



Ministry  
of Justice

**Sam Gyimah MP**  
Parliamentary Under-Secretary  
of State for Justice

Lady Prue Davies  
Chair of the Independent Monitoring Board  
HMP & YOI Portland  
104 The Grove  
Portland  
Dorset  
DT5 1DL

<sup>h</sup>  
25 October 2017

*Dear Prue*

**HMP & YOI PORTLAND: INDEPENDENT MONITORING BOARD ANNUAL REPORT  
FOR 1 APRIL 2016 – 31 MARCH 2017**

Thank you for your Board's report for the year ending 31 March 2017. I am grateful to you and your colleagues for all the hard work that has been put into capturing your helpful observations.

Before I address your specific concerns I would like to acknowledge the difficulties throughout the year at HMP & YOI Portland and thank both staff and managers for their continued hard work throughout this period. The recent White Paper announced a major shake-up of the prison system with new security measures to tackle drones, phones and drugs and help make prisons places of safety and reform. We are committed to transforming the culture of prisons and as you will be aware, have taken action to strengthen the frontline by recruiting 2,500 more prison officers which will help us deal with emerging threats and to improve safety. I am pleased HMP & YOI Portland has benefited from the national recruitment programme and an improved, more stable regime is now being provided. Additionally, and as mentioned in your report, a new Governor for the prison was appointed in May 2017.

In addition to the numbers of prison officers increasing we will be giving staff more time to directly supervise prisoners and build constructive relationships with them. We will ensure that every prisoner has a dedicated officer who can engage with them one-to-one. These dedicated officers will have a caseload of six prisoners and will act as mentors for their prisoners – listening out for problems, supporting changes in attitudes and behaviour, and defusing tension, frustration and ultimately, reduce levels of violence. This one-to-one support from a dedicated officer is at the heart of our prison reforms making sure that offenders get the help they need to quit drugs and get the education and skills needed to find work and leave crime behind.

I note your concerns about failures in the delivery of risk assessment and sentence planning within prisons. There has been a review of Offender Management (OM) in custody which addresses the issues prisons currently face in completing OASys reports. The new model will transfer the resource for OASys report completion from local/reception prisons to the training/resettlement estate where there is more time for engagement with the offender and to devise the sentence plan. HM Prison and Probation Service (HMPPS) is currently working through the schedule for roll out and it is envisaged the new OM model will be in place in all closed prisons by March 2019.

In the meantime HMPPS continues to review the OASys backlog and implement a prioritisation criteria to support establishments to ensure the highest priority cases are completed in full, together with a reduced assessment for lower risk cases thereby ensuring all prisoners have a risk assessment and sentence plan. Further planning aimed at ensuring risk assessments and sentence plans are completed as required is currently underway.

HMP & YOI Portland have experienced shortfalls in both prison and probation staff, which resulted in the re-deployment of some offender supervisors and aspects of offender management work not being completed. The re-structure of the management of all residential areas of the prison, to ensure a full and consistent regime is offered to prisoners, has increased levels of support and guidance to staff and prisoners whilst, at the same time, allowing Offender Supervisors the time to complete their offender management work without the interruption of re-deployment.

I understand your continuing concerns for those prisoners with mental health issues. NHS England (NHSE) is working across the entire criminal justice pathway to improve services for offenders with mental health difficulties. In line with the Five Year Forward View for Mental Health due to be published by December 2017, and the Strategic Direction for Health and Justice, NHSE along with Criminal Justice partners, are working to intervene at the earliest opportunity to ensure that offenders receive the right care, in the right place, at the right time.

NHSE is currently carrying out a service review across all adult medium and low secure services, considering a number of issues including the capacity required against a number of criteria including levels of security, gender, service types and geographical location. A key principle of the review is that the secure beds must be part of a pathway of care and where relevant this includes prison. Planning is taking place based on local population need, in keeping with strategy and policy direction for mental health and learning disabilities. The pressure being experienced within prisons is being considered as part of the service review. Similarly a more detailed understanding of difficulties in the system in relation to remissions from hospital to prison is being considered so that access, egress and throughput is improved. This is key to ensuring that the appropriate capacity is planned for the future.

The mental health team at HMP & YOI Portland continue to work tirelessly to meet the needs of prisoners with the appointment of a service lead and support of a cluster wide associate specialist psychiatrist.

I acknowledge your comments on the numbers of Assessment, Care in Custody and Teamwork documents (ACCTs) opened, incidents of self harm and violence and use of force. Every death in custody is a tragedy and the Government is committed to making prisons safe and does not underestimate the challenges faced by everyone working in prisons and will continue to support our staff to help them maintain safe and secure prisons. We acknowledge that the level of violence in our prisons is unacceptable and we are fully committed to addressing the significant increase in violence, self-harm and self-inflicted deaths in our prisons. We know the first 24 hours (in custody) are vital. We are already taking steps to make sure that when somebody enters a prison they are given the support they need.

A review has been undertaken of the ACCT process and a number of changes are being made. New training in suicide and self-harm reduction is being rolled out to all new staff and delivered as refresher training to existing staff to identify risks and triggers of suicide and self-harm and understand what they can do to support prisoners at risk. Including those with mental health issues. We are revising the ACCT documentation to make it easier to use, to focus more on the setting and carrying out of actions to support prisoners, and to make clearer the inherent flexibility of the ACCT process to be adapted for different prisoners' needs.

To support governors and prison staff across the estate, we have put in place specialist roles - regional safer custody leads - in every region to provide advice to prisons and to spread good practice on identifying and supporting prisoners at risk.

The Secretary of State is working closely with the Attorney General and the Home Secretary to ensure we implement a zero tolerance approach to violence against our hard working prison officers and staff.

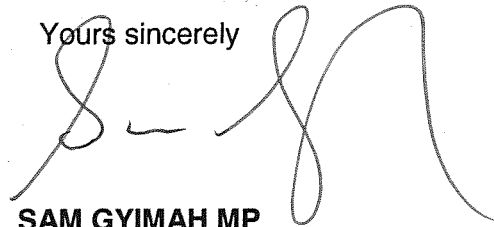
Any prisoner who commits an act of violence can expect to have action taken against them, which may include a loss of privileges or additional days in prison, awarded through internal disciplinary procedures or referral to the police. I am pleased cooperation between HMP & YOI Portland and the police has greatly improved over the past year, especially around the areas of violent incidents.

I agree the most powerful factors helping to keep ex-offenders from re-offending are a good job, strong family ties and a stable place to live, release on temporary licence (ROTL) makes all of them easier to achieve. We are therefore currently and carefully considering with practitioners how to improve access to purposeful ROTL without undermining public safety and confidence.

I note you have raised some local issues of concern in your report which the Governor will continue to keep you aware of as work continues. HMPPS comments in response to other issues raised in your report are set out in the attached annex.

The Justice Secretary and I appreciate the valuable role played by members of Independent Monitoring Boards throughout the estate and we are very grateful for your continued hard work on behalf of HMP & YOI Portland.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Gyimah', written over a horizontal line.

**SAM GYIMAH MP**

## HMP & YOI PORTLAND: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 APRIL 2016 – 31 MARCH 2017

### HMPPS comments on matters raised in the report

#### **Drugs and Mobile Phones**

HMPPS takes seriously the ongoing challenges that psychoactive substances and other illicit drugs pose to our establishments and we continue to implement a range of supply and demand reduction measures to address both the availability and use of such harmful substances. This is based on a multi-agency approach working closely with health partners and law enforcement agencies.

Prisons have at their disposal a range of security measures to reduce drugs being smuggled into prisons including physical searching, the use of x-ray machines, CCTV surveillance cameras, intelligence-led searches and drug detection dogs. We have also introduced new intelligence units in HMPPS which are working with establishments and law enforcement partners to develop intelligence on individuals and organised crime groups linked to the supply of drugs in prisons. To deter and disrupt the use of dangerous drugs, we are the first jurisdiction in the world to have developed a drug test for psychoactive substances which as of September 2016 was available in all prisons. We continue to work with our contracted laboratory to analyse data to ensure we are testing for the most commonly misused substances. In addition we are committed to exploring new technology and are currently looking at the effectiveness and feasibility of the use of body scanner technology (which can detect items secreted internally or held on the body) to complement existing searching methods

Drug treatment also has a very important role to play in tackling the problem. Substance misuse services are commissioned through NHS England to provide a range of services. Alongside these treatments, HMPPS is working closely with health partners to provide information, guidance and support to prisoners, visitors and staff on the impact and damaging consequences of drugs.

HMP & YOI Portland have implemented a number of strategies to combat the supply and use of psychoactive substances including improved relationships with local residents resulting in better reporting of suspicious activity, new CCTV systems throughout the prison and improved perimeter patrol arrangements. This has resulted in a number of significant drug seizures as well as the successful convictions of drug traffickers resulting in significant custodial sentences.

Measures are also in place to detect mobiles in our prisons, and we are looking at new ways of finding and blocking them. We have invested £2 million to provide prisons with modern technology to support the detection of illicit mobile phones. Every prison in England and Wales has been equipped with portable detection poles which can be deployed at fixed points such as in reception, and extra portable signal detectors to use on wings to support searches. We are also due to commence a procurement exercise for updated portable blockers. Since the introduction of the Telecommunications Restriction Orders Regulations 2016 came into force, more than 150 illicit devices have been disconnected.

#### **Prisoners Recalled into Custody**

The Offender Rehabilitation Act (ORA) 2014 introduced for the first time the requirement for offenders sentenced to less than 12 months to be released on licence and subject to probation supervision. This

was an important measure to tackle the unacceptably high levels of re-offending among this group of offenders who previously were released with no supervision or support. Failure to comply with licence conditions can, of course, lead to recall to custody. There has also been a high number of indeterminate sentence prisoners (IPP) being recalled compared to previous years. This is a result of a significant increase in the release rate of IPP offenders.

A cross agency oversight board reports directly to the Secretary of State to implement a co-ordinated strategy to deal with a number of priority areas of work including effective use of release on licence, appropriate recall and re-release of offenders. A number of actions are ongoing to ensure that recall is used only when appropriate to support rehabilitation and protect the public, with a greater focus on keeping offenders on licence in the community without the need for recall.

### **Property**

HMPPS understands the importance of property to prisoners and strives to ensure it is managed as effectively and efficiently as possible. It is in the interests of both prisoners and staff that property is dealt with promptly, fairly and with attention to detail. Work on producing a new prisoners' property framework was delayed so that it could take place alongside a national project to reduce HMPPS annual litigation expenditure. A national cost reduction project began in early 2017, with work streams focusing on improving the handling of claims and preventing the causes of litigation. This work is feeding into the prisoners' property review. HMPPS now expects to publish the new framework early next year.

At present there is no consideration being given to increasing the amount of property contractors are required/allowed to accept. The vehicle fleet is designed to carry the number of prisoners it is intended for together with their property to the volumetric limit, there is insufficient room to transport property outside this limit. Prisoner Escort Custody Services continue to monitor all aspects of the contractors' performance and on occasions where it fails to meet the agreed levels will be raised with the contractor for improvement

HMP & YOI Portland try to resolve every complaint at the earliest possible opportunity and continue to challenge the sending prison to ensure that all property is delivered as soon as possible. The Business Hub has a well established process for chasing responses from the prison in question.

### **Carillion**

HMPPS continue to work closely with Carillion to improve delivery at HMP & YOI Portland, additional funding has been made available to address the high levels of vandalism, and reduced the amount of cells out of use.

Carillion have manufactured protective screens which have been deployed to the Care and Separation Unit to provide additional protection from debris which is thrown from smashed observation panels, along with consideration of an alternative observation panel which was piloted in the Kent & Sussex region.

Although there remains a backlog of maintenance repairs, HMPPS continue to robustly manage the contract via weekly meetings with Carillion and the Governor and an experienced facility manager recruited by Carillion is proactively dealing with this backlog. In addition, and importantly in an attempt to improve performance, the FM Contract is to go through a "Contract Reset" process to better align the FM Contract to the needs of establishments.

### **Crown Premises Fire Inspection Group (CPFIFG)**

It is regrettable the IMB were not formally informed of the non-compliance notice from CPFIFG issued in 2016 concerning the lack of in-cell fire detection.

As a result of the notice domestic smoke detectors were fitted to every cell whilst the prison undertake a £5 million contract to fit in-cell detectors to every cell. Despite the decision to defer this work in late 2016 following large scale loss of capacity across the estate, work is now progressing exceptionally well and it is anticipated that it will be completed in early 2018.

**Care and Separation Unit (CSU)**

HMP & YOI Portland has throughout the reporting period received a difficult and disruptive prisoner element. Efforts continue to improve the décor and regime of the CSU and provide an environment that is safe and decent, and allows prisoners to successfully reintegrate back into the main population of the prison.