



Annual Report
of the
Independent Monitoring Board
at
HMP/YOI Portland

**for reporting Year
2016-2017**

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Monitoring fairness and respect for people in custody

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A. Introductory Sections 1 - 3

1. 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 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.

2. EXECUTIVE SUMMARY

Main judgements

- 2.1 This report is compiled according to the policy of the Board, which is not to include any item or issue which has not first been recorded in a weekly Rota Report [RR], a periodic Wing Report [WR] or departmental report including observations at meetings attended - as compiled whilst performing the regular monitoring which forms our role and responsibility at Portland.**
- 2.2 Although the official period of this report is 1 April 2016 - 31 March 2017, we made a decision to include information gathered during April 2017 also. This was informed by the fact that some observations during April seemed a strong continuation from events and policies during the year - we also felt it important to use observations that were as current as possible in the interest of keeping the report relevant.**
- 2.3 The Board deeply regret the death in custody of Mr Jaspal Khela on 16 September 2016, and convey sympathy to his family and friends.**
- 2.4 HMP/YOI Portland had a change of Governor at the end of the reporting year with Steve Hodson taking over in May from Gov. James Lucas.**
- 2.5 It is striking how many of the points which need to be made in the current report repeat or echo those made in that for 2015-2016. Overall from Rota Reports and some special area reports there is a picture of efforts being made to make improvements, but nevertheless a broad picture of things worsening and intractable problems persisting.**
- 2.6 Once again we have to report a year with a number of serious disturbances - in particular the beginning of the reporting year was on the cusp of a serious incident which resulted in 32 prisoners being shipped out, medical staff almost overwhelmed,**

bad damage to two wings and very low staff morale. At the same time this year we have seen a spate of cell damage and assaults on staff. Staff have felt they need to take industrial action and speak to the press.

2.7 The Board still has grave concerns about staffing levels in the prison. The effects are noted in numerous rota reports. It is often cited to us that Portland has its correct quota of staff according to benchmarking; we believe the benchmarking to be unrealistic, given the difficulty of its prisoner population (which is exacerbated when “wrongly” categorised prisoners are sent to the prison - as happened during this year). Some examples:-

- Staff morale affected; a member of staff describes the prison environment as “Hell”, “worst it’s been for the 20 years I’ve worked here” [RR5-11/12/16]
- Staff being needed for hospital escorts having severe effects on regime, necessitating lockdowns or education being cancelled [RRs10-16/4/16; 3-9/10/16]
- IMB unable to process applications due to low staffing meaning unlock of prisoners is not possible, and staff not available to respond to questions [RR28/11-4/12/16]
- Aggressive prisoners witnessed intimidating staff [RR30/1-5/2/17]
- Apparent staff exhaustion noted [e.g. Benbow wing RR21-27/11/16]
- In some departmental meetings SMT members have been heard to remark that their job is taken up with “firefighting” and high numbers of adjudications
- Only 24 staff in the prison due to staff sickness and escorts, only 2 wings “got out” [RR16/4/17]

2.8 The Board is concerned that the situation in the CSU has deteriorated over the year. There is more detail in Section 6. In some ways it could be extrapolated that the CSU has fallen victim to its own success: it has continually in the past been managed in an exemplary manner. We now observe that because of this, too much pressure is being put on the CSU, and this is resulting in a poorer working environment for staff and a worse experience for prisoners. The factors feeding into this may include the following:-

- Ever higher numbers of adjudications take place on the unit, with staff struggling to contain a backlog (this also impacts on SMT time). RR11-18/7/16 notes 1,000 more adjudications YTD than the similar time last year. RR25/7-1/8/16 notes the difficulty in stopping the backlog for the visiting judge from building up. The Board strongly questions whether the IEP system is being used properly, as that should be able to take this pressure off the adjudications system; though we are given to understand that towards the end of the reporting year use of IEP was increasing and has continued to do so.
- The CSU is much more often seen to be at or near full capacity than used to be the case. Numbers are noted in all Rota Reports.
- It used to be the case that it was only in exceptional circumstances that prisoners on ACCT books should be housed in the CSU. This is now a common occurrence (and often more than one at a time) and is mentioned in 8 separate Rota Reports. ACCT observations put additional pressure on staff, and prisoners on ACCTs are often individuals needing a higher level of care and management. Once it could be said that although segregation is not seen as beneficial to such prisoners, in reality the CSU was the best place for them given the level of staff experience and attention; with the unit’s recent difficulties, that’s not always the case any longer.
- RRs 17-23/4/17, 9-18/7/16 and 19-26/5/17 all mention prisoners who “can’t be got off the unit”. There are those who are not perceived to be “safe” on normal

location, those for whom there is no suitable location on the wings due to care needs, and those who refuse to leave. One prisoner was there for 46 days.

- 10 separate Rota Reports talk about extremely difficult populations in the CSU at a given time causing immense difficulties for staff and a chaotic and threatening atmosphere. It seems that increasingly the CSU has become the repository for prisoners whose very challenging behaviour has exhausted the patience and capabilities of the wings (this may reflect there being more inexperienced staff on the wings).

Also the paucity at times of mental health provision, whilst ever more disturbed individuals seem to be in prison, has a profound impact.

- There have been struggles with damage and with the fabric of the building (see 2.9 below).

- 2.9 The Board's concerns about the state of repair of the buildings have not abated, in fact the apparent delays to repairs, caused by the extra layer of bureaucracy imposed by the Carillion contract, have increased worries. This is far from a cosmetic issue as ongoing damage can have serious effects on the environment for staff and prisoners. Particularly worrying examples include the periods when the CSU has had to operate, under population pressure, without a full quota of fully functioning cells. We note for example RRs 24/3-1/4/17 and 10-16/4/17 (continually broken observation panels); 23-29/1/17 (no water); 5-11/12/16 (several leaking toilets); 29/8-4/9/16 (4 cells out of action); 22-28/8/16 (all downstairs cells out of action); 3-9/10/16 (5-6 prisoners, only 2 fully functioning cells). In general, the continual need to replace smashed obs panels leaves staff vulnerable to prisoner assault especially in the forms of spitting and "potting". In addition, problems with rodents, rodents chewing wires leading to defunct prisoner telephones, and general dirt, dereliction and decrepitude feature prominently in Rota Reports throughout the year.
- 2.10 Despite the efforts of the Security department, finds of parcels and smuggled proscribed items, improved CCTV and attempts to disrupt the use of mobile phones, it seems impossible to stem the ingress of drugs into the prison, and Rota (and other) Reports make frequent mention of the ongoing problems this creates: debt, self-isolation, self-harm, gang activity, violence, disruption, management issues for staff as well as the immediate dangerous health impacts and risks.
- 2.11 The Board was saddened by the death of Mr Khela, mentioned above; and concerned too to lose the lead member of staff on the Safer Custody Team during this reporting year. The inquest for a prisoner who previously died in custody, Mr Wayne Cornlouer, was attended. We wish to register concern about the ACCT system itself; the ever increasing numbers of ACCTs opened, incidents of self harm and violence and use of force; and the numbers of self-isolating prisoners. RR12-18/9/17, that for the week in which Mr Khela died in custody, notes a prisoner on the wing involved commenting "there is not enough staff in this prison".
- 2.12 Shortages in the staffing of most aspects of Healthcare have been of grave concern to the Board throughout the year.

Are prisoners treated fairly?

- 2.13 In general, we observe that equality and fairness are taken seriously at Portland. However, members of the Board have raised after Rota observations a number of ways in which the operation of the prison is unfair to prisoners - mainly to do with the consistency (or otherwise) of the application of rules. Incidents pointed up include prisoners being able to intimidate or manipulate staff [e.g. RR 30/1-5/2/17], poor behaviour going unchallenged [e.g. RR 10-16/1/17], confusion over policy on cell cleanliness and the display of pornographic images [RR16-23/1/17], and staff using a “quid pro quo” approach to prisoner compliance as opposed to uniformly applying rules [RRs 23-29/1/17, 10-16/4/17]. RR 9-16/1/17 comments: “little goes by the book... prisoners manage to work the system.”
- 2.14 The use of IEP, particularly, is seen as being inconsistent; with staff sometimes appearing to lack confidence in applying it. This has serious knock-on effects on the adjudications system (i.e. more adjudications taking up Governors’ time which leads to a curtailment of their other prisoner-facing duties and appearing regularly on wings) and the use of the CSU. Use started to increase towards the end of the reporting year.
- 2.15 We have been concerned that prisoners’ complaints and requests have not, at times, been handled with thoroughness or fairness. A lack of accessible forms on wings was cited in three Rota Reports, whilst seven mention applications/complaints apparently going missing, being received very late, or not being logged. There was one report of a wing officer opening a Confidential Access complaint; it was in the wrong envelope, but the correct envelopes were often found to be unavailable. This does not help prisoners’ trust in the system or perception of its fairness.

Are prisoners treated humanely?

- 2.16 Whilst the Board fully acknowledges the values of humane treatment evinced by the staff and SMT, it is difficult to conclude that the answer to this question is always “yes”. Lockdowns, meaning prisoners spending too long in their cells; prisoners being held in damaged or non-functioning cells; the lack of decency inherent in prisoners eating next to their uncovered toilets, undergoing ACCT reviews in cells next to their toilets, sharing cells and toilet facilities with inadequate privacy screening; prisoners who claim they are hungry or have lost weight; the lack of private/respectful space in which to discuss concerns or complaints; perceptions of safety being compromised so that prisoners will not leave their cells; prisoners whose mental health needs cannot be addressed in the prison environment - these all call into question whether prisoners are treated humanely.

Are prisoners prepared well for their release?

- 2.17 Education and activities have improved. ROTL, however, has not, and we have grave concerns (as last year’s report) as to whether Portland can be said to be fulfilling its remit as a “resettlement prison”. Please see section 11.

TO THE MINISTER

- 2.18 There are serious failures in the delivery of risk assessment and sentence planning within prisons. This is reflected in the concerns expressed in our report which are also mirrored in

HMIP reports nationally. This is militating against the delivery of effective and focused services to assess risk, enhance risk management skills, reduce re-offending and develop safe and meaningful release plans. The current system is failing offenders, their victims and the wider community. The re-introduction of key workers in prisons will hopefully serve to improve staff/prisoner relationships and better motivate the latter to address criminogenic needs. This is unlikely to suffice, however, without a thorough review, prioritisation and better integration of offender management services in custodial settings.

- 2.19 Once again we have to put on record our concern at the number of prisoners with mental health problems or behavioural difficulties which make prison an entirely unsuitable environment for their care and rehabilitation. The lack of appropriate alternative facilities is a huge challenge which sooner or later will have to be faced. Prisons must not keep warehousing the mentally unwell.
- 2.20 We draw your attention to 2.12 above. The rising national measures for several years now of deaths in custody, self-harm and violence should be very prominent red flags that underinvestment and current policies are not working and are taking a toll - serious changes need to be made as people's lives are at stake.
- 2.21 ROTL is a very useful rehabilitative tool and its undermining over recent years has been a highly negative development militating against rehabilitation. We would urge ministers to look at facilitating its growth.

TO THE PRISON SERVICE

- 2.22 The failure to get a handle on the ingress of drugs, mobile phones and other proscribed items is a matter of huge concern. The presence in our prisons of these items jeopardises all aspects of safety and rehabilitation. This issue needs urgent attention and radical solutions.
- 2.23 We are concerned at evidence that the prison population is so frequently increased by prisoners returning due to breach of licence conditions. The breaches can be very minor. These prisoners are often returned for a short while, making it difficult for them to engage with programs or education; there is a knock on effect of hopelessness, a perception of unfairness and victimisation, and in turn management difficulties. Prison officers have been heard to remark that prisoners on release are "set up to fail" by this system. On the other hand we have heard that as it is "easy" to get returned to prison for breaking licence conditions, men do so in order to smuggle drugs and other items into prison to sell. In the light of all this we feel a reappraisal is called for.
- 2.24 Transfer of prisoners' property between prisons is extremely inefficient, a cause of great stress to prisoners and the subject of many applications/complaints, both through the prison's system and to the IMB. It is so intractable a problem we now frequently have no other recourse but to refer prisoners to the Probation and Prisons Ombudsman after the failure of the prison's complaints system to resolve the issues (and there is nevertheless always weeks of delay whilst prisoners have to first go through the motions of the various stages of the complaints procedure when both they and complaints staff know it is futile). The difficulties in HMP Bristol, in particular (but not in isolation), seem to affect Portland inordinately. We would ask that there be more clarity on the obligations of prisons with regard to the transfer of property and to the capacity allowance both in the prisons

themselves and on the prison transport; for an efficient system to be developed; and for measures to be taken to expedite solutions rapidly when problems arise.

- 2.25 We have to strongly question whether Carillion are fulfilling their contract with the prison service or whether the contract is adequate for the level of service needed.
- 2.26 We have no record of being officially made aware that in November 2016 the prison was issued with a non-compliance notice from CFIG. Though this is a serious matter we were aware throughout the reporting year of improvements being made to in-cell fire and smoke detectors, smoke alleviation equipment and emergency lighting; there has been an action plan in place through the Health, Safety and Fire department. We were on the other hand also aware of many incidences of cell fires, sometimes many at a time (during periods of concerted indiscipline), and anecdotally of at least one near miss when a prisoner had to be pulled from a burning cell.

We are concerned therefore to learn that there have been delays in completing fire safety work caused by suspensions of “decants” due to rioting and damage in the prison estate as a whole (meaning cells cannot be vacated to complete the work) and by the contractor (Carillion, see 2.25 above) failing to uphold their maintenance of fire equipment. The prison cannot be said to be “safe” whilst these risks remain unmitigated.

TO THE GOVERNOR

- 2.27 The Board is concerned that, given that Portland is a resettlement prison, insufficient priority and value are afforded to the work of the OMU (please see Section 11.2).
- 2.28 As mentioned elsewhere in this report, it’s of concern to us that rules are seen, by prisoners and others, to be applied fairly and consistently. We have been worried by some reports mentioning observations of staff appearing to be flexible with rules in order to achieve compliance or punish non-compliance when that could lead to basic parameters (e.g. ACCT observations) not being met, or prisoners perceiving that rules are fluid. We are particularly concerned that there should be clarity about the IEP system and that staff have the information and confidence to use it consistently.
- 2.29 Also on the subject of the IEP system we feel that incentives for prisoners to achieve Enhanced status are not sufficient. This is undermining to the rest of the system.
- 2.30 We would like to draw your attention to Section 6: we have grave concerns about conditions in the CSU and feel it should be a priority to improve them.

Improvements

- 2.31 Cooperation between the prison and the police has greatly improved over the past year, especially around the areas of violent incidents (including staff assaults) and drugs.
- 2.32 There have been improvements in the interventions and programs. One prisoner described the help he had received at Portland as “the best help [he had] had in prison”.
- 2.33 There have been improvements in the activities provided by the education department and improvement in numbers allocated. However, despite praiseworthy efforts to increase attendance, this is still far too low.

- 2.34 The integrated resettlement strategy, co-ordinated by Catch-22, is to be welcomed, bringing together as it does the OMU, Chaplaincy, healthcare, substance misuse team, Job Centre and other agencies that might have a significant role in release plans, to develop individualised strategies for prisoners 12 weeks prior to release.
- 2.35 Similarly the Board has been impressed by the modular resettlement preparation course introduced by Catch-22 and the support programmes for offending behaviour delivered by CFO3.
- 2.36 There have been improvements to fire safety through the year (but see 2.26 above).

3. DESCRIPTION OF THE PRISON

- 3.1 HMP/YOI Portland is for Category C adult prisoners with sentences of 1-4 years, with a home address in CPA 13 – Avon, Somerset, Wiltshire and Gloucestershire: and is a national resource for Young Offenders (between 18 and 21 years) with sentences under 10 years.
- 3.2 It has a designated role as a Resettlement prison.
- 3.3 Whilst Portland is for Category C prisoners it is run with many of the attributes of a Category B institution.
- 3.4 Operational capacity is 530 prisoners. Certified normal accommodation (the number of prisoners possible if all cells were single) is 463. At the time of writing 46 cells are used for 2 persons.
- 3.5 As of the last census the breakdown in terms of age was: - under 21: 26.4%; 21-29: 40.7%; 30-39: 19.6%; 40-49: 10.1%; 50-59: 3.2%
- 3.6 Accommodation consists of 7 wings and a free standing Care and Separation Unit. Collingwood Wing is the first night centre and undertakes the induction of newly arrived prisoners. Nelson and Grenville Wings are largely populated by Young Offenders.
- 3.7 Education, including some vocational training, is contracted to Weston College and the prison operates some workshops directly.
- 3.8 Charitable organisations working within the prison include The Samaritans, Key4Life, The Shannon Trust, Turning Point, PACT and The Shaw Trust.
- 3.9 Healthcare was for most of the reporting period operated by NHS Dorset Community Healthcare Services, but Care UK took over the contract at the beginning of April 2017.
- 1.10. Resettlement services are provided by Catch-22.

A. Evidence sections 4 – 12

4. SAFETY

- 4.1 The Board was distressed by the death in custody in September 2016 of Mr Jaspal Khela. After much delay, the inquest of Mr Wayne Cornlouer, who died in custody in 2014, took place also in September 2016. The verdict in Mr Cornlouer's case was suicide. Mr Khela's inquest is still to take place. It has been noted that in neither case was an ACCT book open. There is no indication that staff made any error of judgement in this. However there is concern on the Board that the ACCT system itself has become something of a blunt instrument and formulaic - and that prisoners can be aware of how to slip under ACCT radar if they don't want the scrutiny, or that prisoners in low-key distress who do not show obvious red flags can slip under the radar unintentionally. It is possible that emphasis is put on the ACCT system by coroners' courts whilst disregarding the other positive measures taken by the Safer Custody Team, notably the weekly Complex Offenders' Forum which is very effective in managing vulnerable and challenging prisoners.

Of course it is not possible to report “negatives” and so very difficult to know how many lives the SCT save, but we are certain that they do.

- 4.2 The Board is sorry that the prison lost a key member of staff from the Safer Custody Team. The team continues to work with commitment for the safety of prisoners in Portland, and is exemplary in its thoroughness and transparency in reporting. However we are sad to report that this is one area (see 2.5 above) where the best efforts of staff do not seem to be solving the intractable problems and the rising undesirable statistics around prison safety. It seems internal measures cannot mitigate the wider endemic problems and the SCT is constantly struggling with the pressure created by those problems.
- 4.3 Despite the best efforts of the SCT most parameters of measuring challenges to safety have risen significantly during this year: ACCTs opened (389, a significant increase of 82 on the previous year), instances of Use of Force (306 in November 2016 against 273 the same time 2015, so up 35), adjudications for violence (269 during 2016 against 220 during 2015, so up 49). There was a period during which assaults on staff at Portland were down in contrast to the trend nationally but the end of the reporting period saw a significant rise; there were 8 assaults on staff in one week [RR24-31/4/17] and 12 in another. That all these figures are going up must be indicative of prevention measures not working. The Board is aware these are reflective of nationwide figures and are therefore likely to be influenced by nationwide factors.
- 4.4 The Board has been concerned through the year about the number of ACCT books open; the patchy quality of recording in ACCT books, particularly the often perfunctory “conversations” and lack of detail/accuracy in care maps; and the difficulty for the IMB in attending ACCT reviews. These issues have been raised in many Rota Reports.
- 4.5 The difficulties relating to the dual use of Collingwood Wing as both a first night centre and housing for some of the most vulnerable prisoners is mentioned in 5 Rota Reports including RR26/9-2/10/16 which talks of the wing having 9 ACCTs to supervise including one constant watch - staff basically “doing ACCTs all day”. This is related to the general lack of safer accommodation - most safer cells are also in the general allocation so often have residents when they are needed.
- 4.6 There is a bullying strategy in operation, but nevertheless the Board has continued to be concerned about the number of prisoners who self-isolate for their own protection. Increasing numbers are mentioned in RRs 3-9/10/16 and 16-23/1/17; RR 30/1-5/2/17 records an incidence of a prisoner who had been self-isolating due to being bullied for approximately 3 months before assaulting a member or staff in order to get moved to the CSU.

5. EQUALITY AND FAIRNESS

- 5.1 A very small number of prisoners have declared themselves as racist. They are monitored, as are others who are suspected of holding extreme right wing views. Prevent has a presence in the prison and encourages awareness of extremist practices and signs, both of right wing and Islamist, so that they can be contained and countered. The work of the Chaplaincy is also involved in this. It has become clear through the year, however, that gang-related groups are using similar language and contact methods to attempt to recruit.

- 5.2 The Traveller prisoners seem to have been located together. This has the twofold effect of providing these prisoners with mutual support but also of creating a form of segregation both actual and perceived.
- 5.3 A very small number of prisoners have declared themselves gay or transitioning. This is an act of great courage in this environment but also a sign of growing insistence on their rights and a challenge to the prison to uphold them.
- 5.4 Prisoners who are aged over 55 do not receive as much recognition as a group as they did previously. Their health care is subject to the policies of the provider (who has changed during the reporting year) and their profile is no longer distinct. Lack of allocated staff time and the squeezing of staff coverage have prohibited the practice of meeting with these prisoners as a group and examining their particular needs. Though there is some allocation to ground floor cells on Collingwood and Beaufort wings, many continue to be housed on a wing with no ground floor cells and prisoners with breathing, mobility and heart conditions struggle. There is, though, an established protocol for taking care of these prisoners in the event of an emergency evacuation of cells or wing.
- 5.5 The Board has concerns about the fair and consistent application of rules, challenging of poor behaviour and use of the IEP system (see 2.13/14 above).

6. SEGREGATION/CARE AND SEPARATION UNIT

- 6.1 Over a number of years the Board has been able to report that the Care and Separation Unit (CSU) was one of the most decent and humane parts of HMP/YOI Portland. We continue to observe that Adjudications and Reviews are carried out fairly, although we deplore the increased time needed to deal with high numbers of adjudications, partly due to the prevalence of NPS with its accompanying trail of debt and trafficking problems, and partly due to the weak and inconsistent use of the IEP system; and the IMB has trouble attending Reviews, as they are not always held at the time announced, often due to difficulties with the attendance of the required staff.
- 6.2 In our report published in 2016, however, we noted that the use of inexperienced staff could have an adverse impact on the Unit (paragraph 4.4.1). The impact of the inadequate numbers of staff in the prison generally has escalated during 2016/17, and the use of inexperienced or non-regular staff in the CSU has appeared to increase, to the detriment of the Unit's management. We continue to find that all staff are doing their best to run a good unit, where very difficult prisoners are given the attention and effort required to help them conform better and move on from the CSU. But this is increasingly problematic. As well as the issue of the use of non-regular staff, the generally more unsettled situation of the prison means that staff are more frequently suddenly called upon to help on other wings or respond to alarms, needs for escort etc, all contributing to a deterioration in the CSU.
- 6.3 We also deplore the fact that numbers of particularly troublesome prisoners are staying in the CSU for long periods of time. When IMB members query this, they are often told that plans are underway for a prisoner to be moved back or transferred, only for that prisoner to remain for weeks on the Unit. Some of these men have mental health issues. The mental health personnel do their best (though their input has also been severely impacted by staff shortages); but such individuals should not be in a regular prison and despite Portland's best intentions, they are a) not being correctly treated and b) they cause endless disruption.

It can be very difficult to get them moved to more suitable accommodation due to a lack of places in Mental Health hospitals. Others are regarded as merely very difficult or manipulative, although to IMB members they seem to have little competence to deal with their situation or the capacity to alter their behaviour unaided. Some men are simply refusing to return to the wings for a variety of reasons. The CSU often has a number of men demanding transfers to other establishments (they have sometimes damaged cells or committed assaults to get sent to the CSU where they then escalate their demands by committing further damage, embarking on “dirty protests” etc) - this is despite it being frequently stated policy that prisoners do not get transferred straight from the CSU. In some cases, men or YO's are on ACCTs. They are also not helped by being held on the CSU regime in current conditions.

- 6.4 The fabric of the CSU has been constantly damaged by violent behaviour, such as the regular flooding of cells, “dirty protests” and the smashing of observation panels. This, again, leads to an unpleasant atmosphere, as well as to concerns for the physical and mental health of staff. As in other parts of the establishment, Carillion appear unable to keep up with repairing the damage. At times the structural conditions of the unit have been deplorable, and this has been exacerbated by Carillion’s seeming inability to respond in a timely way to rectify problems.
- 6.5 The persistent, overwhelming challenges caused by the prisoner population; the consistently high levels of occupancy on the unit; the frequency of being called to other parts of the prison; and the often appalling and sustained structural condition of the CSU have, recently, appeared to have had an impact on staff attitudes and morale and this has, for the first time, been seen to reflect on their interactions with prisoners.

7. ACCOMMODATION (including communication)

- 7.1 The difficulty around the dual purpose of Collingwood wing is mentioned in a number of rota reports - see 4.5 above. The suitability of having prisoners who are undergoing their first night in Portland in the same environment as some of the most vulnerable and disturbed prisoners is questioned.
- 7.2 Condition of buildings: as in last year’s report the Board continues to be concerned about the condition of the buildings and the facilities within. Board members have frequently observed that areas are unclean and/or in a poor state of repair. Comments about the poor condition of the prison can be found in numerous Rota Reports, for example for weeks beginning 3/4/16, 11/4/16, 5/9/16, 26/6/16, 14/8/16, 24/10/16, 6/11/16, 26/12/16, 9/1/17 and 3/4/17. Areas of concern have included the communal areas, showers, toilets and cells in the wings; the visits area; the courtyard and outside areas; areas of leaks and flooding; phones; healthcare; the CSU (see 6.4 and 2.10 above). There is constantly a problem with purposeful damage and continual delays to repairs. The degrading condition of some cells with lack of privacy has also been commented upon.
- 7.3 Staff/prisoner engagement: relationships are sometimes positive and supportive, and there are many staff who are caring, skilled, and dedicated to providing a good service. However the board has identified that these valuable staff-prisoner relationships are inhibited by two issues. Firstly staff are regularly not detailed to their usual wing. They then do not know the prisoners who they are managing, do not have a good knowledge of individual prisoners, and the benefits of positive staff-prisoner relationships are lost.

Secondly it has been evident to the board that due to issues mentioned elsewhere in this report prison staff are feeling stressed and morale is low [RRs for week beginning 5/12/16, 16/1/17, 3/4/17]. It is the view of the board that this is having an effect on the way in which prison staff relate to the prisoners. Additionally sometimes staff simply cannot attend to the basic needs of prisoners because of workload in proportion to staffing levels [RRs 23/5/16, 10/4/17]; the board has observed how 'tightness of staffing can impact upon the humane treatment of prisoners' [RR 23/5/16]. The regime is regularly affected by staff shortages [eg RR 21/11/16].

- 7.4 Food: the quality of food is variable. There have been complaints and observations that there is sometimes not enough food for each wing when the trolley arrives at the servery hatches or that what arrives is not what was ordered ([Rs 4/7/16, 9/1/17]. Rectifying these issues is time-consuming. Contributing factors are poor communication and poor working relationships between the wings and kitchen [Kitchen and Food Report August 2016, RR 27/2/17], and mistakes on the wings in filling in the order sheets or in the kitchen when the food is sent out. Complaints have been made to the IMB about portion sizes, and Board members have on some occasions seen portions that appear insufficient first-hand; however at other times portions appear sufficient and the kitchen manager has advised the IMB that nutritional guidelines are adhered to. There have also been complaints about a lack of variety in meals and the food not being fresh. The Board is always particularly concerned when it receives reports [eg RR1-7/8/16] of prisoners saying they are always hungry or have lost weight since coming to Portland. The evening food bag - containing "supper" and breakfast - has been described as completely inadequate [Kitchen and Food Report August 2016]. There have been observations by the IMB in the course of processing applications that many prisoners spend a lot of their canteen on food (Pot Noodles feature prominently) in order to supplement the prison meals. The Board is also concerned that a prisoners' vote was conducted by staff as to whether the hot meal should be changed to the evening; the result was that this was preferred, but this was disregarded. [Kitchen and Food Report August 2016]. There have been challenges with both employed staff and prison workers in the kitchen [Kitchen and food report August 2016]. The number of prison workers who arrive each day varies and they are not always keen to be there. This clearly impacts on the ability of the kitchen to provide food for the prison. The kitchen has usually been observed by the board to be clean and hygienic [eg RR19/6/17].
- 7.5 Property: problems with property during transfer to Portland are endemic: we reference e.g. RRs 23/5/17, 29/8/16, 24/10/16; and this is the most significant cause of prisoners making applications to the IMB (see Section 14).
- 7.6 The visiting areas are not welcoming. During the winter months a boiler malfunction meant that heating was intermittent in the reception building and waiting to be called to the search area and to the visits room was an unpleasant experience, especially for young children. The imposition of closed visits is kept under tight review and a clear policy is adhered to of imposing the measure solely on the basis of abuse of visits either by the prisoner or his visitor. Review of the small number of people involved is monthly. Again, cooperation with the police has been beneficial.
- 7.7 Despite the dynamics and unity within the Chaplaincy Team giving cause for concern, we commend the Chaplains individually for their gentle care and commitment to the men's well-being, and the exemplary comfort and support we witnessed being offered in the aftermath of the self-inflicted death in custody last year. A Christian based 'Alpha Course' was successfully run at the start of 2017 with 22 men in attendance.

This was followed up with weekly bible studies, a guitar group and choir. For part of the year the onus was on the prisoner to request to attend church (or study groups) every week, but after a significant drop in attendance figures, would-be attendees, from the 18 faiths catered for within the prison, now secure their attendance via Allocations. The new PSI which allows any prisoner to attend any service, has brought challenges e.g. disruption due to non-Muslims attending Friday prayers who have no understanding of the protocol. Muslim figures have remained good with around 80 attending Friday prayers.

8. HEALTHCARE (including mental health and social care)

- 8.1 There has been no improvement in reference to last year's report on staff shortages. The last report from healthcare on 2nd June 2017 stated that due to resignations of staff after the loss of their retention bonuses by introducing new contracts, staffing levels were at their lowest and an agency nurse has had to be brought in from London on a 6 days a week contract. However, notwithstanding the challenges of the impending change of service provider, the gap between the staffing profile and the actual provision has been significant through the reporting period. Currently, Portland has one full time nurse, two part time nurses and one nursing assistant. Information has been received that the retention bonus is to be reintroduced in the hope that staffing levels rise.
- 8.2 Prisoners are not attending scheduled appointments due to the lack of escorts and are therefore having to wait approximately a week for another appointment.
- 8.3 Rota reports mention tensions between healthcare staff and wing officers regarding timings of clinics and prisoners' attendance and escorts - which have on occasions had a negative impact on prisoners' experience through the year.
- 8.4 A dentist has been employed and waiting times are now approximately 2-4 weeks rather than the 8-12 weeks previously. The reported issues of a non-functioning chair have been resolved and there has been an improvement generally in all aspects of dentistry.
- 8.5 Mental Health is also understaffed with two vacancies not as yet filled, although the waiting time has been reduced to a week. An agency nurse has also been employed to cover staff losses. One Psychiatrist position is yet to be filled and one nurse applicant is awaiting an interview date. Generally, mental health staff feel content that prisoners are seen within an acceptable time frame and any immediate issues are dealt with in a timely manner (but see Section 6 for IMB perceptions of operation within the CSU).
- 8.6 Concerns regarding working conditions and cleanliness are still apparent and there has been no improvement to the holding cells which is still a major problem leading to DNA of prisoners; health care staff still feel unsupported by the supervision by prison officers of those attending Health Care. It is doubtful that the Health Care area would have any improvement on the last Infection Control Audit due to the general state of the building.
- 8.7 There has been no increase of referrals to the Secondary Care MHT and this is comparable to last year.
- 8.8 As of April 2017 the healthcare contract is with Care UK.

9. EDUCATION AND OTHER ACTIVITIES

- 9.1 Real effort has been put into improving activities and attendance but there is still much to be done.
- 9.2 The NAP establishment report gives a clear picture of what goes on, but is weak on analysis of outcome. The view of learner achievement can be largely impressionistic though steps have been taken to remedy this.
- 9.3 However rates of success in Weston College provision are broadly promising, especially in English, Maths and some workshops.
- 9.4 Shutdowns have been a major problem, especially towards the beginning of the reporting period. In June 47.5 teaching hours were lost due to Weston College, but 443.25 learner hours were lost for which the prison was responsible. These lockdowns have a detrimental effect on education as some learners are unable to finish the courses and leave before the end dates. This also effects the start dates of future courses.
- 9.5 Education is now happening in the workshops as well as in the classroom, to combat the number of older prisoners who refuse to attend. The education that takes place in workshops is broadly evaluated by the department as good.
- 9.6 The numbers attending have increased over the period. By October over 50% of those allocated attended, and by March it had risen to 58%. This is still unacceptably low: approximately half of those registered not turning up to classes; and as yet there has not been a successful strategy to encourage attendance.
- 9.7 A major problem with this is that it results in underspends which are likely to have a medium to long term impact on provision.
- 9.8 The Board has expressed concern on numerous occasions about the very sporadic use of the library - and the non-availability of library sessions to those who are working or on courses.

10. WORK, VOCATIONAL TRAINING and EMPLOYMENT

- 10.1 Many of the problems identified with this area are similar to those identified in Section 9 above.
- 10.2 Quality of the work in Prison Industries has improved by the measures set by the department, particularly the contracts for MOD Woodwork, Jacks and Nets.
- 10.3 Tackling those refusing to work has not been properly addressed, and there is no clear policy on whether those behind their door on Own Protection should be required to attend. There have been as many as 72 prisoners refusing to participate on one shift.
- 10.4 Free flow is also an issue. It can take up to an hour to get prisoners from the wings to their place of work, so out of a possible working day of 6.25 hours, the average time spent in the workshops is 4 hours, which is a challenge for those attempting to complete orders.

11. RESETTLEMENT PREPARATION

11.1 Resettlement:-

- 60% of a random sample of prisoner records [IMB Resettlement Review, January/February 2017] evidenced no Basic Needs Screening or Resettlement Plans had been completed following reception into prison.
- Only 59% of prisoners were released to CPA 13. The remainder returned to all parts of the country. This undermines government policy in relation to resettlement and rehabilitation, is not cost effective and gets in the way of promoting local ties and purposeful pre-release ROTL.
- Service provision is frequently impeded by late stage transfers into the prison. Management figures showed 48% of prisoners transferred in with less than 3 months to serve. [IMB Minutes, 6/16]. The review showed no improvements with many prisoners transferred with less than one month to serve.
- Catch 22 are effective in sourcing emergency accommodation for the majority of homeless prisoners. The review highlighted significant problems finding accommodation for prisoners with severe MH and/or Substance Misuse problems. This resulted in prisoners with severe and enduring MH issues released to doss-houses with minimal support whilst awaiting space in designated MH hostels.
- The review highlighted national inconsistencies in community provision with some CRCs struggling to source organisations to provide essential services for prisoners released from Portland. E.g. PACT mentors.

11.2 Offender Management Unit: -

There are resourcing issues that impact on the delivery of offender management services in Portland: -

- There is misalliance between staffing and prisoner risk profiles. @ 25% of the population is assessed as high/v. high risk of harm. Current staffing consists 1 Offender manager and 8, Band 4, Offender Supervisors. Contracts for the 4 PSOs terminate March 2017 with no clear plans regarding their replacement. This is affecting staff morale and team cohesion. [IMB Meeting, 3/17].
- Band 4 officers spend only 30% of their time in OMU, the remainder covering operational exigencies elsewhere in the prison. The Board have received a number of complaints from prisoners regarding a lack of response from their offender supervisor [4/16, 11/16, 2/17; IMB Meeting 3/17]. It is of concern that the significance of the OMU within a Resettlement prison does not appear to have been prioritised by the SMT in Portland. It is hoped that the new No 1 Governor and OMU lead governor will take onboard these concerns.

- Whilst we are concerned about the unacceptably high number of prisoners arriving in Portland with outdated, incomplete or non-existent OASys, The Board is also aware that the team are themselves failing to meet sentence planning requirements and this is impacting on the completion and updating of OASys, re-categorisation, parole and HDC reports. [NAP reports throughout the year; Rota Reports 6/16; IMB meetings 4, 6, 8, 9 & 10/16 and 3/17]. HDC Boards are currently taking place @ 6 weeks post eligibility date [RR 2/17].

12. SECURITY

- 1.1. New camera systems have been placed around the prison during the reporting year. To date only one wing has operational CCTV surveillance but other wings will be covered shortly. Officer worn body cameras are now adequately available and are proving effective both in providing evidence for subsequent adjudications and in reducing spontaneous poor discipline. CCTV coverage of outside areas, particularly of the exercise areas, perimeter walls and fences, has been extended and some over-the-wall finds have been intercepted as a result. However, within the prison there are currently several different surveillance systems, not all of which are compatible with others.
- 1.2. The monetary value of recovered finds has increased hugely but it is known that greatly increased numbers and value of illicit items are entering the prison without interception, so that mobile phones, tobacco, NPS supplies and weapons are plentiful. As a consequence, violence, dealing, debt and extortion have increased to industrial levels. Attacks on staff and between prisoners have increased. However more control measures and patrols have been put in place.
- 1.3. Despite the increased level of violence to staff and prisoners, no account seems to have been taken by national management of the increased burden on staff and so staff numbers are inadequate to deal with it. There have been several incidents during the year which have threatened to place the prison in danger of going out of control and, while the staff have managed to hold on to discipline in most cases, the increased stress on them has not allowed them to recover in order to resume normal workloads. There are often palpable levels of suppressed anxiety on wings. Searching by dogs has recently been reorganised on a cluster basis. This has meant that the team has become larger but not based in individual prisons and so deployment is a matter of negotiation between prisons. Sudden blanket searches of wings or landings with this increased capacity have had helpful results.
- 1.4. A welcome development during the year is that Dorset Police are now much more ready to take swift action to investigate possession of illicit items and violent attacks referred to them. An increased number of serious incidents are being referred to the CPS and court sentences imposed as a result. A protocol has been developed between the police service and the prison service in Dorset to support staff in dealing with serious internal crime and this has resulted in speedier prosecutions, linking of actions involving visitors to the prison and an awareness on the part of the police service of the dangers involved in the work of prison officers and staff. This mutual cooperation is proving fruitful.
- 1.5. The independent adjudicator has also been more assertive in awarding extra days in other cases.

B. Sections 1 - 2

1. THE WORK OF THE INDEPENDENT MONITORING BOARD

BOARD STATISTICS	
Recommended Complement of Board Members	13
Number of Board members at the start of the reporting period	11
Number of Board members at the end of the reporting period	11
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 Establishment	280
Total number of segregation reviews held	N/A
Total number of segregation reviews attended	N/A
Date of Annual Team Performance Review	01/07/16 Next: 13/09/17

2. APPLICATIONS TO THE IMB

Code	Subject	2014	2015	2016	2017
A	Accommodation	6	14	19	8
B	Adjudications	4	6	6	2
C	Equality & Diversity (incl. religion)	3	15	6	4
D	Education/employment/training inc IEP	24	43	14	14
E 1	Family/visits inc mail & phone	28	19	13	12
E 2	Finance/pay	11	15	11	8
F	Food/kitchen related	6	19	16	7
G	Health related	36	47	50	26
H 1	Property (within current establishment)	14	47	27	16
H 2	Property (during transfer/in another establishment)	39	61	60	52
H 3	Canteen, facilities, Catalogue shopping, Argos	3	17	13	4
I	Sentence related (inc. HDC, ROTL, parole, release dates, re-cat etc)	33	66	44	19
J	Staff/prisoner/detainee concerns inc bullying	24	33	19	26
K	Transfers	42	50	27	19
L	Miscellaneous	22	37	23	24
	Total number of IMB applications	277	489	347	241
	Of total: number of IMB Confidential Access was:		6		