



**Annual Report**  
of the  
**Independent Monitoring Board**  
at  
**HMP Exeter**

**For the reporting Year  
2018**

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*Monitoring fairness and respect for people in custody*

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## A Sections 1 - 3

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### 1 STATUTORY ROLE OF THE IMB

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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.

#### **Abbreviations used in this report**

ACCT	Assessment, Care in Custody and Teamwork
BWC	Body Worn Camera
CES	Clothing Exchange Store
C&R	Control and Restraint
CRC	Community Rehabilitation Company
CSCS	Construction Skills Certification Scheme
CSIP	Challenge Support and Intervention Planning
CSU	Care and Separation Unit
DIC	Death in Custody
GFSL	Government Facility Services Limited
GOoD	Good Order or Discipline
IPP	Imprisonment for Public Protection
KW	Key Worker
MPQL	Measuring Quality of Prison Life
OMIC	Offender Management in Custody
OSAG	Operational and Systems Assurance Group
PACT	Prison Advice and Care Trust
PPO	Prison and Probation Ombudsman
RECOOP	Resettlement and Care for Older Ex-Offenders and Prisoners
SASH	Suicide and Self Harm
SPEAR	Spontaneous Protection Enabling Accelerated Response
SRB	Segregation Review Board

UoF	Use of Force
VP	Vulnerable Prisoner
VR	Violence Reduction

## **EXECUTIVE SUMMARY**

### **2.1 Introduction**

This report presents the findings of the Independent Monitoring Board at HMP Exeter for the year 2018. Members of the IMB have visited the prison regularly, at least twice a week, and the Board's findings are based on monitoring of accommodation and facilities, observation of a range of activities, review of records and data, external surveys and audits, attendance at some prison meetings, formal and informal conversations with prisoners, staff and other agencies, and prisoners' applications.

### **2.2 Background to the report**

This has been a very challenging year for HMP Exeter and it is worth drawing attention to some of the background and contextual circumstances that are relevant to the reporting period.

2.2.1 As a Victorian prison HMP Exeter remains constantly under pressure due to the deterioration and condition of its structure and fabric. Additionally, the scope for improvement is often constrained by the age of the building. This creates a number of vulnerabilities for the prison, which impact in various ways (see paras 3.1, 7.4, 9.3).

2.2.2 Although there had been a significant increase in staffing levels in 2017, this resulted in a number of new and inexperienced staff working in operational and prisoner-facing roles. These staff were still learning the job (see para 7.2).

2.2.3 During the reporting period some experienced senior managers left the prison and a number of key leadership roles were backfilled, several times, and in an acting-up capacity. Consequently, responsibilities within the Senior Management Team have not always been stable or established (see para 7.2).

2.2.4 Delays to scheduled improvements to the fabric and facilities of the prison and significant backlogs in routine maintenance needs resulted in many communal areas and cells being in extremely poor condition. Following the collapse of Carillion in January 2018 this situation initially worsened and although some external support was enlisted to address this backlog, by May 2018 maintenance records showed that 907 jobs were still outstanding. Inevitably, this situation created substantial operational difficulties for the prison. It hindered the efforts and ability of the prison to keep on top of and improve living conditions. In contrast, by the end of the reporting period there were between 30 - 40 maintenance jobs outstanding.

2.2.5 Statistically Exeter has reflected the national background of increasing violence in prisons, the damaging impact of NPS and other drugs and increasing self-harm found in local and other prisons

2.2.6 In May 2018 the prison was subject to an unannounced Inspection by HMIP. Following this, HM Chief Inspector of Prisons invoked the Urgent Notification Protocol (UNP). Subsequent months have involved the prison in the drafting and submission of an Action Plan responding to concerns raised by the Inspection. During the last part of the reporting year this has resulted in a number of strategic and operational changes and new initiatives. The Board was kept up to date with these measures throughout.

2.2.7 At the end of the reporting period, the prison had not yet received the report following the MQPL audit undertaken in September 2018, nor the report following the OSAG audit undertaken in November 2018.

2.2.8 Throughout the reporting period the Board has been impressed by the resilience shown by staff and the professional way in which they have responded to the disappointing outcome of the inspection. We have also noted the determination to improve matters and the positive way in which additional scrutiny and support has been received.

## **Main judgements**

### **Are prisoners treated fairly?**

Prisoners at HMP/YOI Exeter receive fair treatment overall. Through its observations and other monitoring the Board has found no evidence of institutional discrimination or inequality. However, the impact of inconsistency in the application of some processes and practices can create unintended inequities and provide different experiences for prisoners. Examples include the application of the IEP process (see para 5.4), prisoners accommodated on C1 (see Para 7.4) and responses to complaints (see para 5.3).

### **Are prisoners treated humanely?**

Generally yes, but deficiencies in maintenance, continued from the previous year and during the first half of 2018, created a situation where during the year some living conditions were unacceptable. Because this situation had continued for some time it appeared to create a tolerance and some acceptance of poor conditions from prisoners and staff alike. Living conditions have improved towards the end of the reporting period.

The Board is satisfied that prisoners receive healthcare treatment equivalent to that provided outside prison in the community and can access healthcare services in a reasonable time frame (see para 8.1). However, the Board continues to be concerned at the delays experienced in transferring some seriously mentally ill prisoners to more suitable accommodation (see paras 6.5 and 8.5).

From observation of staff/prisoner interactions the Board feels that attitudes towards and attempts to deal humanely with prisoners, however troublesome, are reasonably good, but sometimes “distant” (see paras 7.2 and 7.8).

IMB members have on several occasions observed the use of control and restraint techniques and these have not raised concerns (see para 6.6).

### **Are prisoners prepared well for their release?**

Generally yes, and some recent initiatives have contributed very positively to this (see para 11.1). However, heavy caseloads and some bureaucratic processes can undermine the effectiveness of this for some individuals.

## **Main Areas for Development**

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### **TO THE MINISTER**

#### **IPP Prisoners**

Will the Secretary of State commit to the provision of additional resources to speed the process of release of IPP prisoners ‘over tariff’ unless application is made by HMPPS to delay

release on grounds of public safety (see 11.2)? This is the third time we have raised this matter.

Will the Secretary of State ensure that IPP prisoners are located in prisons which meet the needs of their sentence plan and provides opportunity for them to access courses and activities which enables them to demonstrate progression against this?

#### Mental Health

Will the Secretary of State urge his colleague the Secretary of State for Health and Social Care to commit to increasing national provision of secure psychiatric beds so that no prisoner waits an unacceptably long time for a suitable placement to meet their mental health needs (see Para 6.5)?

#### Drugs

Will the Secretary of State commit to a national strategy sufficiently resourced to support prisons in disrupting the supply of illicit drugs?

#### Introduction of new UoF options

Will the Secretary of State ensure that the introduction of artificial pepper spray (PAVA), rigid handcuffs and other use of force options are accompanied by comprehensive governance and accountability procedures which are carefully monitored?

#### Release to settled accommodation

Will the Secretary of State strengthen and prioritise the requirement for local authorities to support prisoners being released, who are at risk of being homeless, and improve their resourcing to enable them to meet the need (see Para 11.1).

#### Support for release

Given that reducing reoffending is a key target of the criminal justice system, will the Secretary of State confirm that the position of prisoners being released will be considered in the current review of Universal Credit to ensure that they are not left without resources for several weeks (see Para 11.1).

### **TO THE PRISON SERVICE**

#### Appointments and temporary promotions

To improve the stability of senior management teams and reporting chains, will the Prison Service review its staffing and promotions arrangements to enable the timely recruitment of permanent appointments to vacant positions and so reduce a tendency to backfill and make temporary promotions at senior management level? (See also para 4.8).

### **TO THE GOVERNOR**

#### Segregation Review Boards

Will the Governor review the prison's arrangements for conducting Segregation Review Boards and consider holding these on dedicated days of the week and at dedicated times so that every attempt to facilitate the attendance of IMB members is made while still meeting operational requirements (see para 6.2)?

#### Keyworker meetings

Will the Governor improve the priority given within the prison detail to ensure regular Keyworker meetings take place and that YO's are part of this process (See para 7.3)?

#### IEP process

Will the Governor review the arrangements for the IEP process to ensure that it is applied consistently and equitably across the prison and fully explained to prisoners (see para 5.4)?

### Property

Will the Governor review the arrangements for the handling and management of prisoners' property within the prison (see para 7.8)?

### Laundry and Kit

Will the Governor review the in-house laundry arrangements and the provision and supply of clean kit (clothing and bedding) to prisoners (see para 7.5)?

### Body Worn Cameras

Will the Governor review policies and practices around the use of BWCs to make it a requirement to activate them in incidents involving use of force?

## **Improvements**

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- Mental health provision and support (see para 8.5).
- More suitable accommodation for constant watch (see para 6.4).
- Management of ACCTs (see para 4.3).
- Maintenance and reduction in the volume of outstanding works (see para 2.2.3).
- Preparation and support for release (see para 11.2).
- Use of targeted cell searches involving search and sniffer dogs (see para 4.2).
- Improvements in the use made of evidence captured from the activation of BWCs (see para 6.7).

### **3. DESCRIPTION OF THE PRISON**

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#### **3.1 Introduction**

HMP Exeter is a Category B Local and Resettlement prison. It is a traditional Victorian inner-city establishment built in 1853. HMP Exeter remains under constant pressure due to limited capacity for expansion and deterioration of its structure and fabric. Its operational capacity is 561 although numbers are usually around 480 and the operational capacity has been reduced at times during the year for urgent maintenance work to be undertaken. Most prisoners share a cell and the majority of these have in-cell sanitation with the exception of D wing, which accommodates enhanced prisoners, where prisoners have 24-hour access to communal facilities.

A feature of HMP Exeter is F Wing, a social care unit holding up to 11 prisoners, which also contains a palliative care suite for terminally ill prisoners and a constant watch cell.

As a local and resettlement prison Exeter fulfils a number of functions, not all of which are compatible. It receives both remand and sentenced prisoners (adults and young offenders) primarily from courts within the South West of England. Prisoners arrive with high levels of need. However, although the regime, opportunities and facilities offered are best suited to those on shorter sentences, resettlement status has meant that an increasing number of longer-sentenced prisoners are transferred from elsewhere. For these prisoners, who have very different needs from the other groups, the regime offered at Exeter is not always suitable.

#### **3.2 Key Providers:**

- Healthcare is provided by CareUK with some services contracted out.
- Mental Health services are contracted out to the Devon Partnership Trust
- Substance Misuse services are provided by EDP Drug and Alcohol Services
- The Community Rehabilitation Company (CRC) is Dorset, Devon and Cornwall CRC
- Learning and Skills activities are provided by Weston College
- The Escort Contractor is GEOAmev
- Maintenance at the start of the reporting period was contracted to Carillion and subsequently transferred to Government Facility Services Limited (GFSL)

In addition, several voluntary organisations provide a range of smaller services.

HMP Exeter is part of the Devon cluster (which also includes HMP Channings Wood and HMP Dartmoor) and a number of services and resources are shared.

## **B Evidence sections 4 – 11**

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### **4 SAFETY**

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#### 4.1 Violence Reduction

The HMIP Report highlighted the high levels of violence and indicated that almost two thirds of prisoners reported feeling unsafe, at times. The prison's own data for 2018 shows an overall increase in violent incidents and assaults. At one point during the year there was a phase of hot water and/or sugar water incidents, some of which resulted in serious injury. The prison immediately implemented strategies to limit opportunity and deal with such incidents and occurrences of this kind were quickly reduced.

IMB members have this year attended more violence reduction and related meetings on Use of Force and Safer Custody. The Board has also observed strategies to reduce opportunities for violent incidents and bullying. This has involved increased officer presence and greater supervision at key locations and movements and amendments to exercise regimes. For example, the movement of prisoners for exercise and at the end of education/workshops has been reorganised to reduce the opportunity for prisoners from A and C wings to meet as they pass through A wing.

A more recent change has focused on managing violence through a casework approach and the Challenge Support Intervention Programme (CSIP) is an example. It is too early to judge whether these actions taken by the prison have had a long-term impact on violence and safety. We are satisfied, however, that the prison authorities are taking this very seriously and acting positively to make the prison as safe as possible and improve the situation. Our observation of the meetings mentioned above confirms a thorough analysis of the causes of violence and the measures which can be taken to reduce it.

#### 4.2 Drugs and Substance misuse

Drugs remain a key driver for violent incidents. A positive improvement to the drug strategy has involved the photocopying of prisoners' incoming correspondence, to reduce the flow of drug-soaked paper entering the prison. The original letters and documents are retained for prisoners to have on release. Whilst this has not been a popular move with the prisoners, it has resulted in a reduction in the supply, availability and incidences of NPS in the prison. This action coincided with a decrease in violent incidents at the end of the reporting period. There is some evidence that one route for drugs into the prison is through prisoner recalls.

The reorganisation of dog searching teams from location within the Devon cluster of prisons to a regional facility has allowed a more targeted search regime in the region and appears to have increased the presence of search and passive and active drug dogs in the prison and the number of cell searches. However, the dog handler officers are not based in the prison and have no investment in maintaining good relationships with prisoners; this has caused upsets on the wing with which wing officers then have to deal.

Monitoring of the work of the substance misuse team found that strong support is provided to those who need it from an empathic and well-informed stance. All prisoners are seen by the team within 24 hours of admittance and there are very close referral ties with other services such as healthcare and mental health.

#### 4.3 Self-harm, ACCTs and DICs

Incidents of self-harm, while remaining high, showed a reduction towards the end of the reporting period and have been a focus for the prison in terms of better management, monitoring and oversight of ACCTs. SASH training has been rolled out across the prison and there are more robust arrangements in place to check the quality of ACCT procedures. The Board is pleased to note improvements in terms of ACCT documents following the prisoner as they move around the prison.

Sadly, during the year there were 4 DICs, although one of these was expected, and a number of PPO reports were published relating to previous DICs. It was disappointing to find that similar recommendations were made regarding a number (3) of the deaths investigated. The prison has responded to issues raised in the reports, reviewed its procedures and made appropriate changes.

#### 4.4 Serious incidents

The Board attended 3 serious incidents. The management of these was observed to be carefully planned and professionally carried out and enabled an effective conclusion. A feature of all was the paramount concern for the safety and well-being of all involved.

#### 4.5 Reception, First night and Induction

As noted in our 2017 report, the high turnover of prisoners and uncertainty about arrival times puts demands on reception. Observation on rota visits shows that reception is well staffed and that incoming and outgoing prisoners are treated fairly as difficult issues of property and searching are dealt with. We have noted that, where appropriate, new arrivals are put on ACCTs right away.

Arrangements for first night prisoners have again been changed this year, with C4 replacing A4 as the main wing for new arrivals. Conversations with prisoners and officers on that landing suggest this now works reasonably well. Certainly, the staff on that landing seem more focused on their duty to new arrivals than was the case on A4. However, there have been concerns raised at violence reduction meetings that new arrivals are more vulnerable to pressures from other prisoners on C wing, keen to find out whether they have brought in illegal substances/illicit items.

Prisoners requiring detox stay for five days on that landing (C4), while others are moved more quickly to other wings or landings. Conversations with prisoners indicate that they do see education and healthcare early in their time in Exeter, but that work opportunities are not immediately accessible.

#### 4.6 Listeners

The Board is aware that it has been difficult to maintain a full complement of Listeners. This is often due to prisoners being transferred as part of their sentence planning. Listeners play an important role in the prison and the Board is pleased to see that they are invited to attend Safer Custody meetings and note that their contributions are valuable in terms of providing a prisoner perspective.

#### 4.7 Young Offenders

HMP Exeter has a small percentage of young offenders housed across its residential wings alongside the older prisoners. Their status is flagged up in Reception and prison staff are aware of the requirement to make sure they do not share cells with older prisoners. Wing staff tell us that they do find the behaviour of some of the young offenders challenging, at times, and often describe the difficulties as typical older teenager behaviour. However, staff appear to work well with the young men. Young offenders spoken to were generally content with their treatment and raised no serious issues. The Board is concerned, however, that YOs, a vulnerable group, are not presently prioritised in the Keyworker scheme (see para 7.3).

#### 4.8 Security

Although there have been improvements to the periphery security cameras this year, there remain some blind spots in camera coverage in some locations. One of these locations was the scene for one of the incidents at height during the year.

Finds of mobile phones have not lessened since the introduction of in-cell phones in February and were at their highest in December.

Building maintenance, although significantly improved, continues to pose some safety and security issues for the prison. It has often proved difficult to keep up with broken cell windows and observation panels due to the high incidence of prisoner damage (see also para 7.4).

The prison has tightened up its procedures on BWCs and the Governor has taken a proactive approach to encouraging staff to use them more frequently. However, there is reason to believe that they are not consistently activated in situations where their use seems particularly necessary (including, but not limited to, UoF incidents). Playbacks of incident recordings are reviewed daily and not by those involved (see paras 6.6 and 6.7).

The prison continues to have good working relationships with the police and there have been several convictions for offences committed while in prison as a result of referrals.

The Board notes that during the reporting period there have been three different Heads of Security.

## **5. EQUALITY AND FAIRNESS**

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### 5.1 Introduction

The prison has recognised that insufficient time and resource have been given to Equality and Fairness during the year, mainly due to the lack of a dedicated Equalities Adviser who only took up the position in mid-December. However, the Board is encouraged to see new initiatives to raise awareness of equality and fairness amongst staff and steps to improve the effectiveness of managing an increasingly diverse offender population.

The Board commends the initiative of a staff member who has compiled an Equalities Questionnaire to be given to all new arrivals at Reception. New arrivals can now, should they wish to, declare information regarding protected characteristics at the earliest opportunity alerting prison staff to factors which may impact on their prison experience.

### 5.2 DIRFs

The Board has noted an occasional lack of rigour in the investigation of some DIRFs and is pleased to see the new Equalities Adviser is starting to implement new practices including quality assurance. The majority of DIRFs were about inappropriate terminology, usually a reference to race.

### 5.3 Complaints

Prisoners have ready access to complaints forms and applications on the wings. 660 complaints to the prison were made and of these 129 (20%) were recorded as not having been addressed within response time frames. Prisoners have often raised with us not receiving a response to their complaints and some of the Board's time has been taken up with chasing overdue responses. However, and following the HMIP Report, a new complaints strategy is in place and incorporates a quality assurance tool. The number of overdue complaints has reduced each month and by the end of the reporting year there were only 9 overdue. Responses to complaints are variable in terms of their helpfulness to the prisoner.

The Board was concerned that there were no dedicated posting boxes for IMB applications. This potentially undermines prisoner confidence in the confidentiality of applications. We are pleased to report that the boxes have now been installed.

## 5.4 IEP

Following some comments by prisoners about their experiences and perceptions of the IEP process, the Board undertook a small survey of a random sample of 20 prisoners, on different levels of the IEP scheme and across A Wing, B Wing, C Wing, C1 and D Wing. An ongoing assessment of the scheme via verbal and written apps was also conducted. Outcomes from this focused monitoring suggested certain areas where the scheme was not applied consistently. An impact for the prisoners being that the scheme may not be applied equitably and working as well as it could, for example:

- while most men had the reason for being on Basic explained to them and put in writing, individuals reported that this was not always the case for all;
- while most men on Basic had access to showers and exercise daily, individuals reported that this was not the case for all;
- men were not always given written targets which were specific, measurable and respectfully worded to enable progression from Basic to Standard, and Standard to Enhanced.

The survey also identified that in some cases, the Enhanced level of the scheme did not appear clearly differentiated from the other levels and with few perceivable benefits and privileges. Additionally, individuals on an Enhanced regime should receive the same or, where this is not possible, similar and not fewer privileges irrespective of where they are located (see Para 7.4).

The Board further noted that the IEP Quality Assurance Report, issued monthly, does not appear to have a breakdown of the percentages of YOs and adult prisoners on different levels of the scheme. This may make it difficult to monitor disproportionality in this area, a concern also raised by HMIP.

The Board is aware that a new IEP policy, with a stated implementation date of October 2018, has recently been introduced. We look forward to monitoring the operation of this new scheme, and the way in which it addresses the above challenges, in 2019.

## 5.5 Protected Characteristics

- Thus far, Exeter has had relatively few transgender prisoners. However, the Board observed good provision and support within the vulnerable prisoners' wing.
- At the time of writing 17.5% of the prisoner population were from Black, Asian and Minority Ethnic communities. Through its monitoring and the analysis of data the Board is satisfied that BAME prisoners do not receive less favorable or inequitable treatment.
- As part of Black History Month in October the prison ran an anti-bullying and harassment workshop with the Professional Football Association and Exeter City Community Trust to raise awareness about unacceptable discriminatory language, an understanding of protected characteristics, and the importance of showing respect to all. The prison also arranged two sessions with a local BAME speaker and poet who spoke about their life in Devon as part of a minority ethnic group.
- Disabled prisoners. The Board has observed good peer support for prisoners with a disability on F Wing (see Para 8.5). However, prisoners with a disability affecting their mobility, and located on other wings, have reported some difficulties with domestics, although there are "buddies" to provide some support. Although some efforts are made to arrange access to F wing for this, it remains a problem. Access to some activities, such as education and the gym, can also be restricted. With the developing equality and diversity agenda, hopefully this will not be a concern next year.

## **1 SEGREGATION/CARE AND SEPARATION UNIT**

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### **6.1 Accommodation**

The Segregation Unit is a basement on A Wing (A1) containing 8 cells, a special accommodation cell, adjudication room and shower room. When the adjudication room is in use, there is little privacy for prisoners to have confidential conversations with solicitors.

A1 is not a pleasant location and despite repainting, which has slightly improved the ambiance, remains dingy. At times during the year Board members have noted a cold temperature and prisoners have also reported feeling cold.

The Board is pleased to note that the long-awaited refurbishment of the Unit started in 2018, but has not been completed within the reporting period. 4 out of 8 cells remained unfinished creating a shortage of acceptable segregated accommodation and this has created operational difficulties for the prison in terms of its management of difficult prisoners. During the first part of the reporting period two cells on C2 were often used as “segregation overflow”, and the Board was concerned about this because it was often not possible to provide the same level of care and supervision as on A1. The Board is pleased to note that this arrangement has stopped and all segregated prisoners are now accommodated on A1. However, the on-going shortage of appropriate cells continues to provide additional challenges for the prison.

### **6.2 Segregation Review Boards**

Because of a communication misunderstanding the Board has not been routinely notified when a prisoner has been relocated to the Segregation Unit nor has the Board been notified of Segregation Review Boards (SRBs). Consequently, attendance at SRBs has been limited and only happened because it has coincided with a Board member being in the prison at that time. An additional and limiting arrangement has been that there are no dedicated days and times for SRBs and the impact has meant that monitoring has not been as it should be. Towards the end of the reporting period the Board and prison improved the communication and some of the SRB arrangements and it is hoped that this will not be a concern in 2019.

Of the SRBs attended, the Board noted that Healthcare was not always represented.

### **6.3 Regime and activities whilst in segregation**

The Board has continued to observe the staff of the Unit making efforts to care for the sometimes difficult and disturbed prisoners they hold. However, the Board has been disappointed to find that there have often been insufficient stocks of spare blankets or wind-up radios held in the Unit for staff to be able to respond in a proactive or timely manner to basic prisoner needs and entitlements in these respects.

At times during the year the Board has found that prisoner daily records and segregation history documents have not always been complete and updated. However, there have been improvements in both areas towards the end of the year.

The regime and access to activities for prisoners on segregation has been variable and not always adequate or consistent with that available on normal location. An exercise bike available to segregated prisoners has been broken for some months and maintenance or replacement has been slow to materialise. This has limited physical exercise opportunities for prisoners held.

A recent improvement has been a more personalised approach to managing prisoners in the CSU, which involves attention to care and reintegration planning and greater managerial oversight of the quality of regime being delivered.

#### 6.4 Use of Special Accommodation

The Board continued to be concerned about the practice of using the special accommodation cell (a totally bare room with a clear door and no bed, toilet or washbasin) as a constant watch cell, when the constant watch cell in F wing was occupied. The environment and lack of proper furniture made this an uncomfortable and inappropriate location for a vulnerable, disturbed or distressed prisoner. However, the Board is pleased to note that their concerns have been acknowledged and a new constant watch cell has been constructed and furnished on normal location. The Board is not aware of the special accommodation on CSU being used for constant watch purposes from October 2018.

#### 6.5 Days spent in CSU and Length of Stay

Across the year 1140 days were spent by prisoners in the CSU. Almost 50% of these were on GOoD. Analysis of the profile of days spent in the CSU, compared with 2017, shows fewer dramatic monthly differences, but a gradual increase from April 2018 peaking significantly during the last quarter of the reporting year, coinciding with when there were more cells available in the CSU. During this period the CSU held a number of long-term complex cases, diagnosed with severe mental health problems and, although they had been assessed as requiring a specialist and secure hospital placement, the shortage of such placements meant that it was not unusual for their stay in the CSU to be prolonged and beyond the control of the prison. The Board was concerned that several prisoners waited far longer than the target two weeks for a secure mental health placement.

There is no evidence to suggest that the proportion of prisoners from minority ethnic groups were overrepresented in the CSU. While 298 days (26%) involved prisoners from a minority ethnic group a significant number of these days can be attributed to the long-term accommodation of a single prisoner.

During the year 32 prisoners on an ACCT were held in the CSU. No prisoners were removed because of risk of self-harm. However, the Board remains concerned about the segregation of prisoners on an ACCT because of the particularly poor environment and the impact that isolation from others can have on mental health and well-being.

From regular visits to the CSU and review of records, the Board is aware that turnover in the unit is generally high, indicating that prisoners are not being kept there longer than necessary. More recently, there is evidence of staff using care and reintegration plans to work more proactively with prisoners and address the behaviour which led to their segregation.

#### 6.6 Use of Force

HMIP (2018) expressed concern about the relatively high levels of use of force in the establishment, as well as the fact that 'the use of force by staff is inadequately governed' and considered that BWCs were not used or reviewed adequately in use of force incidents. Many of these issues were raised by the Board in its last report and are particularly important in the light of the future introduction of PAVA, SPEAR and rigid handcuffs.

The Board notes a reduction in the number of UoF reports outstanding and UoF meetings have increased to a planned frequency of once a month. At the meetings a random selection of paperwork for use of force incidents is reviewed by multi-disciplinary staff. These meetings have identified some trends of concern such as:

- the need for staff to attempt de-escalation techniques before force is used;
- the numbers of staff (up to 16) involved in control and restraint in response to alarm bells;
- some staff with lapsed C&R training; and
- an increase in allegations of excessive use of force.

The Board is aware that some of these issues were identified during the HMIP Inspection and that action to address and improve matters is on-going.

Observations from some UoF meetings showed that some key issues are not always addressed. For example, while statistics are presented concerning the different rates at which staff use force, no analysis has been conducted of the factors underpinning this. Additionally, despite being listed on the agenda, some items ended up not being addressed. Analysis of injuries sustained through the use of force were not always presented and some opportunities to review footage taken from pre-planned use of force incidents did not occur. The Board understands that IT issues may have limited the opportunity to review footage at meetings and that there are now improved arrangements in place for this to occur.

Improvements have been made to the frequency with which BWC footage pertaining to UoF incidents is reviewed (see also Para 4.8), but BWC use is still inconsistent, with some officers continuing to refrain from turning on the devices in circumstances where it appears that they had sufficient time in which to do so.

The Board still has some concerns about the quality of the use of force documentation. A sample of 10 forms, for incidents occurring in the last two months of the reporting period, were monitored. This identified that there were still deficiencies in terms of full completion in that none of the forms had the debrief form completed in detail, and 3 were lacking the injury form. In 3 cases, the Board considered there were outstanding queries about the necessity, proportionality and/or reasonableness of the force used. This was due either to the details provided in the account, its brevity, or both.

One or more members of the Board were present and able to observe first-hand, either fully or partially, at least 4 UoF incidents during 2018. These included both pre-planned and spontaneous incidents. On these occasions, Board members raised no concerns about the proportionality, necessity or lawfulness of the force used.

### 6.7 Adjudications

The number of adjudications held was 4,789, which is an increase of 19% on 2017. This reflects the increased levels of violence and related behaviour during 2018. The Board regularly attended adjudications and found these to be professionally managed and conducted fairly and with respect. Increasingly, evidence from BWCs was available and its use often proved positive in terms of progressing and concluding the issue. However, the Board is aware that BWCs are not always and routinely activated during incidents; the prison is taking steps to improve this.

## **7 ACCOMMODATION (including communication)**

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### 7.1 Regime

The Board has been aware of a more settled and less disrupted regime operating during the reporting year and this coincides with increased staffing levels (see also 7.2).

A criticism in the HMIP Report concerned the timely response to cell call bells. The prison now has in place a clear policy on the answering of cell call bells. The Board has monitored this and has noticed variable practice in that some bells still go unacknowledged even when there are officers nearby, whereas others are attended immediately.

### 7.2 Staffing

Staffing levels have nearly reached allocation and the Board has noticed increased officer visibility on the landings. However, the Board is aware that 49% of Band 3 officers have only been in post for 24 months or less and of these, 15% have less than 12 months' service. While many of these new officers have dealt commendably with the most challenging of serious incidents, they have started their service at an extremely difficult time and their inexperience inevitably has an impact. There is some evidence to suggest that inexperienced officers are

quicker to resort to physical measures in dealing with prisoners rather than resolving matters through talking.

During the year the pattern of retention of experienced and some newer officers was problematic, with recruitment being more or less continuous. Additionally, the senior management team has not been stable. A number of experienced senior managers left the prison and key leadership roles were backfilled, several times, and in an acting-up capacity (see also para 2.2.2). An impact of this is fewer experienced staff to mentor inexperienced officers.

HMIP observed that relationships between staff and prisoners were “sometimes distant” and the Board would support this view. Senior management are aware of this.

### 7.3 Keyworker Scheme

The Board does not feel that the Keyworker (KW) scheme, which we reported on as new in 2017, has achieved its potential or become sufficiently embedded to have the impact it should. Statistics over the year show that the total time actually achieved in delivering Keyworker duties fell far short of the time profiled and available on the detail for this activity. A major issue was that Keyworker sessions were not sufficiently prioritised in the prison detail and tended to be the first flexible activity dropped. There also appears to be no cover arrangement to ensure continuity of contact in the event of staff sickness, night duty or annual leave. Fluctuating staff levels were also reported to be a contributory factor.

Although all new prisoners should be allocated a Keyworker after arrival, many spoken to claim they didn’t know who their Keyworker was or they hadn’t seen them yet. Some found that they had insufficient contact with their Keyworker, whilst others were unwilling to engage. By December 2018 the average time from reception to first Keyworker session with a prisoner was 23 days. Allocation is now being prioritised for vulnerable prisoners, prisoners on CSIP, ACCTs, in the Social Care F wing, but not for Young Offenders.

### 7.4 Accommodation

During the year prisoner painting parties have been effective in improving the superficial fabric of the prison. However, cleanliness of the landings, stairwells and communal areas ranges from being very good to poor and is not consistent. The Board has often reported broken observation panels and broken furniture on landings which has not been removed from use. In the Enhanced D wing there is evidence that prisoners take a pride in their communal facilities, surroundings and personal space.

The temperature within the accommodation is generally satisfactory, but difficult to regulate in D wing and can be cold in the CSU (see para 6.1).

C1, which had been an area of concern for the Board in the early part of the year because of its use, isolation and lack of supervision, has been refurbished and towards the end of the reporting period was providing accommodation for Enhanced level kitchen workers. However, the Board was disappointed that the refurbished unit actually offered few incentives for such prisoners in terms of enhanced living, despite this being one of the inducements to encourage prisoners to relocate there (see also para 5.4).

A significant improvement for prisoners has been the arrival of in-cell telephones. Disappointingly, and although prisoners have reported to the Board the positive impact of this initiative in terms of communication with families, vandalism has occurred to about 75% of the handsets or sockets.

During the year it became apparent that the prison had a problem with rats, which were gaining access to some interior parts of the prison and were regularly seen outside. The prison management were proactive in dealing with this and managed to significantly reduce

the problem, but unfortunately the problem persists, is serious, but has become more localised.

### 7.5 Kit and Laundry

Throughout the year the Board has heard many complaints from prisoners and Kit Orderlies about the availability and quality of kit (clothing and bedding) and frequency with which clean kit is issued. Some elements of the laundry service are shared with Channings Wood and the Board is also aware of a staffing change in the Clothing Exchange Store (CES), which has altered the ability of the prison to manage more of its own laundry. Yet again this year there was no staffing cover in the CES over the Christmas period, which created a backlog of dirty kit some of which was wet, musty and festering in plastic bags because it had been used on the wings to mop up water and floods. The impact of this backlog is experienced across the prison.

### 7.6 Communication and Consultation

Some meetings have prisoner representation. However, with the exception of food matters, the Board is not aware of many formal opportunities for prisoners to provide feedback or be consulted, although we understand that there are plans to implement a Prisoner Council next year. The Board is aware of very recent attempts to engage with prisoners to identify drivers for violence.

The Board has been surprised at how many times meetings that have been scheduled well in advance are cancelled, often at the last minute. From the meetings observed the Board has noted that attendance is sometimes poor, which may not help the review and development process or the communication of key issues.

### 7.7 Food and Catering

The Board receives very few complaints from prisoners about food and most of those relate to alleged failures to deliver specialist diets. In practice there are occasionally minor delays, but the kitchen is very responsive to these demands. Prisoners have good opportunities to provide feedback regarding food (see para 7.6). We commend the catering staff for their ability to produce good food for prisoners from a very small budget.

A number of prisoners work in the kitchen gaining skills which they can use on release. Special meals are created for religious festivals such as Ramadan. There have been challenges for the catering manager in securing replacement equipment, and the issues with Carillion led to delays in carrying out some repair work.

Wing serveries are generally adequately maintained, clean and well supervised by officers. Orderlies are generally appropriately attired. However, washing up facilities for personal cutlery etc. for the Enhanced prisoners on D wing, where there are no in-cell facilities, are poor and unhygienic.

### 7.8 Property

Missing property continues to occupy some of the Board's time and accounted for 13% of applications received and £1,794 paid in compensation. It remains a source of frustration for prisoners because resolutions are often prolonged and delayed especially if it involves another establishment. The majority of property concerns heard by the Board related to property matters occurring within Exeter and associated with cell clearances or moves to different wings.

In dealing with applications concerning property matters the Board has noticed that some staff do not always appreciate the impact that the loss of personal items and legal documents can have for prisoners.

## **8. HEALTHCARE (including mental health and social care)**

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### 8.1 Healthcare Services

Following a recruitment drive, staffing levels of nurses, substance misuse service (SMS) and mental health staff have increased.

Through conversations with prisoners, medical staff, senior management and a review of written applications from prisoners and statistics provided by Care UK, the Board is satisfied that prisoners receive treatment equivalent to that provided outside prison in the community and can access healthcare services in a reasonable time frame. The Board does receive some complaints about the waiting time for appointments, but is satisfied that generally the waiting times are similar to those outside in the community. Cases are triaged so that routine or less urgent matters wait longer for appointments. Urgent cases are usually seen on the same day. External appointments are occasionally cancelled due to lack of appropriate transport and Care UK are working closely with prison staff to improve this.

The Board received a number of complaints about the alteration or withdrawal of previously prescribed medication, however, on investigation we were assured by the clinical lead GP that medication is prescribed on the basis of clinical need alone. There continued to be occasional reports of abusive behaviour towards nursing staff at dispensing hatches. Prisoners are required to sign a medicines compact that allows staff to check to see that medication is swallowed.

8.2 During the reporting period the Board noted the following:

- better chronic disease management for example, chronic obstructive pulmonary disease (COPD), diabetes and dementia assessments;
- the smoking cessation programme is now well established;
- regular multi-disciplinary meetings are held between Healthcare, ISMS and Mental Health;
- healthcare staff promote healthy lifestyle messages through posters and campaigns. Well-being clinics for a limited number of patients, mainly the more vulnerable prisoners, have been introduced;
- health information in other languages is not routinely available, but staff can provide this by accessing translation services on the internet. There is a plan to provide leaflets in languages identified as most likely to be required; and
- the use of the new “Telemedicine” video-link facility, where appropriate, is proving effective in enabling prisoners to have specialist consultations without the need to attend hospital. Medical staff report there can be delays in receiving written reports following a consultation.

The use of dedicated officers to support movement to healthcare appointments has ensured better attendance. However, anecdotally, the reliability of the system depends on the motivation of the runner. Statistics for the year indicate wide variations in missed appointments. The lowest rate of non-attendance is for GP and nurse appointments at less

than 10% whereas the highest rate is for physiotherapy and optician's appointments, up to 60% in some months.

### 8.3 Optician

There are fewer Opticians Clinics than other services and waiting times are typically longer. There is a high level of non-attendance, which senior management are investigating.

### 8.4 Dentistry

A dedicated team from Time for Teeth provide good care and prisoners spoken to are overwhelmingly satisfied with their treatment. However, due to the high turnover of prisoners, many of whom have complex dental problems, it is not always possible to provide the most comprehensive treatment as prisoners may leave before a course is completed. The dental staff have some frustration with delays in the servicing and repair of items of fixed equipment (which is the prison's responsibility) leading to cancellation of some clinics.

### 8.5 Mental health

Observation of practice in the mental health team found that prisoners are treated with respect and there is strong liaison with Catch 22, which underpins planning for release.

Governance is embedded well with weekly complex case meetings led by primary care, monthly meetings with all healthcare teams and safety intervention meetings, where challenging behaviour is discussed. Staffing provides a 7 day a week service.

Referrals to the mental health team average 40-50 a week and the majority come from reception, but also from officers, liaison and diversion services, which could include police officers and others working with offenders in court and self-referrals.

Liaison with Langdon and other institutions belonging to the Peninsular Secure Mental Health Service is strong and facilitates transfers for those whose needs cannot be met in the prison service. In 2018 there were 23 transfers; 15 within the 14-day limit and only one which took more than 28 days. Speed of transfer can frustratingly depend upon where the prisoner is to be transferred.

Improvements from last year have been maintained and strengths of practice in 2018 include:

- a new manager for mental health services, seconded from Langdon and spending three days a week at Exeter;
- the stepped care model underpinning practice;
- communication within the Devon Partnership Trust improved by the use of 'Daisy', a Devon Partnership Trust intranet which facilitates links with other prisons in Devon and mental health workers outside the prison service;
- documentation has improved in relation to assessments, care plans and note taking with the introduction of Carenotes, an electronic patient notes system;
- guided self-help to address anxiety is offered to prisoners and supported by a psychologist; and
- preparation for training in relation to a dementia pathway and strategies for addressing ADHD is underway and there is a programme for training all staff in mental health awareness.

### 8.6 Social care

Social care is provided mostly in F wing, but also on other wings according to need where the effectiveness is more variable (see para 5.6). The overall provision of care on F wing appears to be good; prisoners comment very favorably on this and the 'buddies' who provide care welcome the opportunity of training for something they view as worthwhile. The quality of training, overseen by the RECOOP charity, is viewed positively by both prisoners and buddies and appears fit for purpose. There also appears to be effective liaison between buddies and healthcare workers.

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## **9. EDUCATION AND OTHER ACTIVITIES**

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### 9.1 Education

Educational activities are provided by Weston College, who are also contracted to the other prisons in the South West. Because many prisoners spend only a short time in Exeter, it is challenging for the education team to make significant progress with some. During the year from 1/8/17 to 31/8/18, out of 2,674 prisoners assessed, over 1,600 (60%) had a reading age of 11 years or less, which illustrates the scale of the challenge. During the year new courses have been introduced with a view to helping prisoners secure employment, for example, health and safety and CSCS card for the construction industry, painting and decorating, and IT courses geared more to the workplace, for example, web design. At the same time pre-existing courses in English, maths, behavioural change and peer mentoring have continued. A small area outside the education block has now been made available for horticultural activity, which is a very welcome development. Art classes continue to be delivered and some work is entered into the Koestler award scheme. The education team regularly ask for feedback from prisoners and the results, which show a consistently high degree of prisoner satisfaction, are displayed on notice boards. If prisoners are unable to attend classes in the education block, for example, those using wheelchairs, efforts are made to provide resources for use in their cells. A positive impact of increased staffing on the wings has been less disruption to class attendance as the regime has become more settled.

### 9.2 Gym

Observations and interviews with staff and prisoners indicate that the gym is a purposeful environment. Staff and prisoners appear to get on well with no difficult behaviour issues. Two trained instructors attend plus orderlies and usage is limited to 22 attendees, although this can be extended to 30 to include sports hall activities, according to demand.

The gym is open every day with five consecutive sessions; workers are entitled to 4 sessions a week, unemployed get two sessions and there is remedial gym twice a week for people with special needs. Enhanced prisoners get an extra session so there is opportunity for most prisoners to use the gym several times a week, beyond the recommended guidelines of just two sessions with one hour given as the minimum. Those not entitled to use the gym include those who have had privileges withdrawn.

The aim is to provide a friendly environment that encourages and supports those who wish to improve or maintain a healthy lifestyle and the Board has witnessed positive differentiation; for example, an autistic prisoner who found the gym difficult to cope with was offered the chance to play badminton with an instructor in the sports hall. The induction to the gym includes an assessment of learning needs.

### 9.3 Library

The prison has a well-stocked library and books can be ordered from other libraries. Prisoners from all the wings are able to attend the library regularly, with the librarians approved to escort small groups of prisoners, if no officers are available. A small selection of

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books is available in the Segregation Unit and F wing and prisoners there can request other books. The reading scheme operated by the Shannon Trust has continued to be delivered, although more prisoners need to be trained to enable the scheme to meet demand.

Towards the end of the year a leak was identified in the roof of the library. While this was being investigated the library remained open and the leak was managed by catching any water ingress in containers, which was not ideal. The Board was disappointed by the time it took to address the problem and that it was not resolved by the winter. At the time of writing the leak has worsened and resulted in the temporary closure of the library and damage to some of the book stock.

#### 9.4 Faith and Religious Activity

The full-time Chaplaincy team is small, but is supplemented by, for example, weekly visits from a Salvation Army Chaplain and from an Imam. Volunteers from local Churches also assist with services. Services are well attended and the team provides a good deal of support to prisoners. The leak in the library roof is also affecting the chapel.

### **10 WORK, VOCATIONAL TRAINING and EMPLOYMENT**

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#### 10.1 Employment

The capacity for enhancing the scope of workshops and the range of employment offered is limited both by the prison's cramped site and by its status as a local prison, accommodating a range of different prisoners, some for a very limited time. The workshops provide some opportunities to develop a positive work ethic and some wider employment skills.

The Board was pleased to see that during the year D wing workshop became operational again and prisoners now have the opportunity to undertake specialised and delicate work involving the painting of small figures for the model kit industry. Vulnerable prisoners have access to a limited range of employment. With the exception of tailoring, which provides some training in more complex skills, the other workshops provide more routine work and the Inspectorate Report was critical of the mundane nature of the work in some workshops. A new full-time, member of staff is now working with staff and instructors to develop ways in which prisoners in workshops can develop wider and transferable skills which should assist them on release. There are also plans to improve recording of prisoners' skills and achievements.

A concern that prisoners have raised with the Board is that if they lose their job, they do not feel that they are always given reasons for this. This can undermine the perception of fairness with the allocation of employment opportunities.

### **11. RESETTLEMENT PREPARATION**

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#### 11.1 Resettlement and Support for Release

Resettlement services continue to be provided by Catch 22. Their biggest challenge is working with other agencies to identify appropriate accommodation for many of those leaving prison. The Homelessness Reduction Act 2017, which came into force on 1 October 2018, now requires Prisons and Probation advisers to refer to a Local Housing Authority anyone who is homeless, or at risk of being homeless, as long as the individual consents. In practice, most prisoners requiring accommodation do consent, but the local authorities are not necessarily resourced sufficiently to meet the need. For example, the Board was disturbed to learn that

Plymouth House, which provided supported accommodation in Plymouth, is due to close in March 2019 because its funding is being withdrawn.

Catch 22 staff are generally able to meet targets for initial assessment of the needs of individual prisoners. A number of these individuals will then move on to other prisons for at least part of their sentences. However, each member of staff is trying to manage a heavy caseload, which inevitably impacts on what can be achieved. The Board therefore welcomes the decision by the Ministry of Justice to make funding available for five additional staff who will be starting in early 2019 and it is hoped this will allow Catch 22 staff to do more work with prisoners on matters such as CV writing.

Catch 22 work with PACT to try and make the day a prisoner is released as little bewildering and stressful as possible. Prior to release they can assist prisoners in obtaining bank accounts, although this typically takes a minimum of three weeks. They are also able to provide some advice and help on contacting potential employers, but this is limited by available resources.

Many prisoners will be released with no obvious means of financial support and will have to rely on benefits. The Board is disturbed to learn that no application can be made for Universal Credit prior to release, meaning that for many people there will be a gap of several weeks before they receive any income.

A very welcome initiative this year has been the development of the "Departure Lounge", partially funded by the Office of the Police and Crime Commissioner for Devon and Cornwall. The service was rolled out in September 2018 and is designed to help prisoners with the transition from custody to life outside the prison. The Checkout Lounge runs three times a month and enables prisoners due for release to meet with support/advice services such as housing, advice on finance, and drug or alcohol misuse before they leave the prison. The Departure Lounge runs daily and prisoners being released that day are given a range of practical assistance, including food, clothing, and assistance with phone calls and medication. Feedback from prisoners has been very positive and suggestions made on how the service might be developed further. We commend this work and hope that funding will continue.

### 11.2 IPP Prisoners

The situation regarding IPP prisoners, also raised in our last two reports, remains of concern. The IPP population at Exeter during this reporting period was 7 and the Board has been approached by some IPP prisoners concerning sentence-related matters. We continue to be appalled by the length of time that they have been incarcerated, beyond their original tariff, and the uncertainty of their situation, which causes frustration and resentment. Through contact with these prisoners the Board has learned that the review and release process and logistics involved appear slow and bureaucratic. The Board has observed how being left in a legal limbo can impact on well-being and behaviour, which does not always enable prisoners to engage positively. Additionally, as a local prison, Exeter does not have the facilities to offer these prisoners the resources they need to address aspects of their offending behaviour and this, in turn, can impact on the chance of parole. This is an issue which urgently needs to be addressed nationally.

## C Section – Work of Board

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Recommended Complement of Board Members	11
Number of Board members at the start of the reporting period	10
Number of Board members at the end of the reporting period	11
Total number of visits to the Establishment	296
Total number of segregation reviews attended	13

During the year members of the Board attended a range of staff training events organised by the prison. The delivery and quality of the training was very good and events were well attended.

Members of the Board attended a serious incident contingency planning event.

Members of the Board also attended some training delivered at Channings Wood and hosted a visit by some IMB members from Channings Wood.

The Board Chair regularly attended South West Area IMB meetings.

## D Section - Applications

Code	Subject	Current reporting year 2018	Previous reporting year 2017
A	Accommodation including laundry, clothing, ablutions	5	14
B	Discipline including adjudications, IEP, sanctions	2	0
C	Equality	1	3
D	Purposeful Activity including education, work, training, library, regime, time out of cell	10	2
E 1	Letters, visits, phones, public protection restrictions	10	15
E 2	Finance including pay, private monies, spends	1	2
F	Food and kitchens	1	1
G	Health including physical, mental, social care	25	39
H 1	Property within this establishment	16	5
H 2	Property during transfer or in another establishment or location	5	20
H 3	Canteen, facility list, catalogue(s)	5	7
I	Sentence management including HDC, ROTL, parole, release dates, re-categorisation	10	4
J	Staff/prisoner concerns including bullying	34	24
K	Transfers	6	1
LI	Miscellaneous	25	0
	<b>Total number of IMB applications</b>	156	183