



IMB - HMP Gartree

ANNUAL REPORT

To the Secretary of State

1st December 2014 - 30th November 2015

STATUTORY ROLE OF THE IMB

The Prisons Act 1952 and the Immigration and Asylum Act 1999 require every prison to be monitored by an independent Board appointed by the Secretary of State for Justice from members of the community in which the establishment is situated.

- 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 concerns 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 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 the prison's records.

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3. DESCRIPTION OF PRISON

3.1 History and Location

The prison opened in April 1966 and for most of the following period it operated as a dispersal prison until 1989 when it changed its role to a Category B prison with emphasis on indeterminate sentence prisoners. It is located 3 miles north of Market Harborough, which is equidistant from the East Midlands conurbations of Leicester and Northampton.

3.2 Style

The layout is based upon 9 wings. The original 4 are almost identical forming A, B, C and D wings. The two latest wings, G and H are located south of the original complex and are much longer in length, on two levels. E wing holds a 12 cell Separation and Progression Unit (SAPU), F wing holds the GTC (Gartree Therapeutic Community) and there is an additional unit: Therapeutic Community Plus (TC+) which holds 12 prisoners with learning disabilities and low IQ. H wing now houses the PIPE (Psychological Informed Planned Environment) unit holding 58 prisoners. In addition on this wing there is the over-50 unit for 60 older prisoners. G wing is the drug-free wing. There are 60 prisoners in the substance free section and a further 60 in drug recovery. I wing, which had been the Induction wing for new prisoners, was given a new role during the year and now accommodates Category C prisoners. New prisoners are now located on B wing, awaiting transfer to other wings.

The prison has a CNA (Certified Normal Accommodation) of 710 prisoners, the current roll is 702

4. Executive Summary

Matters for the Minister

Purposeful Activity It is a matter of continuing concern for the Board that both the quality and quantity of work available fall below what should be considered to be acceptable levels – an issue highlighted by HMCIP in his 2014 inspection. *“Too often we find prisoners engaged in work of a mundane repetitive nature. Understandably they fail to engage in this and it is not uncommon to see prisoners in the workshops taking extended breaks or working at very slow rates.”*

It is testament to the prison that they have significantly improved the number of men attending activities from 55% to 90% in the last 6 months but we remain concerned about the quality of the work. There have been some initiatives, such as the recent reintroduction of the RNIB one, transcribing books into Braille, which show promise and, when prisoners are given a freer hand, such as in the woodworking workshop, where some very impressive display items have been produced, one can see what the prisoners are capable of doing. We do recognize that there has been an improvement in levels of work available from last year’s position but feel that there is still much to be done in this important area.

We consider that this matter needs support at a national level, local prison staff do what they can to find new work but, understandably, have limited contacts. Surely there must be scope for prisoner work to be considered for government contracts eg. clothing for the military, emergency services etc? Pronouncements by the Prime Minister at the time of writing strike a hopeful note.

Property losses esp. during transfer from other prisons

This is an issue which we highlight every year, sadly with little effect. We recognize that property, understandably, assumes an inflated importance for prisoners. Yet every year the majority of the applications to the board, and we know we are not unique in this, concern losses of prisoner property. Frequently this occurs in transit from other prisons. A number of issues contribute to this. One is that the escort contractors vehicles have insufficient space to take prisoner's property. If the vehicle is not carrying its full complement of prisoners then an empty on-board cell is used for the luggage. When there is a full complement then there is not enough space to take all of the property; this gets left behind at the sending establishment and then often goes astray. A further issue is associated with what is known as 'volumetric control'. Prisoners are permitted to take a limited number of plastic bags of property with them but if they are transferred involuntarily then a cell clearance results and staff then appear to make little effort in packing ergonomically, resulting in the volumetric limit being exceeded and material being left behind. Thus an already refractory prisoner has his sense of outrage at the system enhanced. All too often such incidents result in compensation being paid to the prisoner – sums of hundreds of pounds are not uncommon.

We consider that, when a prisoner has a property issue, staff are sometimes offhand in handling it meaning that prisoners increasingly rely on the IMB to pursue it.

It is probably unrealistic to expect staff to change their attitudes but the issue of escort vehicles needs to be addressed when the contract next comes up for renewal and the Ministry should insist that adequate luggage space be made available.

Use of 'legal highs'

The Board believes that access to legal highs and other drugs is much less prevalent than at comparator prisons and within the region. We further accept that the associated increase in violence and order and control issues is also less than other prisons but it is none the less higher than it has ever been at Gartree and we would want to see this trajectory addressed. We note the forthcoming legislation to re-categorise these substances but are not hopeful that this will greatly impact upon their availability within the prison.

Issues for the DDC

Staffing levels

The Board believes that the changes to the demographic of the prison including younger men and those arriving earlier in their sentence have had a destabilizing effect on the prison. We understand the governor has requested a review of the staffing resource to reflect this and we support this request. The disturbance on D wing was unheralded and possibly reflects these changes more succinctly than other indicators. Additionally the Board still has concerns about the staffing regime whereby staff are continually rotated around different sections of the prison. Increasingly we find that, when we ask a question of an officer on a wing, we are met with a response of 'I am only on here for this shift and don't know anything about the wing'.

Transfers ‘Seg to Seg’ in SAPU

The Board recognizes that the adoption of new procedures has reduced the incidence of long-term stays on the SAPU but although the average stay in segregation has decreased the length of time to arrange a transfer to an appropriate secure hospital for prisoners with mental health issues is still too long. We are also concerned that when a prisoner is awaiting transfer to a low security mental unit and it is then deemed that he actually requires a high security unit then the whole process has to start again. With the new rules relating to length of stay in segregation units introduced we are concerned that the number of “Seg to Seg” transfers may increase

Issues for the Governor

Assurance Systems

The Board shares the Governor’s concern that there has been procedural weakness in the analysis of security information. Whilst accepting the risk was minimal, the board is worried that other areas, which may not be covered by audit baselines or metrics may also have procedural weaknesses and therefore we ask the Governor to investigate the instigation of internal reporting systems on the status of key areas which are not covered by KPIs to prevent further such instances?

Chaplaincy

The Board is concerned at the ongoing delay in appointing a new Anglican Chaplain. Interim measures which have been partially successful are now failing because of staff illness and the requirement for temporary transferees to return to their home establishments. The board recognizes the difficulty in finding suitable applicants, eg because the post does not offer accommodation, as might be the case for an appointment externally in the diocese. Can the Governor indicate how he intends to ensure that this important position is covered given the difficulty in attracting a suitable applicant?

Works

It has become evident that the new Works contract is proving problematic, to some extent because the contract when it was drawn up did not cover situations which are now arising. Whilst there are indications of flexibility on both sides in dealing with this, it does lead to delays in undertaking important maintenance work. The Board is also concerned at the loss of some CCTV coverage because of the unavailability of a component to replace a failed one. Can the Governor indicate how he plans to deal with this type of situation?

5. Specific Areas

5.1 Equality – Equality Action Team

The Governor chairs the Equality Action Team (EAT) and individual Senior Management Team (SMT) members manage the component parts. System Monitoring and Analysis of Race Equality Treatment (SMART) reports are used for monitoring. Following identification of a possible problem with Black

Minority Ethnic (BME) re-categorisation during the Sentence Planning process a review was conducted that found no evidence of this occurring.

Social care is also managed within the EAT group.

Prisoners consulted over the effectiveness of Equality monitoring feel that more proactive work should be undertaken but job rotation has had an effect, an example being October 2015 when the Equality Officer was detailed for Wing duties and the SAPU; in the previous week 40 hours were profiled for equality work but due to operational profiling only four hours were achieved, in the weeks prior, dedicated equality did not raise above 50 % of time profiled. This is an example of a problem arising from inadequate staffing levels as much as job rotation.

5.2 Education.

5.2.1 Sufficiency

Sufficient places exist for those seeking education and any vacancies are short lived. There is an emphasis on Social & Personal Development skills and Communication skills rather than specific Employment skills as it is thought that the latter would be better pursued in Cat C & Cat D before release. Skill based courses on offer are largely in Catering areas, the staff canteen “Flavours” is an example although there is a growing range of decoration courses such as tiling.

5.2.2 Suitability

An Annual Student Needs Analysis is produced with Development Plans covering all the required subjects and a total of 10 GCSEs however there is no funding for Level 3 provision, sadly, as PETALS (teaching aide training programme) was a means for prisoners to achieve some of the Enhanced IEP criteria (additional responsibilities). Prisoners are loath to take out loans for courses from eg the OU in case they are transferred and fall behind on their studies or lose their funding although there is little evidence of this.

5.2.3 Accessibility

The most popular courses are IT, Art and Cookery that may have waiting lists of up to six months. No prisoners are excluded from OLASS provision other than through bad behavior and after warnings and in the event of exclusion a three month ‘cooling off’ period is allowed before reacceptance. The regime does facilitate access but it is felt by teaching staff that Personal Officers are not sufficiently proactive in encouraging prisoner participation into education.

5.2.4 Quality

Regular auditing of student achievement indicates 80% of prisoners complete courses with 97% of GCSE grades in the A* - C range. Prisoner surveys carried out by the Education Department show a good level of satisfaction. The nature of the Gartree population makes it very difficult to assess the impact that Education has on eventual rehabilitation since prisoners are rarely released directly from Gartree.

5.3 Healthcare

The delay in the contract renewal has caused some uncertainty within the Healthcare Team, however a firm decision has been made so that the existing providers will continue to 2017 and it is hoped that the Care Quality Action Plan and new staffing structure will build morale on site. There is concern that with

the growing number of older prisoners and those suffering from terminal illness or in need of operations the pressure on providing escorts and bed watches will become a major problem for the prison. Leicestershire County Council are working closely with the healthcare provider and prison to provide a suitable plan for a number of older prisoners to meet their requirements for social care. The major issues for Healthcare are the growth of violence, availability of 'legal highs' and the future smoking ban all of which will place additional demands on the department. In 2015 successful hospital appointments were 706 (80%), 6% better than 2014 and cancelled appointments 169, 35% better than the previous year. There have been major improvements in waiting lists especially in Dentistry where the longest average wait has dropped from 10 weeks in 2014 to 2 weeks in 2015 and Optician which shows a fall from 15 weeks in 2014 to 8 weeks in 2015 and the numbers of prisoners on the waiting list for Smoking Cessation has dropped from 138 in 2014 to 57 in 2015.

5.4 Reducing Reoffending

The prison is currently delivering the TSP9 Thinking Skills Programme, Resolve, Healthy Relationships programmes and Violence Reduction programmes. The prison has met the requirement to reduce the numbers of prisoners engaged in the TSP programme and increase those on Resolve to reflect the needs of the prison population. Gartree has also been selected to pilot a new My Strengths programme, aimed at those with learning difficulties, and it intended that this will go live during the coming year.

Challenges in this area to implement the programme delivery model have been met but we believe that there needs to be more work done in ensuring the referral process identifies the right prisoner for the correct programme. We have had complaints where this has not happened. It should be recognised that Gartree will achieve its performance target for programmes this year, which it has not done previously and this is credit to the programmes team.

5.5 Purposeful Activity

There is only one major issue and that was highlighted by HMCIP at the prison inspection in March 2014 and that is the quality of the work provided.

“Much of the work was very mundane and some of the contract workshops did not have sufficient work to keep the prisoners who did attend fully occupied”.

This has not changed. There are two workshops, which make prison clothing and they employ some 30 prisoners per session who learn a technical trade involving quality and teamwork. There are some new opportunities eg an RNIB contract for Braille possibly employing up to 30 prisoners and perhaps ideal for older men. In November 2014, apparently, 100% of prisoners were employed in 'meaningful work activities' against a target of 80%, but if true, this will include wing cleaners etc. The Gartree team are doing their level best to find new sources of employment but it is inevitably going to be small in volume and mundane in nature. This whole issue of Prison Industry is not just about HMP Gartree and requires action at Ministerial level, for example, to take clothing manufacture, why should not prisons manufacture clothing for the Armed Services, Emergency Services, NHS etc? Investment will be required, first and foremost, in Training and Equipment but in the long term such an initiative might give prisoners transferable skills and the opportunities to earn good wages, reduce their risks and not reoffend. As noted in the introduction we are encouraged by the increase in activity places, however the challenge remains for the prison to make this activity more meaningful for the men.

5.6 Safer Custody

There has been one death in custody from suicide, and while there was a delay of five minutes in calling the ambulance. On this occasion there is no evidence to suggest that the delay affected the outcome for the prisoner concerned and the protocol for calling ambulances for emergencies has now been amended following agreement with the East Midlands Ambulance Service. In previous reports we have criticised the prison for not following the correct protocol of immediately calling for an ambulance when a medical emergency was called over the radio network. This year we have observed better compliance with this instruction after an agreement was reached with the East Midlands Ambulance Service.

The number of prisoners under constant supervision (CS) has increased over the last twelve months with an increase in the length of stay, there are two cells for CS in D Wing but they are not ideally situated, particularly as the wing was recently subject to a major disturbance requiring a response by National Resource staff. On 3 separate occasions when there have been three prisoners on CS the SAPU unit has had to be used, again unsatisfactorily. Administratively all information appertaining to Zero Tolerance, previously paper based, is now recorded on CNomis providing easier access by staff. Assessment Care in Custody Teamwork (ACCT) documents are now checked after 72 hours by a Custodial Manager and thereafter weekly by an Operational Manager. Sadly the 'Hearing Voices' group set up by Gartree to assist prisoners suffering from personality disorders has been discontinued; however a Listeners suite has now been converted and is ready for use. An additional resource has been allocated at regional level to ensure best practice is spread, including a system that has been introduced to monitor the effect of prisoners being segregated while being on ACCT for self harm and potential suicidal tendencies.

5.7 Separation and Progression Unit

As a Board we have welcomed the new rules relating to the management of Segregation Review Boards. Since the adoption of these we have observed that the number of 'long stay' prisoners has decreased and there have not been any occasions when the 84 day NOMS Director review has been required. The length of time to transfer a mentally ill prisoner is still too long and therefore there is a likelihood that 'Seg to Seg' transfers will increase. Additional training has been provided for staff to manage prisoners with acute mental health issues and the longer-term detainees in SAPU have been helping to clean and redecorate the unit.

Transfers from prison to mental health hospitals tend to take much longer than the 14 day Dept. of Health target for this and longer than Lord Bradley recommended in his review. To compound this if a man is first referred for a low-medium secure mental health hospital but it is then decided he requires high secure hospital the assessment process and associated timescales start from the beginning again, which draws out the process

In April 2015 the Board became aware of a new policy restricting showers in the SAPU to every 48 hours which, while conforming to Prison Rules, seemed unfair and we were pleased to observe that after raising our concerns with the Governor the new policy was withdrawn immediately. As a result of Board intervention remanded adjudications are rescheduled before natural justice time limits are exceeded.

5.8 Residence

The department states that an increase of 3000 IRs has supported the joint working between Security and Residence to minimise violence and bullying (see Security 6.1). 33 new Prison Officer Entry Level Staff (POELTS) have joined and to date only 1 has left, these Officers will shortly be completing their

probationary periods and will provide an essential headcount to boost reduced staff numbers. Prisoner Wing Forums have been introduced to provide opportunities for discussion on all wing issues and provide a useful asset to the Prisoner Council by focussing on important issues. Redecoration of two wings is planned, D is near completion with C to follow. Prisoner self certification of sickness has been reviewed, currently 7 men per day report sick less than 1% of the population. The National Assurance Process (NAP) has been introduced focussing on Safety, Decency, Security, Reducing Offending and People – the five Public Sector Priorities (PSPs). Kitchens continue to be well managed but have suffered from two problems during the year: firstly Supply which has been indifferent from new supplier Bidvest at Bicester and also from 3663 at Nottingham and secondly the inordinate time that it has taken for security and the labour board to approve prisoner applications to work in the kitchen which are currently 6 prisoners short. There have been issues with the cross contamination of Halal and non Halal meat in preparation and finally some issues with e-menu data entry points on the wings.

PIPE has been running now for four years, the first two being provisional trial years. The department has a waiting list, and the recommendations from outside prisons and probation services show that it is gaining a reputation for delivering results.

However support within Gartree has been an issue. Recently a new appointment of a senior manager to work with the PIPE wing has had a dramatic effect, resulting in an improvement in morale of uniformed staff, and with senior management attending the briefing reviews, the whole department has been boosted.

Currently the wing has sixty occupants and plans are afoot to review making the over 50's wing into an enabling wing. Recommendations for prisoners to attend come from prisoners completing RESOLVE courses, GTC, and Dangerous Severe Disorder. This means any prisoner with a high intensity treatment or therapy requirement can apply. However, the staff feel support on the wing from CM managers and SO wing managers, could be better. These officers often leave the psychology staff frustrated at not knowing who to contact; Victor One when looking to fill staff shift shortages sometimes pulls officers off the wing and therefore fails to meet the contracted obligation. Improved management arrangements to prevent this need to be introduced

There have also been situations when prisoners from outside Gartree have been recommended for a PIPE course but the OMU take too long to evaluate them. This has reduced since a new staff member has been appointed, but needs to be monitored.

6. Other Areas

6.1 Security

It was disappointing to hear of the procedural security gaps in relation to the management of IRs and whilst accepting the risk posed was low, it is none the less a concern that this occurred at all. We understand this is a historic problem and are therefore concerned it was not picked up in the audit in 2015. Given the increase in mobile phones, drugs and violence we believe it is imperative that IR are completed in a timely manner. The governor has expressed a desire for the resource in the department to be reviewed by BDG as he believes the resource is too close to that of a Category C model and should be more closely aligned to that of the High Security Estate and we await confirmation of this review

6.2 Prisoners Property

Attempting to solve problems involving prisoners' property is an unnecessarily time consuming job for board members particularly when another prison is involved. The issues at Gartree are driven by the fact that much of the relevant PSI is built upon the Governors' discretion; local decisions and authorisation, the high turnover of Governors at Gartree may have created inconsistencies of approach, prisoners complaints have not always been robustly investigated by staff before the IMB are involved. Many of the property problems are linked to the fact that the escort contractor vehicles have insufficient space to store property. If the vehicle does not have a full quota of prisoners then an empty on-board cell can be used but when a full quota is to be delivered the luggage space is inadequate. This means that items are left behind by the sending prison and delivered separately – many do not subsequently arrive.

Property in itself is a valuable commodity to be traded for contraband drugs etc. A new facility list has helped but serves to create more problems as items are removed from the list but not from the prisoners who already own them which creates a sense of unfairness. The X Box is a case in point, amplifiers are another. Liaison with other prisons is usually unproductive as tracking the movement of property via staff at another establishment presents difficulties. Again the problem seems to revolve around either lack of staff or lack of training. 80 applications relating to property issues were received by the Board during 2015 - 38% of the total number of applications.

6.3 Chaplaincy

It is unfortunate that having lost the services of the Anglican priest in mid summer there has been no full time replacement made. Two part time staff have been transferred from Onley but one has had to rest due to work pressure and the other will have to return to Onley in the near future. At a time when there are staff shortages, increases in violence and substance misuse, the lack of pastoral care for Christian prisoners is unacceptable. A recent incident involved a prisoner who had a request to attend his mothers funeral refused (correctly), but was not informed of the decision until 3 hours before the service was to commence. He was unable to gain access to the prison chapel until one hour after the funeral. We recognize that this was due to an oversight by an operational manager but we feel that, in sensitive situations such as this great care needs to be taken.

6.4 Works

The new Amey contract has provided problems across all operational areas as well as kitchen equipment and general maintenance. The new Corporate Services manager is an experienced contract manager and is already dealing with the many additions that were missed off the original contract, fortunately the majority of the local Amey staff comprised the original Gartree works team so communication outside of the contract is good.

7. Work of the Independent Monitoring Board

| Board Statistics | |
|--|------------|
| Recommended Complement of Board Members | 15 |
| Number of Board members at the start of the reporting period | 8 |
| Number of Board members at the end of the reporting period | 10 |
| Number of new members joining within the reporting period | 5 |
| Number of members leaving within the reporting period | 3 |
| Total number of Board Meetings held. | 12 |
| Total number of visits to the Establishment | 533 |
| Total number of segregation reviews held** | 52 |
| Total number of segregation reviews attended | 256 |

** Segregation reviews (Rule 45) are held usually on a Wednesday and in addition, occasionally, on a Monday or Friday

IMB Applications

| Code | Subject | 2015 |
|-------------|---------------------------------------|-------------|
| A | Accommodation | 7 |
| B | Adjudications | 11 |
| C | Equality | 3 |
| D | Education (Employment, Training, IEP) | 12 |
| E1 | Family Visits/ Finance & Pay | 9 |
| F | Food/Kitchen | 3 |
| G | Health related | 11 |
| H1 | Property | 80 |
| I | Sentence Related | 17 |
| J | Bullying | 20 |
| K | Transfers | 11 |
| L | Miscellaneous | 23 |
| M | Not Appropriate | 6 |
| N | TOTAL | 213 |