-

The WEAT (Whatton Equality Action Team) continues to meet regularly. Range monitoring shows a BME population of 14%, with all three Incentive and Earned Privileges (IEP) levels within range. Through IEP reviews and use of the Violence reduction Strategy (VRS) the number of prisoners on the Basic IEP level has been higher during recent months. Use of Force was required four times and was within range as all four men were white British. The use of segregation was within range.

The number of complaints from Black and Minority Ethnic (BAME) prisoners has not been within range during the past year. WEAT recommended that an Equality Impact Assessment is undertaken into the complaints system and reasons for being out of range during 2011 – 2012. Employment has also been within range for most of the reporting year

The number of BAME prisoners in education has remained slightly above range.

### 5.2. Learning & Skills

The Ofsted inspection of February 2012 showed that the department was working well, had many innovative features and was an effective and efficient unit. Lincoln College will cease to be the provider and Milton Keynes College, will operate as provider from August. Alongside this major change to a provider with little experience of working with prisons, the Learning and Skills department will move to be managed as a cluster. HMP Lincoln, HMP North Sea Camp and HMP Whatton will form a new cluster with the management situated in Lincoln. The Board has concerns that this will lead to a separation between the Education Department and other departments in the prison (such as the Psychology and Programmes department) and will radically alter the working structure of the prison leading to offending behaviour work with prisoners becoming disjointed.

In addition to these structural changes, the funding allocation OLASS 4, indicates a 36% cut in funding, from 22,000 hours to 14,000 hours. This is a major concern for the Board because Whatton is a specialist Treatment Centre and it is not best served by the imposition of formulae for funding designed for local non-specialist prisons. The Board understands that OLASS4, which the prison has been allocated, is the lowest of any closed prison in the East Midlands and this puts at risk the innovative and creative initiatives developed at HMP Whatton to reduce reoffending. Many of Whatton's prisoners are unable to return to previous careers and so need vocational training in order to find work on release. Under the present education system, many of Whatton's prisoners with significant learning disabilities are also provided with opportunities to use their time constructively in preparation for release. The consequences for Whatton's prisoners as a result of the proposed funding reduction will be increased unemployment in the prison, lack of opportunity for Whatton's prisoners to engage in the type of offending behaviour work that they need and preparatory work for

therapy groups carried out in the department being stopped. Whatton's prisoners need extra literacy, vocational, social skills and life skills training in order to enhance their chances of reducing reoffending and to enable them to access and complete successfully the necessary sex offender treatment programmes. Music, art, personal wellbeing and personal finances are among the key courses that will be affected.

One other important function that will cease will be the Needs Evaluation Assessment Tool (NEAT), which is conducted with all prisoners within their first three weeks at Whatton. The First Move to Education class provides essential information which is used to plan work to prepare prisoners for programmes and to identify which prisoners are functioning at below level 3. These prisoners then get the extra literacy and numeracy experience either in classes or in outreach programme. An informed review of the funding structure for learning and skills is required as a matter of urgency in order to prevent the undermining and termination of the contribution made by this department to preventing re-offending.

### **5.3. Healthcare and Mental Health**

All aspects of healthcare are provided by the *Nottinghamshire Healthcare NHS Trust* and commissioned by *Nottingham North and East Clinical Commissions Group*. The IMB regularly attends the Commissioning Group meetings with prison management, healthcare providers and the commissioners.

The IMB is required to statutorily monitor healthcare weekly. This is achieved as part of the board's rota visit arrangements and the results of the monitoring are reported monthly to the full board. The board is entirely satisfied that the clinical needs of the 850 prisoners are properly met. Approximately 40% of these prisoners are over 50 years of age; approximately 15% are over 65 which inevitably impacts on the service that the healthcare department is required to provide.

The provision is managed by the equivalent of 16.5 fulltime healthcare staff. Weekday clinics are provided by 25 sessional staff. The clinics cater for dental needs, physiotherapy, occupational therapy, optician, podiatry, New Leaf stop smoking service and the services of visiting GPs and pharmacists.

HMP Whatton has one of the highest rates of death by natural causes of any prison in England and Wales and the need to provide accommodation for terminally ill prisoners to die with dignity and in surroundings catering for their needs is crucial. Cellular accommodation has been converted to provide such facilities and is known as the Retreat, equipped to accommodate one prisoner at a time in a tranquil setting allowing him to spend his last few days in dignity. His family is able to visit if they wish. The unit and the four members of prison staff responsible for its inception have been praised by the IMB as well as by the Prison and Probation Ombudsman, HM Prison Inspectorate and the Butler Trust for their key roles for the high quality care for prisoners with terminal illness, based on best practice in palliative healthcare with a compassionate and humane

approach. The Retreat was totally funded by the Kings Fund and was officially opened by Her Royal Highness the Princess Royal in January 2012 who unveiled a plaque in recognition of the work of prison staff with prisoners

The IMB's vigilant monitoring process is vital in ensuring the level of care is not compromised during the on-going economic situation.

#### **5.4. Safer Custody**

The Board monitors all areas of the safer custody programme by attending all scheduled Safer Custody meetings (previously Suicide Prevention/Violence Reduction). These meetings are open and constructive and involve "Insiders" and "Listeners" in a positive and inclusive manner.

IMB members endeavour to speak to all prisoners on Assessment Care in Custody teamwork (ACCT) documentation and make appropriate quality entries in their ACCT documentation. ACCT and Violence Reduction Strategy documentation are generally fully completed and well-managed by staff.

#### **5.5. Care and Separation (CSU)**

The IMB continues to have a good relationship with CSU staff who manage the unit in a professional and sympathetic manner and are generally open and helpful.

Prisoners are visited daily by governors, healthcare and chaplaincy staff. The protocol that requires IMB members to be notified when a prisoner is received onto the unit, and of their subsequent review times, is broadly observed. Board members make frequent visits to CSU and speak with all prisoners. Members endeavour to attend most reviews and complete monitoring sheets. The Board has received no complaints from prisoners regarding their treatment in CSU.

## Section 6

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### 6.1. Accommodation

The standard of accommodation in the establishment is generally very good, particularly on A-Wing, where four of the eight Wings have cells with en-suite shower, washbasin and toilet. As reported in the Executive Summary, the Board is pleased that steps are being taken to reduce the use of the dormitory accommodation. The Board reported in last year's annual report that cells on B-Wing were undergoing significant refurbishment in order to improve the standard of accommodation for prisoners and an 18-month project to rebuild the heating system on B-Wing is now complete.

C Wings 1 and 2 accommodates prisoners of all ages and has 13 Category D prisoners resident there. C3 Wing accommodates prisoners of a senior age group with the atmosphere being very relaxed and comments received from prisoners by the Board regarding day to day life on the units appears very positive.

### 6.2. Adjudications

The Board monitors adjudications on a regular basis and records its observations. The Board has found them to be conducted in a highly professional manner with the correct procedures followed. The Board also monitors the work of the Adjudications Standardisation committee.

### 6.3 Interdepartmental Risk Management Team (IRMT)

As the title suggest several departments are involved in the running of this meeting. The role of the team is to assess each new prisoner within six to eight weeks of their arrival at Whatton.

The main aim is to assess the risk factors of the individual, to either the public, other prisoners or themselves. This also includes the different levels of access to children. Each prisoner is discussed with dignity and individuality. Over the time they spend in Whatton their cases are reviewed regularly. Applications from prisoners requesting child contact or access and other matters are discussed at this meeting. Each application is discussed to the full. IMB members attend these meetings as observers and prison staff appreciate and value our attendance.

### 6.4 Security

Monthly meetings are held to discuss security issues from around the prison. These focus on intelligence gathered from prisoners and staff which could have a serious effect in the running of the prison and how improvements can be made. The security team on continuously working to improve the all-round security of HMP Whatton. IMB Board members are welcomed to the meetings.

## Section 7

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### **7.1 The Work of the Independent Monitoring Board:-**

The Board is of the opinion that it has conducted its statutory work to a consistently high standard during the reporting year by monitoring the establishment effectively, working exceptionally well as a team and maintaining good relationships with staff and prisoners. The Board remains impressed by the continued dedication of staff towards the care of prisoners and towards their commitment to the treatment-centred ethos upon which Whatton quite rightly prides itself.

Following the Ministerial appointment of three new members, the Board currently comprises 11 members (5 members below its recommended complement of 16). The Board is pleased to welcome the new appointees to the IMB team. During the reporting year, four members resigned from the Board and one member has commenced a maternity sabbatical in her probationary year training. During the reporting period the Board Chair was re-elected to serve a third and expected final year in the role and a new Vice Chair was elected after the previous Vice Chair stepped down from the role. The Board Development Officer was also re-elected to serve his third year in the role. The Chair wishes to record his personal thanks to all Board members for their strong and pro-active support, exceptional collegiality and dedication to the Board at Whatton during this reporting year and during his three years as Chair.

The Board acknowledges the dedicated and continued hard work and support of the Secretariat Department at the prison and, particularly, of the Board clerk for her support, dedication and hard work throughout the reporting year. The Board also acknowledges the support and advice received from the IMB Secretariat and the National Council representative for the East Midlands.

Board members are encouraged to attend appropriate national training organised by the IMB Secretariat and the local training organised regularly by the Board Development Officer to enable Board members to keep up to date with changes in the prison and within various specific departments.

Board members are assigned with areas of special responsibility within the prison and regularly attend meetings as observers for:

- Adjudications Standardisation
- Health and Safety
- Healthcare Commissioning Group
- Quality Improvement group
- Safer Custody
- Security and Public/Protection
- Whatton Equality Action Team (WEAT)

The Board has an Information Officer, who also acts as Media Officer and liaises with the local media organisations as appropriate. This Board member is also a

member of the Communications Working Group and an Independent Interviewer.

## 7.2. Board Statistics

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Recommended Complement of Board Members	16
Number of Board members at the start of the reporting period	15
Number of Board members at the end of the reporting period	11
Number of new members joining within the reporting period	5
Number of members leaving within reporting period	4
Average attendance at Board meetings during the reporting year	
Number of attendances at meetings other than Board meetings	90
Total number of visits to the prison/IRC (including all meetings)	439
Total number of applications received	195
Total number of Care and Separation reviews held	No record for this year
Total number of Care and Separation reviews attended	19

### 7.3. Prisoner Applications to the Board:-

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<b>Subject</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>
Accommodation	48	9	10
Diversity related	11	8	1
Education/employment/ training	11	20	25
Family/visits	6	11	14
Food/kitchen related	7	5	2
Health related	17	17	11
Property	17	43	35
Sentence related	15	14	11
Discipline / Security	36	12	19
Transfers	10	11	8
Miscellaneous	34	36	48
Treatment programmes	23	9	7
<b>Total number of applications</b>	<b>235</b>	<b>195</b>	<b>198</b>

