



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

**For reporting year
1 June 2019 – 31 May 2020**

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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 is situated.

Under the National Monitoring Framework agreed with ministers, the Board is required to:

- satisfy itself as to the humane and just treatment of those held in custody within its prison, and the range and adequacy of the programmes preparing them for release
- inform promptly the Secretary of State, or any official to whom authority has been delegated as it judges appropriate, any concern it has
- report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact these have on those in its custody.

To enable the Board to carry out these duties effectively, its members have right of access to every prisoner and every part of the prison, and also to the prison's records.

The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international human rights treaty designed to strengthen protection for people deprived of their liberty. The protocol recognises that such people are particularly vulnerable and aims to prevent their ill-treatment through establishing a system of visits or inspections to all places of detention. OPCAT requires that States designate a National Preventive Mechanism to carry out visits to places of detention, to monitor the treatment of and conditions for detainees and to make recommendations for the prevention of ill-treatment. The Independent Monitoring Board (IMB) is part of the United Kingdom's National Preventive Mechanism.

2. Description of the establishment

HMP Wayland is a category C male training and resettlement prison, with an operational capacity of 1,003.

The original building units - four H blocks, a segregation unit, a healthcare unit, and a kitchen - were built over 35 years ago. There have since been four expansions, and there are now five ready-to-use wings, a first night centre, a second kitchen and four individually designed accommodation units, which has resulted in a very spread-out site. A new segregation unit had been included but the lightweight, ready-to-use construction was extensively damaged by prisoners, to the point where it was closed, refurbished and then opened successfully as a first night centre. The original

wings have double and single cells, each with an integral toilet, and a shower block on each spur. Two of these units have been designated for enhanced prisoners, with a more relaxed internal regime.

The older buildings had ongoing problems with leaking flat roofs, resulting in puddles in the corridors. These have been repaired, but more work is likely to be needed, especially as the cell construction in these buildings includes inward-opening doors, which are easy to barricade and potentially a source of difficulty for staff in such a situation.

There have also been severe problems with the fabric and construction of the newer builds. An ongoing refurbishment programme has been in place throughout the year, but the design and construction of these units mean that further work will be needed for many of them; they are already beyond their original design life.

Finally, we must once again register the Board's disappointment with the delay to the agreed provision of the replacement segregation/care and separation/reintegration unit. The need for this has been in every Board annual report for the last six years. This year, we received information that encouraged us to think that we might have no need to raise the issue, but like a broken record, here we are again! We have been shown plans, and we have been told that the unit is in the pipeline; however, whether because of COVID-19 or a lack of finance, no work has started, and it seems that the whole project is stalled yet again. We make comment elsewhere (section 5.2) about the difficulties that the situation continues to cause for the prison and prisoners.

3. Executive summary

3.1 Background to the report

The Prison Service-wide lockdown due to the COVID-19 pandemic in the final quarter of this report year has had a very significant impact on the Board's ability both to gather information on and during this period, and on the teamwork needed to pull this report together. The Board has therefore attempted to cover as much ground as it can in these difficult circumstances, but inevitably there is less detail and supporting evidence than usual.

We assume that the minister is very aware of these constraints, and will therefore understand the difficulty, as we understand that regular information is being collated nationally on the Prison Service response to the pandemic.

3.2 Main judgements

How safe is the prison?

During the year, the prison saw a reduction in the number of violent incidents, both by prisoners on prisoners and prisoners on staff. The last three months under

lockdown may have been the cause of the lower figures, although we had been informed in the earlier parts of the year that, although variable, the indications were that there was a general downward trend, but, whatever the cause, the reduction is to be welcomed (see section 4.3).

The entry of drugs into the prison, however, still causes the Board great concern. We are aware that a tremendous amount of effort is put into stopping drugs entering the prison but the flow seems incessant and we wonder whether the time has come for an increase both in staffing and in the available technology, to enable greater interdiction of these pernicious substances (see section 4.6).

How fairly and humanely are prisoners treated?

Members have observed that the prison's management, and individual staff, have made consistent efforts to manage prisoners in a humane fashion in their daily interactions and regime provision. This was true pre-COVID-19 and since, during the lockdown, although the Board believes that more should have been done in terms of national direction to ensure that educational and other treatment provision might have been increased during lockdown instead of ceasing completely. We congratulate the Governor on the local efforts to achieve what was possible but the wholesale removal of education and other staff which inhibited her attempts is to be regretted. We also continue to have concerns for prisoners who isolate themselves from the rest of the regime. For a multitude of reasons, these are generally prisoners who have unsuccessfully applied for Rule 45 to be segregated for their own protection, many hoping to get a transfer out via the segregation unit (known at Wayland as the Reintegration Unit or RIU) to a prison where they might not be under threat, as there is no local provision for the humane management of such prisoners in the absence, now, of a vulnerable prisoner unit. The Board awaits with interest, but no great confidence, the promised national strategy to respond to this national problem (see section 4.3).

How well are prisoners' health and wellbeing needs met?

It has been extremely difficult for us to have much of an evidenced view on how the health and wellbeing of prisoners was being met in HMP Wayland in the currency of the reporting year, as, this year, unlike previous years, we were excluded from attending any healthcare meetings within the prison, although since the end of the reporting year such contact has been reinstated. Additionally, because of the initial COVID-19 lockdown, we then had no direct contact with prisoners to hear their views on their healthcare treatment, other than through the national freephone applications line (see section 6.1). which started in the closing weeks of this reporting year. (It is important to note, however, that access has improved since the end of the Reporting Year by the resumption of paper applications and the installation of an INCELL phone handset in the IMB Office which enables Members to telephone prisoners directly in their cells.)

How well are prisoners progressed towards successful resettlement?

As we have stated in past reports, although Wayland is technically a training and resettlement prison, only up to 14% of its population can be described as ‘local’ prisoners. In terms of the management of these prisoners, their transition to life after release is, generally, dealt with in a satisfactory manner. The other 86% come from out of our catchment areas, and, we understand, it has been extremely difficult for the prison to liaise successfully and consistently with the relevant community rehabilitation companies (CRCs), or even to receive information about how these prisoners have fared on release.

On a positive note, however, the number of outstanding offender assessment system (OASys) assessments for each prisoner shows a welcome reduction. Last year, the number outstanding was 242 and this year it is down to 123. We have been informed that this reduction has been due to an imaginative use of staff who were prevented by COVID-19 from engaging in other duties; however, the number is likely to rise again as those staff return to more normal duties.

The Board believes, however, that a prisoner’s progress towards release should be a mark of his engagement with the regime from the earliest days, not just the actual release arrangements. In this area, there is still insufficient investment in resources to make individual release preparation a real rehabilitative focus. In this regard, the Board welcomed the Governor’s restatement of the importance of the rehabilitative ethos of the prison. Unfortunately, not only was this vitiated by the COVID-19 lockdown, but the Board believes that the effort needs more resources as well as, perhaps, a redirection of some of the existing resources available to the prison, such as the training and other workshops, to establish a fully integrated rehabilitative approach (see section 7.3).

3.3 Main areas for development

TO THE MINISTER

The Board has a number of specific issues to bring to the minister’s attention.

The first is the importance of replacing the lost staffing capacity of the Prison Service in recent years, to enable Wayland to put into action the rehabilitative focus that ministerial announcements have clearly supported. Even if every staff member that the Governor should have were actually available, the Board does not believe that they would be sufficient to deliver a true rehabilitative focus to the prison’s efforts (see sections 4.3 and 5.1).

The second is to consider the Board’s view that Wayland’s accommodation provision is still below what is to be expected of Her Majesty’s Prison and Probation Service (HMPPS) as an organisation that claims to respect prisoners. The Board would welcome an assessment of the funding required to bring all cells up to the acceptable HMPPS standard, to demonstrate a clear underlining of the Service’s commitment to treating prisoners with respect (see section 5.2).

Thirdly, the Board remains concerned at the plight of prisoners serving indeterminate sentences for public protection (IPP). Many do not receive family visits and, effectively, many are totally institutionalised (see section 7.3). We consider that it is time for a further national review of this category of prisoner, with a view to reviewing the resources needed to progress their release.

TO THE PRISON SERVICE

Property: The number of Board applications about property complaints was, as a proportion of the total, at the same level this year as last. The Board is aware that work is indeed ongoing in the Service to address the issue of lost, mislaid and stolen property. However, the Board believes that, with an estimated annual cost to the Service, in terms of litigation, compensation, staff time and opportunity costs, somewhat significantly north of £5 million, insufficient emphasis is being placed on curing this running sore urgently. The ‘impossible to do yet’ situation must be translated into an ‘it must be done now’ approach (see section 5.9).

Self-isolating prisoners: Since January 2019, the Board has produced a number of detailed reports on the conditions and experiences of ‘self isolators through fear’, but this issue should not be regarded as a Wayland-specific problem. Having raised the issue at prison group directorate level at the beginning of 2019, we were promised that the difficulty was recognised and that there would be a national strategy by that April – that is, April 2019. By the end of this reporting year, there was still no national strategy to address what we are aware of as a hidden national challenge for the Prison Service. The Board hopes that the further deprivations experienced by these prisoners during the COVID-19 lockdown will focus the Service’s mind on the national problem they represent and that the promised national strategy will be delayed no longer (see section 5.3).

Segregation unit: We hope that in our next report we shall not have to repeat our views for yet another year, and look forward to an HMPPS guarantee that construction of the new unit will, indeed, be started by May 2021 (see section 5.3).

Flexible accommodation: The Board’s view, because of the combination of unsuitable buildings and the pressure on accommodation to remain at full capacity, is that there is very little flexibility available to the Governor for the creation of specialist treatment units, such as for the older prisoner. Instead, the buildings impose a virtual ‘one size fits all’ approach, which inhibits the flexible use of space to cater for small-group needs. Although this answers the problem of housing a lot of prisoners, it does little to support a Governor keen to foster a rehabilitative approach for which accommodation flexibility is an important tool. The Board hopes that these concerns can be taken into consideration when decisions are taken about future refurbishment or expansion plans for the prison (see section 5.5).

TO THE GOVERNOR

Provision of longer beds for the taller prisoner

To accommodate the increasing number of taller prisoners the Board strongly suggests that, for a while, every replacement bed should be of the longer variety, so as to gradually increase the flexibility of accommodation throughout the prison (see section 5.2).

Healthcare appointment 'did not attend' (DNAs)

The Board has obtained analyses of healthcare appointment DNAs revealing a percentage failure to attend of up to 55% for dentistry and almost 30% for nurse practitioners. These are unacceptable figures and represent a serious waste not only of resources, but also of opportunities not taken to improve prisoners' health. The Board believes that this situation deserves a review of joint healthcare and prison management practices, with the objective of reducing DNAs (see section 6.2).

Mental health

The Board is concerned at the evidence, especially since lockdown, of perhaps low-level, but growing, mental health issues among prisoners, and wonders whether a more holistic and cross-departmental approach to the delivery of support to those experiencing mental health challenges might be worth investigating, alongside the more traditional individualised crisis-management treatment models now in place (see section 6.3).

3.4 Progress since the last report

1. Key workers: Prior to lockdown, prisoners reported to our members that they found their sessions with key workers helpful. Unfortunately, we have been unable to get more feedback in the last three months, as key working has stopped for all but the most complex cases. In the next year, we intend to follow up, as much as possible, the progress of this initiative, as we feel that there are significant benefits, both to prisoners and staff, from predictable key working arrangements (see section 5.4).

2. Accommodation: In our last report, we mentioned the 'decency' programme introduced by the Governor. We are pleased to report that this initiative continues, and the results can be seen all over the prison. The prison council meets on a regular basis, and when we observe meetings it is pleasing to see that prisoners attend, and are given full authority to put their views forward (see section 5.2).

3. Family visits and family support workers: In last year's report, we praised the appointment of two family support workers. Prior to lockdown, family visits had been fully booked, with a waiting list of up to four weeks. Unfortunately, the lockdown stopped weekend family visits. But we trust that, as the situation eases, such visits can be put back into the regime (see section 7.4).

Sections 4 – 7

4. Safety

4.1 Reception and induction

The first night unit was opened last year and has been a great success. It allows prisoners arriving at HMP Wayland a short breathing space, to get acclimatised to life at the prison before being allocated to a normal wing. This works well for both the prisoners, who get time to get their bearings, and staff, who can advise the new arrivals on the support available to them. A significant amount of useful interaction is between newly received prisoners and the first night orderlies, who can convey what life is like in Wayland from a position of personal experience. In normal times, the throughput of receptions is such that the stay in the unit is often little more than 24 hours, but it is still useful for arrivals before they have to face the demands of much larger numbers of prisoners on one of the main wings.

4.2 Suicide and self-harm, deaths in custody

In May 2019, we reported that 86% of Wayland's prisoners came from home areas away from the prison's East Anglian informal 'catchment area'. At the end of May 2020, the figure was very similar. As we stated last year, these numbers make resettlement procedures much more complicated. More importantly, visits are seriously affected, which, in turn, leads to frustration and, not infrequently, behavioural challenges in attempts to seek transfers nearer prisoners' home areas

At the year's end, there were 20 open assessment, care in custody and teamwork (ACCT) documents; this appears to have been a fairly stable number across the year. ACCTs are opened for prisoners who are deemed vulnerable for a variety of reasons. We monitor the paperwork, and engage with the individual prisoners on a regular basis. We find, generally, that paperwork is completed to a reasonable standard, but there is still room for improvement. We attend ACCT reviews wherever possible. The IMB member who monitors ACCTs, however, believes that not a few prisoners on ACCTs keep themselves on the list in order to continue the staff attention this brings.

During the year, there were two deaths in custody. One appeared to be from natural causes but the second was an apparently self-inflicted death through use of a ligature. As is the normal practice, the Prisons and Probation Ombudsman (PPO) was involved and has provided her initial reports, and we now await the coroner's inquests.

4.3 Violence and violence reduction, self-isolation

Violence in the prison was a concern last year, with 257 prisoner-on-prisoner incidents over the 12 months, and 126 prisoner-on-staff incidents over the same period. The 12 months of this reporting year show a welcome reduction, with 211 prisoner-on-prisoner and 85 prisoner-on-staff incidents. However, one must be aware that, although during lockdown (the last three months of the reporting year) the number of incidents did not increase significantly, they may increase in the future

as prisoners attempt to displace with violence the inevitable frustrations that the pandemic situation causes.

Violence and fear of violence is almost always behind self-isolation by prisoners. We raised this subject in a question to the Prison Service in our May 2019 report. Guidance had been promised from HMPPS to be available by April 2019 but, as at the end of May 2020, this promise has not been fulfilled. Self-isolators remain a concern to the Board. Generally, these are prisoners who have put in Rule 45 (segregation for own protection) requests which have been declined; in fact, such declined requests appear to be the norm, even when prisoners have named their assailants or other perpetrators involved. The segregation unit is neither large enough nor suitably designed to take them in, and, in the absence of a vulnerable prisoner unit, those in fear for their safety therefore self-isolate in their cells. This puts their mental and physical health at risk, and the prison finds it difficult to ensure that normal standards are provided for them. There are two such prisoners who have been self-isolating since January 2020 and have therefore rarely left their cells since that date. We repeat our belief that this national problem requires a national solution.

We reported last year that the level of frontline staff needed to increase from the year-end figure of 178.04 full-time equivalent staff. Our concern then was that this figure included a lot of inexperienced staff who were gaining the needed experience in very demanding roles. Frontline staffing did increase to 187 prior to the lockdown, and Members did notice an improved atmosphere on the wings, as staff gained in experience at the sharp end. Since March, however, owing to the effects of the pandemic, the situation has gone backwards, and we now find that Wayland is operating daily at around 130 available frontline staff due to resignations, transfers, promotions and the inevitable effects of Covid-19 shielding. In the pressurised situation that exists in any prison, this is not tenable for long. Furthermore, staff training, which is essential to build on new staff's developing skills and help them navigate the practical demands of officer work in the hurly-burly of institutional life, is now practically non-existent. The Board has made comment elsewhere about the need to review staffing at Wayland, to provide the Governor with the resources she needs to develop the rehabilitative ethos, now virtually suspended due to the pandemic's effects.

4.4 Vulnerable prisoners, safeguarding

Insofar as vulnerable prisoners are either men convicted of sexual offences or adults with severe learning disabilities, this is an area that does not affect Wayland's population significantly. As the prisoners' age increases, however, it is very likely that vulnerability through age will increase, and it would be useful to know if policy is being considered on this topic before it becomes urgent.

4.5 Use of force

Over the year, we were not called upon to witness any planned use of force incidents but the prison has now instituted a system of alerting the control room to the Board's presence in the prison. We understand that the prison is renewing its response to use of force incidents, and the Board has been invited to attend the strategy meetings going forward.

4.6 Substance misuse

The Board is very concerned at the volume of drugs, mobile phones and other illicit items that enter the prison – a fact we are constantly being reminded of by the staff. This has presented a problem from both a medical and rehabilitation point of view, not least because the mode of entry and the change in substances have made detection difficult. The 'itemiser' introduced last year was used consistently throughout this reporting year. All incoming mail is now copied, as paper saturated in NPS arrives on a regular basis. Even legal mail has been found to have been misused. In the last three months, despite the lockdown in place, the prison has also seen a dramatic increase in the amount of 'hooch' (illicitly brewed alcohol) being found, used by prisoners as a replacement for other, unavailable drugs. Even distilled alcohol to a high proof level has been found.

5. Fair and humane treatment

5.1 Introduction

In any description of a prison's treatment of its prisoners, it is not enough merely to catalogue issues against a prescriptive checklist. The fair and humane treatment of prisoners is best seen in the daily interactions between staff, at all levels, towards all prisoners. Is the prevailing attitude one of care and respect which is shown by the little things: answers given when they are promised, the questions actually answered and not casually dismissed, a commitment to ensure that basic opportunities are in place for all prisoners which allow, indeed encourage, them to plan realistically for their futures, and a concern that all prisoners are given the time to bring their individual issues to staff in an atmosphere and expectation that they will be taken seriously and that appropriate help will be forthcoming?

What such a strategy demand, however, is that staff have the two things that will enable such an approach to be delivered: time in which to do it, and training to help them to do it right. In both these areas, the Board has serious doubts that enough is being done, but recognises that the solution is out of the Governor's hands. In the past year, Wayland's frontline staff have seen a churn of some 12%. This has meant that a significant fraction of the staff in daily contact with prisoners is expected to deal with prisoners' concerns with only the minimum of their initial training and early experience to guide them. This level of churn also demands that so-called experienced staff, who may have been in the role for only a short time themselves,

are expected to have the time to demonstrate how a high-quality job can be done. Unfortunately, that time seems not to be available in any reasonable measure, due both to the generally low staffing levels throughout the prison, which do not appear to have taken the difficult supervisory challenge of the old prison buildings (half of the establishment's capacity) fully into account, and to the impossibility of any additional training time in the budget for anything but mandatory refreshers (for example, for control and restraint). The Governor has confirmed this situation to the Board, when questioned about staff training. The Board is therefore concerned that the absolutely crucial personal and professional development training, which it sees as essential for such a people-intensive activity as being a prison officer, is absent, a situation which, the Board believes, has, and will have, far-reaching effects on prisoners' general and individual treatment.

The Board therefore believes that the prison, and its Governor, is being failed by the policies of HMPPS and of Ministry of Justice funding which have resulted in these outcomes. In these circumstances, it is to the credit of the Governor that she – and her team – has been able to make the significant improvements they have in many areas described in this section of the report. The Governor has achieved this by her determination to drive improvements through; but there is still much work to do, and the further development of the progress made needs more support in staff training and in staffing provision and deployment; absent these, she is being required to make too many bricks without straw.

5.2 Accommodation, clothing, and food

Over the course of the reporting year, there has been a significant improvement in the general cleanliness and maintenance of almost all areas of the prison. There are two units (F and H) which need either very significant remedial work or their immediate demolition and replacement with buildings more suitable and structurally sound. In fact, it is the Board's view that to spend scarce resources on remedial work will only result in a temporary patching up, with no long-term viability. Across the 'new build' half of the prison (these buildings had a life expectancy which has now been exceeded), there are constant problems with heating and hot water in winter (electric cell heaters, kettles and hot-water bottles have to be provided), and there is a lack of adequate ventilation in summer. These situations were not helped by Carillion's working practices and that company's eventual collapse. Its successor, Government Facility Services Limited, has managed to improve on Carillion's previous record but the prison is still faced with a crumbling infrastructure and poor design in many areas, leading to constant frustration of prisoners and a feeling of helplessness by staff, which does nothing to support a calm and ordered environment. Unfortunately, the Board anticipates that the problems experienced last winter, when accommodation unit temperatures in some of the new build units fell below the required level, will be experienced again this winter, because COVID-19 and the collapse of Carillion prevented some maintenance work being carried out.

Self-help efforts by prisoner painting parties have, however, brightened up much of the establishment and there was progress, pre-COVID-19, in the replacement of the easily destroyable MDF cell furniture with the more robust whitewood variety. There

is still a long way to go, however, with budgetary constraints remaining a problem. It is the Board's view, however, that accommodation provision is still below what is to be expected of HMPPS as an organisation that claims to respect prisoners. Few cells have any form of securely lockable storage, which often results in opportunistic thefts when cell doors have been wrongly unlocked, and many cells have missing and/or broken furniture. The Board would welcome an assessment of the funding required to bring all cells up to the acceptable HMPPS standard, and for that funding to be made available as an additional budgetary amount that is ring-fenced for this purpose. Such a move would be a clear underlining of the Service's commitment to treating its prisoners with respect.

Turning from the large to the small scale, the Board has noticed that there are increasing numbers of very tall prisoners, many more than there may have been in the past, when the standard-issue prison bed was installed. Fitting a six-foot seven-inch frame into a six-foot three-inch bed presents something of a challenge to some prisoners every night, a problem which is overcome in some cases by staff providing two mattresses, so that the top one can be put over the bed end. There are some longer beds available but they are scattered throughout the prison and therefore may not be in a location suitable for every tall prisoner. The Board strongly suggests that every replacement bed should be of the longer variety for a while, so as to gradually increase the flexibility of accommodation throughout the prison.

Wayland's prisoners are permitted to wear their own clothes but, because of the poor management of wing laundries, prisoners' clothing goes 'missing' all too often if the laundry is opened, or left open, inappropriately. This situation has often resulted in prisoners' applications to the Board when the prison has refused to compensate prisoners for their lost property. We comment further on this issue in below (see section 5.9).

Finally, in this section, the Board would like to pay tribute to the hard work of the catering staff, who have continued to provide meals throughout the year, and especially during the lockdown period, with very few complaints reaching the Board. That this has been done, as we pointed out last year, on a catering budget which is lower than that in the NHS is a tribute to the team's resourcefulness. Of note, however, is that, for a significant number of prisoners in pre-pandemic lockdown days, their main meal was the one that they cooked for themselves on the self-catering cooking equipment within the accommodation social areas, which had been recently upgraded. The Board wonders whether the catering choices made by prisoners in this fashion might provide useful information for menu reviews, especially if the Board's observation that the catering budget is very low is accepted by HMPPS.

5.3 Segregation and special accommodation

As set out in previous annual reports, the Board has long had concerns about the total unsuitability of the current segregation unit (known locally as the RIU), and we have to repeat our view that the unit is not fit for purpose. That this is now shared by HMPPS is welcomed but its replacement, details of which we have seen, is still uncertain. The staff do their best in such surroundings and their relationship with

prisoners is good, but they are working in an environment completely unsuitable for its purpose of trying to manage prisoners' behaviour, so that they can return to their normal units in a better frame of mind. Unfortunately, therefore, the RIU is, in normal times, a transit lounge, with the majority of prisoners held in segregation until they are transferred out of Wayland, a task made all the more difficult under the challenge of COVID-19. Good work was being done with the new key worker initiative before the pandemic, but such work with these most demanding of cases needs more suitable facilities. We hope that we shall not have to repeat our views for yet another year, and look forward to an HMPPS guarantee that the new unit will, indeed, be started by May 2021.

Segregation is, of course, not solely to keep more challenging prisoners away from those they may be preying upon. It is also provided under Prison Rule 45 for those prisoners who require separation, for shorter or longer periods, for their own safety. In section 4.3, we raised concerns over this cohort, the 'isolators through fear', as the Board terms them, but the absence of identified accommodation, and therefore the opportunity for staff to work with prisoners on their problems in a calm and supportive environment, does not discharge the Service's responsibility towards them, to treat them as individuals deserving respect rather than seeing them as yet another burden on an over-pressed staff. The Board has welcomed, during the lockdown, prison managers taking on the repetitive task of checking on the general welfare of such isolators, which members had been doing pre-COVID-19. However, although this means that all such prisoners now receive their meals reliably (when before they were reliant on the actions of humane staff to bring those meals or else go hungry if, through fear, they refused to leave their cells with the others on their unit), this remains a 'sticking-plaster' approach, rather than the provision of a suitable regime. Such a regime needs to address prisoners' individual problems effectively, whether caused through pre-existing challenges or in-prison difficulties. Throughout the year, the Board continued to survey and report on the actual experiences of this group, and its considered opinion is that the Prison Service is failing in its stated objective of treating prisoners humanely as regards this group's needs. Over a year ago, we challenged HMPPS about the treatment of such 'isolators through fear' and were told that there would be a national policy around April (that is, April 2019); more than a year later, the Board, the Governor and the prisoners are still waiting for this. As we pointed out in our last report, this is a national, and now a nationally recognised, problem which requires a nationally-supported solution.

5.4 Staff/prisoner relationships, key workers

From Board surveys and Board member observations, staff/prisoner relationships at Wayland are reasonably good. When asked directly for their views, a large majority of prisoners are willing to acknowledge that the staff's job is tough, and that most are trying to do their jobs fairly. However, there are themes that often arise in discussions with prisoners: that many staff are too young and/or inexperienced in life to have learned the social skills needed in dealing with socially awkward, or difficult and challenging, prisoners; that new staff do not really know how prisons actually work, and often give a negative response to a prisoner's request or just an instruction to 'see the senior officer or the custodial manager'. Little of that is the fault

of staff themselves; often new and in a demanding environment, they are expected to operate as a full member of a wing complement after just 12 weeks of training, so it is no surprise that they might be unsure of themselves and perhaps retreat into the strategies above. It is the Board's view that new staff are not well served by the current limitations on training and would benefit from an approach to their new experiences which maintains an ongoing personal development approach beyond their initial training, a common practice in other comparable sectors, such as social work, with its frequent supervisory sessions. This, of course, would require policy and funding at national level but it is the Board's view that this would be more than repaid in improved job and prisoner satisfaction, a lower staff churn rate and the building up of a highly skilled workforce. That such innovation is necessary may be exemplified by the fact that the digital hub system, whereby prisoners have a local intranet laptop computer in their cells, (on which they can submit complaints and applications as well as take part in remote education, read of prison developments affecting them, etc.), has led to a very large number of prison applications weekly; the Board suspects that many of these could be answered by a more knowledgeable frontline staff, which would have the additional benefit of freeing up more senior staff time to provide leadership and guidance to the junior staff. We therefore repeat our observation elsewhere in this report that staff training requires a higher national priority.

Finally, before the pandemic, the Board had noted that key worker sessions, after a hesitant start, had begun to increase and prisoners had told members that they found these sessions, by and large, helpful. Unfortunately, COVID-19 interrupted this pleasing initiative, with the suspension of all key worker sessions except for the most complex cases. The Board hopes that, as the lockdown is increasingly lightened and staff are not consuming all their time in unlocking and relocking small groups of prisoners throughout the day, as demanded by the restricted regime, key working will be able to resume.

5.5 Equality and diversity

From its contacts with prisoners, and its monitoring of DIRFs and Use of Force reports, the Board has not discovered any significant issues of unequal treatment between different groups, although there have been occasional, but unsubstantiated, claims of perceived individual discrimination. The Governor has ensured that the prisoner forums and Resident Council initiatives are attended by senior staff, and the events are screened live over the prison's intranet, with the videos also available through the digital hub system. The Board believes that the Governor and her staff are keen to ensure that all Wayland prisoners are treated equally and equitably, and that all claims of alleged inequality are responded to positively and promptly, and do not indicate what could be termed as systemic inequality of treatment between different prisoner identities. For a prison with a black, Asian and minority ethnic proportion of 34% of the prison's population this seems indicative of a healthy relationship with equality, and that all prisoners at Wayland can expect not just an equality of treatment, but also an appreciation of difference.

In other equality areas the Board noted, in its last report, that a unit which had had cells designated for older prisoners was to be changed to a specialist drug treatment unit. Due, however, to the challenges experienced over the recruitment of volunteers for the new unit, which comprises double cells only, a disincentive for many prisoners, the unit has never operated as intended. The Board understands that a review of this unit is to take place which may result in an alternative usage. These events, however, have given rise to a significant and growing problem, in that, in the Board's view, the combination of unsuitable buildings and the pressure on accommodation to remain at full capacity have meant that there is very little flexibility available to the Governor for the creation of specialist treatment units, such as for older prisoners. Instead, the buildings impose a virtual 'one size fits all' approach which inhibits the flexible use of space to cater for small-group needs. Although this is perhaps a satisfactory result from a national prisoner housing perspective it does little to support a Governor keen to foster a rehabilitative approach for which accommodation flexibility is an important tool. The Board hopes that these concerns can be taken into consideration if and when decisions are taken about future expansion plans for the prison.

5.6 Faith and pastoral support

Despite the position of managing chaplain being unfilled for the majority of the reporting period, the Board has always found the chaplaincy team most helpful, and knowledgeable about individual prisoners, whatever their religious allegiance. Positive links with community faith groups have been maintained, particularly with the Sycamore Tree victim awareness programme, whose celebration of its graduates and the obviously sincere expressions, as witnessed by Board members, of the involved prisoners' growth in understanding of the effect of their crimes on others, was impressive.

The COVID-19 emergency experienced in the last quarter of the reporting year affected the work of the chaplaincy significantly, with the cessation of corporate worship and instructional classes being a severe blow. Nevertheless, the Board can report that the individual pastoral care side of the chaplaincy's work was not just maintained but enhanced, with a programme of rota visiting of units as well as responding to prisoners' digital applications and the significant increase in demand for individual pastoral care. The noted increase in mental health challenges, as demonstrated by applications to the Board, has made this response all the more important.

5.7 Incentives and earned privileges (IEP)

The Board welcomes the resetting of the IEP scheme under the new incentives policy framework. For some time, the Board had received applications from prisoners providing examples of instances when, it was claimed, IEP downgrades had been unfairly imposed. The Board's enquiries into these indicated a series of difficulties with the IEP scheme's implementation, particularly when it appeared that a downgrade had been applied instead of pursuing the alleged infraction through the adjudication process, or when the procedural requirements did not appear to have

been scrupulously followed. On the other side of the equation, the Board believed that the rationale of the IEP process, to encourage progress, had been overtaken by a situation where a larger number of prisoners had achieved enhanced status than might have been justified by progressive behaviour. The appearance was of a system which, provided that no egregious difficulties had been encountered, rewarded prisoners by time served rather than by effort made. This was, arguably, behind the corrosive effect on staff's perception of the existing scheme's utility.

The Board hopes, therefore, that the new framework, which allows Governors to flex the system slightly, to make positive reward for significant improvement and contribution, will solve some of the problems by resetting the objective of rewarding progress against agreed rehabilitative goals. Unfortunately, this remains to be tested, as the implementation of the framework has been delayed because of COVID-19. The Governor has informed the Board of her fresh ideas for a 'super-enhanced' grade, which we understand is to be called 'active citizen', which will be limited to a small number of prisoners who have demonstrated beyond doubt their sincerity and determination to progress their rehabilitative effort, by taking on highly trusted jobs and responsibilities. The Board hopes that this ambition will be successful, although resetting the system will be challenging, especially as the Board notes that the obvious opportunity for significant staff training in the new framework, its objectives and its implementation has had cold water thrown over it by the effect of the comment: 'Governors will need to consider locally the impact that any new local policy which they develop will have on their resources'.

The Board is therefore disappointed by this indication that no further resources have been planned for the implementation of this important advance in the rehabilitative tools available to staff through even the minimum of dedicated additional training and operational management. It appears to be yet a further example of the requirement on the Governor to make bricks without straw.

The Board believes this situation to be unfortunate. At the start of the reporting year, the Board took note of the results of its detailed survey carried out across the prison which included two questions asking prisoners' views on the then IEP scheme, both on its perceived fairness and on its positive impact. It is worth quoting from the results in some detail.

The two questions, in full, were: *Q. 39: In general, is the IEP scheme fair at Wayland? And Q. 40: Has Wayland's IEP scheme affected your behaviour positively?*

Q 39 is IEP system fair?	Yes	%	50/50	%	No	%
	12	28%	3	7%	28	65%
Q. 40 is IEP effect positive?	Yes	%	50/50		No	%
	13	30%	2	5%	28	65%

From these results, it appears that fully two-thirds of prisoners felt strongly that Wayland's IEP scheme was neither fair nor effective. This is a serious issue, showing both a drop in positive responses from previous Her Majesty's Inspectorate of Prisons (HMIP) surveys at Wayland and an increase in negativity. For

comparison, the 2017 survey showed negativity at 45% for fairness and 47% for behavioural change. The detail from the inspection report's 'comparator table' shows a significant increase in negativity over time, from 2013 to 2017, an increase which, from the survey presented above, appears to be continuing.

Details from the 2013 and 2017 HMIP surveys compared with the 2019 Board survey:

6.1 Do you feel you have been treated fairly in your experience of the IEP scheme?
2013: 37% negative. 2017: 52% negative. 2019: 65% negative.

6.2 Do the different levels of the IEP scheme encourage you to change your behaviour?

2013: 44% negative. 2017: 58% negative. 2019: 65% negative.

The Board noticed that a factor in this analysis was that, when recording respondents' answers, even those who revealed that they viewed the IEP system as fair also denied being positively affected by it; perhaps this demonstrated that there had been a lost opportunity for really effective communication within the current IEP scheme.

Given these results, the Board would have hoped that additional, even if time-limited, resources for underpinning the new scheme's implementation might have been considered by the Prison Service as essential.

5.8 Complaints

Given that prisoners' applications to the Board are perceived by most prisoners to be, aside from those to the PPO, at the top of the 'complaints tree', it is always likely to be the case that we receive at least some applications which reflect prisoners' disenchantment with a complaints system that has failed to give them what they want, made even more unacceptable by extended delays in responding. In the Board's detailed survey of prisoners' views of their prison experience, mentioned above, two questions were asked about the complaints system: how quickly were complaints responded to and how fair were the responses? With regard to the speed of response, 90% ticked 'slowly' or 'very slowly'. With even normal shift-working among staff who might need to respond, the task of investigating a complaint and responding in the required five working days is always going to be a challenge. The Board is therefore pleased to report that the Governor has initiated a daily senior-level review of complaint response times, and completion in mandated times is now above 80%, and often higher. The Board is, in consequence, seeing fewer applications complaining about a lack of response. There is always the possibility, however, that a tighter management of timeframes might lead to less thoroughness in responses, but the Board is confident that it will pick this up in its monitoring if that happens.

As to perceived fairness, 80% of respondents said that complaint replies were unfair; this was similar to the figure in a previous HMIP survey, which had returned 72% in this category. The Board intends to re-survey prisoners in the next reporting period,

to test if the felt-fairness percentage has changed for the better. Given the importance of the complaints system in prisoners' lives, however, it is, in the Board's view, worth HMPPS considering whether the five-day timeframe for internal responses is too tight for ensuring the largest percentage possible of completed replies, rather than interim ones, and the largest possible percentage of replies reflecting a considered enough investigation to encourage prisoners' acceptance of a fair response.

With complaints that need to be responded to by other establishments, the Board has to report that the picture is not so positive. Almost all the applications made to the Board concerning property lost on transfer (see section 5.9) include prisoners complaining that they have not had an answer from the sending establishment. Indeed, the Board must record that in its own investigations it is also often unable to get even a response from another establishment, despite the complaints clerk sending reminder after reminder that the information is needed by the Board. In the most serious cases, the Board has taken to writing to the Chair of the sending establishment, in an attempt to elicit even a negative response, which will enable the prisoner to take the complaint further to the PPO. As we have mentioned elsewhere, it is in the little things that prisoners look to determine whether they are being treated with respect, and the Board has to accept that, in these situations at least, the wider HMPPS seems to miss the mark.

5.9 Property

If prizes were to be awarded to the largest category of Board applications, it would be property complaints every time. Many, often wasted, hours are spent by members annually in the fruitless pursuit of the 'Where is my property?' game. The percentage of Board property applications, at just under 30% of the total, is virtually the same this year as last. Such a steady proportion would seem to indicate that there is something systemically wrong with the way that prisoners' property is managed. The frequency of the many months delay before missing property makes its appearance, and the large number of cases where it never appears and all sides disclaim responsibility, surely demonstrates a general casualness towards the one thing that a prisoner can fairly lay claim to as his – his property. More than clothing, family pictures or an Xbox console is lost; there is also the loss of any feeling of being respected as a person of value to the authorities. Such a feeling will not improve a prisoner's willingness and motivation to listen to staff trying to advise him on how he can change his life in the future; every intervention thereafter is likely to be tarred with the same brush.

There has been a suggestion that all property issues should automatically be redirected to the PPO, with the local IMB taking no part in investigating the issue. However, the Wayland Board feels that it needs to take what action it can in support of a prisoner's just and fair treatment. It also seems to the Board that to 'outsource' the investigation of property responses totally to the PPO would be an abdication of responsibility on the part of HMPPS which has implications way beyond the cost of compensation; a respect for prisoners should include a respect for their property.

The Board has also been concerned during the year about the number of complaints it has received about prisoners' clothing going missing from the wing laundries, mostly on the old build units. On investigation, the cause has been found, more often than not, to be the laundry door being opened by staff without the laundry orderly being present; prisoners who are not laundry orderlies being let in, unsupervised, to 'collect their laundry'; or the laundry door being left unlocked (a situation discovered personally by Board members on a number of occasions in the old build units). The prison disclaims responsibility for any loss in these cases and refuses to give compensation. This is unacceptable as a prisoner cannot be said to be in control of his property if it is lost in the laundry process; whether this is in a central laundry or in a wing laundry, the loss is equally distressing to the prisoner, and compensation should be paid. If, to avoid accidental, rather than fraudulent, loss, the system needs to be changed, then that should be done.

6 Health and wellbeing

6.1 Healthcare: general

The Board must report that it has found it an extremely difficult year to monitor healthcare provision. There were two reasons for this: one bureaucratic and the other, as might be anticipated, the effect of the COVID-19 pandemic and the consequent lockdown, which severely restricted the Board's freedom to monitor an activity like healthcare provision. Monitoring this area has greatly depended on the testimony of prisoners about their feelings of being properly cared for, and this has often been the trigger for the Board's enquiries into the provision of healthcare at the consumer level, rather than just by looking at management statistics.

On 1 April 2019, one month before the beginning of our reporting year, Care UK took over the healthcare contract from Virgin Health, and the Board noted with relief that the Virgin team was taken over in its entirety, and was especially pleased that the key staff, the head and the deputy head of healthcare, chose to remain with the new supplier. The Board regrets to report, however, that, following the change of healthcare supplier (although we do not know if the two events are connected), we have been excluded from attending any local prison healthcare meetings, as they take place outside the prison, and we are neither notified of such meetings nor receive the minutes. We have protested about this but the only response has been that this quarterly healthcare strategy meeting, under the aegis of NHS England, can be attended once per year by a Board member from one of the three prisons involved, which is unsatisfactory from the Wayland Board's perspective.

The Board does, however, receive the Health and Justice Indicators of Performance statistics, and, from these, it appears that all normal activity has been taking place as usual. However, the Board does not believe that that assurance fully discharges its responsibility to monitor healthcare outcomes for prisoners. For instance, although screening and testing for a range of standard NHS screenings is on offer to all prisoners on arrival at Wayland, the take-up is not as high as would be hoped. For example, there has been a poor take-up of testing for chlamydia of just 48%, and for

hepatitis C only 16% took it up throughout the year. The conclusion drawn by the Board is that there may be insufficient attention paid to publicity for the screening with a commitment to ensuring that prisoners who want to be tested actually do so. In this regard, the Board is conscious that it is also unaware of what other testing/screening would be of potential value to prisoners' healthcare. Because of our absence from the meetings we have identified, we do not know if such issues have even been discussed.

6.2 Physical healthcare

The Board has had previous cause to report its dissatisfaction with general dentistry provision but this year, with dentistry now provided by a separate contractor, the Community Dental Practice, the Board has welcomed the increase in provision that this has brought, with dental services available three times weekly before the start of the pandemic. However, as many prisoners do not care for their teeth well, with the effects of chronic drug use making that situation even worse, the supplier has struggled to cope on occasions, even with the increased provision, although, as, we point out below, there are other reasons for this difficulty. Despite the difficulties, the new supplier has shown a commendable improvement in outcomes, with a long waiting time of 26 days in July 2019 reduced to a low of five days in January 2020, and an urgent appointment system with only a single day's wait although the pandemic is expected to worsen this picture of improvement. The Board also welcomes the fact that the supplier has now developed its own complaint process.

In previous annual reports, the Board has registered its concern at the number of missed healthcare appointments; these are both disruptive of healthcare staff's efforts and expensive in wasted resources. Previously, when this issue has been raised by the Board we have been told that, variously, the problem is either because the prison has not informed, escorted or unlocked the relevant prisoners, or that this has happened because of staff being overworked; or the relevant period's roll check not being correct, preventing the prisoners from being unlocked; or staff not alerting prisoners to their appointment. Alternatively, the problem has been said to be that the prisoners have got better and so no longer felt the need to attend the healthcare centre; or they are frightened of the dentist; or that they just could not be bothered to attend, fell asleep or decided to put it off and make another, more convenient appointment. To give a sense of the scale of this issue between June 2019 and February 2020 the table below shows the distribution of missed appointments across healthcare.

MISSED HEALTHCARE APPOINTMENTS (NINE MONTHS)

<i>SPECIALISM</i>	<i>APPOINTMENTS MADE</i>	<i>APPOINTMENTS KEPT</i>	<i>% ATTENDED</i>	<i>% FAILED</i>
DENTISTRY	2,965	1,317	45%	55%
MENTAL HEALTH	7,905	7,626	96%	4%
NURSE PRACTITIONER	11,576	8,304	72%	28%
GP SURGERY	2,956	2,241	76%	24%

These are unacceptable figures and represent not only a serious waste of resources, but also opportunities not taken to improve prisoners' health. It is perhaps significant that the only area with an almost perfect attendance record is that of mental health, and we suspect that that is because mental health staff attend the wing to see the prisoner, and do not see them exclusively in a healthcare setting. Of course, such a strategy might not be possible, or, indeed, medically acceptable, in every case in other specialisms, but the Board believes that the figures highlight a serious lack of grip, across the whole prison community, to address the reasons behind, and the need to improve upon, these DNA figures, as it seems clear that the current policies are still missing the mark.

The Board, however, welcomes improved strategies in other areas; for example: stronger links with the local hospital are being developed with some preoperative assessments now being done by healthcare staff, so that patients do not have to go out to the hospital for these assessments. Also, on the positive side, within the establishment there is now a dedicated nurse to care for patients with long-term conditions, those with learning difficulties and those on care plans. Within this category, as of May 2020, there were 143 patients over the age of 50, 81 of whom have care plans, and this proportion is expected to grow significantly in the future.

In conclusion, during the year, although the Board received and responded to 66 complaints about healthcare provision, an increase of almost 100% on last year's total, we have no way of knowing whether they have been resolved to the satisfaction of the prisoners, unless the prisoners make a repeat application. Additionally, in the reporting year, Care UK received 253 initial complaints but, again, we do not know the outcomes at that stage, unless further Board applications are made. The Board, however, regrets to report that, in terms of waiting times alone, Wayland prisoners (pre-pandemic) have had to wait, frequently, for longer than the community target of 14 days for a GP appointment and it trusts that, when the pandemic challenge is passed, that this situation can be improved. Additionally, the Board understands, from the Prison and Probation Ombudsman's initial report into the death of a prisoner at Wayland, that care plans do not exist for all prisoners with multiple healthcare needs as is expected for such patients in the general community. It must be noted, however, that the bulk of the prisoner applications received by the Board about healthcare were complaints about the actual treatment or medication received or delays in referrals to specialists. Given the strictures on medical in confidence information the most we have been able to do with complaints of this nature is to inform the healthcare provider that a prisoner is dissatisfied with the outcome of his treatment and trust that this will then be followed up.

6.3 Mental healthcare

On transition to the new provider, we were informed that the contract hours for the visiting psychiatrist would be increased but, although that welcome increase took place, the frontline mental health team was unfortunately not similarly enlarged. From the information that the Board has gleaned during this last reporting period, the mental health concerns of prisoners have begun to rise, although, fortunately, a proportionate rise in self-harm incidents has not yet been seen. Perhaps this has

been because of the greatly reduced opportunity for social interaction during lockdown and the consequent reduction in threats and other interpersonal challenges. If this is the case, such incidents are likely to see a rise when lockdown eases and prisoners come into more contact with each other again.

Aside from the 'COVID-19 quarter' there has been strong mental health treatment activity throughout the year, with, for example, 105 appointments to see the psychiatrist in June 2019 and 187 in February 2020. As noted, during the course of the year the psychiatrist increased his working week from two to three days because of this demand. The waiting time to see him now varies from one to 22 days. The caseload for the four mental healthcare nurses, however, has also risen, from around 100 to 163 over the year, without similarly increased resources. This greater demand on the frontline mental health staff encourages the Board to speculate whether the current four mental healthcare nurses should be increased, especially as the lockdown regime is unlikely to improve dramatically in the near future. The Board is concerned that this situation, coupled with the current absence, and the likely significant reduction going forward, of psychological treatment programmes or one-to-one management available to prisoners under the exceedingly restricted regime, is likely to result in an even greater number of prisoners needing some form of mental health assessment and input. The Board wonders whether a more holistic and cross-departmental approach to the delivery of support to those experiencing mental health challenges might be worth investigating, alongside the more traditional individualised crisis management treatment models now in place.

6.4 Social care

The Board was surprised to learn that, following the change of healthcare contractor, the prison does not appear to have a memorandum of understanding with the local authority for social care management, although it is aware that two prisoners have been awaiting assessments since February, and that there are at least four more known prisoners who are likely to need such a plan. Given the known number of older prisoners and those with physical disabilities, the Board would welcome a decision to research the actual need in the establishment, to prove, or disprove, its belief that this is an understated problem. It welcomes, however, the initiative for Care UK, the current healthcare provider, to agree a memorandum of understanding with the local authority, as even though, technically, social care plans are for the local authority to arrange, the involvement of the healthcare provider in the information pathway would seem to be useful.

6.5 Exercise and time out of cell

For the first nine months of this reporting year, before the COVID-19 lockdown, prisoners were usually able to benefit from their daily exercise, either in the asphalt fenced yard for the new build units, or in the wider open space around the original units for those in the 'old build' accommodation, both with simple bodyweight 'exercise trees'. Incorrect roll counts, before or after exercise, however, have sometimes been problematic. The consequent delays for checking have meant that other activities have been curtailed, often for prisoners getting to their scheduled

gym sessions if they were at critical roll-count junctures. New systems were tried, with varying success, prior to the lockdown, and it is to be hoped that, when lockdown eases, better roll-count management is in place, to allow even the inevitably restricted gym, education, work and other activity sessions to take place on time.

As might be expected, time out of cell in a category C establishment in normal times is reasonably adequate but the Board was surprised at the number of times, pre-COVID-19, that a restricted regime was put in place. This happened for some months on a frequent and rolling basis across the prison, to equalise the loss of regime activities, including access to the library, which this entailed. The Board fully understands that if there are not enough staff to operate the normal regime then something has to give; it would question, however, whether there is sufficient headspace in the current staff complement to predictably deliver the basic regime, quite apart from the expected additions – for example, key working. Evening association is limited but perhaps the new incentives framework could consider an improved evening time out of cell, even if only for the highest category in the incentives scheme, that of the ‘active citizen’ (see section 5.7) and commends this to the Governor. However, in any case, given the recent history of regime disruption due to insufficient staff, the Board would welcome a serious review of the staffing complement, before the current emergency is ended, in order to ensure a predictable and stable regime to be delivered post-COVID-19, and trusts that this point is carefully considered by HMPPS.

In many prisons, gym time, especially weight training, is often, it seems, to be the prerogative of a small number of prisoners who discourage others from invading ‘their’ gym time. This was another area where the new Governor was determined to make a change and has done so. Gym-time activities are now more diverse, including the very popular ‘park runs’; new equipment has been installed, to allow larger numbers, and a wider range, of prisoners (pre-COVID-19, of course) to be safely active and supervised. This is in contrast to the previous situation, where there was a narrower regime, centred on free weights, with no great emphasis on promoting general cardiac and core-strength fitness across a wider representation of the prison population. The Board looks forward to this approach being developed, to make the most effective use of an expensive and staff-intensive regime activity. During the current lockdown, the advantage of the season and the generous outside spaces have been used by gym staff organising bodyweight circuit training, and this has been well received by prisoners.

6.6 Drug rehabilitation

The drug agency, Phoenix Futures, runs a programme for prisoners who have a history of drug abuse. With the high levels of illicit substances circulating in the prison (see section 4.6), their work, in supporting a drug-free unit and in wider prisoner counselling, has inevitably been challenging. During the reporting year, a change in approach saw a unit in the new-build sector of the prison, with a capacity of 62 residents, identified as the focus of a new drug-free therapeutic unit. The unit had been taken out of service for complete refurbishment, and on opening was

scheduled to be the new model unit. Unfortunately, there were too few prisoners who wished to volunteer for this unit to take it to its capacity because the unit had only double cells, so many candidates did not wish to give up their single cells elsewhere. With only half the capacity filled, when HMP Norwich had an unexpected demand to empty one of its wings the consequent pressure on numbers meant that prisoners other than those who wished to take part in the drug rehabilitation experience on offer had to be allocated to the unit.

Additionally, and unfortunately, it appeared that a few of the drug-free volunteers on the unit were drug suppliers and used it as an opportunity to push their wares among a group of prisoners who were trying to deal with their addiction; prisoners told Board members that it was as easy to get drugs on the unit as elsewhere in the prison. Just prior to the COVID-19 lockdown, the prison decided to review the use and organisation of this unit. The Board is disappointed that this worthwhile experiment failed and would observe that it did not do so through any inherent challenge of running such a unit but because of the wider Prison Service's need to fill every space available. If that pressure on sheer numbers, rather than the local need, had not been there, the result, even with reduced occupation, may have been different. The Board hopes that other ways of addressing the needs of those prisoners who desperately want to come off, and stay off, their drug habit can be found as the lockdown is eased. It should be noted that during lockdown, Phoenix Futures has continued its one-to-one psychosocial support to prisoners across the prison from their base in another unit of the prison.

The problem that the above-described experiment exemplified, of a lack of accommodation and operational flexibility, is not confined to drug treatment innovations but extends to all the specialist sub-groups of Wayland's (or any prison's) population. It is the view of the Board that the hangover from the Victorian-era idea that a prison should have a one-style-fits-all approach needs a radical overhaul to cope with the needs of the varying prisoner sub-groups in today's prison service. The Board hopes that the specifications for the new prisons coming on stream in the next few years will require this sort of thinking behind their design.

6.7 Soft skills

On a positive note, the Board has welcomed the increased involvement of non-medical support for prisoners with mild-to-moderate mental health issues from the 'wellbeing service', to which prisoners can self-refer. This service is provided by the Norfolk and Suffolk NHS Foundation Trust, which has developed a number of coping strategies which they can offer troubled prisoners. These strategies include 'talking therapies', guided self-help, work books and one-to-one cognitive therapy. The service has recently appointed two counsellors to support this work. Although not able physically to enter the prison during the COVID-19 lockdown, the service has produced a booklet called 'Coping in uncertain times', and also a newsletter on 'Wellbeing and IAPT' (improving access to psychological therapies) for prisoner information. When the Board can return to visiting all areas of the prison, which, under the current HMPPS social distancing rules in place, has not happened under the first months of lockdown due, in large measure to the very confined design of the

old buildings, we shall attempt to gauge at first hand, rather than just through our telephone calls and surveys, how prisoners have responded to this service during the current emergency, and how effective they consider it to be.

7 Progression and resettlement

7.1 Education, library

With the arrival of COVID-19, the education department at HMP Wayland effectively closed down, true, there were large quantities of workbooks printed for prisoners as lockdown loomed and we understand that some 450 such units were delivered to the prison. Unfortunately, it appears that, in the need to reorganise regimes at a rapid pace the communication between the education provider and the prison suffered and only some 50% of these workbooks had been returned by the time this report period ended. It is to be hoped that as the prison and the wider service comes to grips with the management needs of the pandemic that this collaboration will improve. Obviously, for the majority of prisoners this is a crucial loss, and will, almost inevitably, affect the preparation for, and effectiveness of, their readjustment upon release of a large number as, we understand that it is unlikely to return to normality before early 2021. The case is similar with the library, provided by the local authority, but prison staff have been able to deliver some books to prisoners on request.

The effect of the pandemic in the last months of this reporting period should not detract from the good work and the improvements made in the delivery of education in the major part of the period. Significant improvements have been seen in:

- an increased uptake of all accredited learning courses, including vocational training
- improved orientation management and collaborative working with the prison's allocation teams
- a reduction in the previous extended time of 6 weeks to just two before allocation to, and taking up a place in, education or other activity
- an increase in unaccredited learning activities aimed at the more capable prisoners through an innovative collaboration with the University of East Anglia. This two-year programme leads to accredited university access, the equivalent of a two-year Foundation Degree contribution. The Governor has enthusiastically supported this venture which has thirty prisoners engaged.
- the assessment of prisoners identified as needing additional support through the new Learning and Disabilities and Disorders screening techniques. This has led to better engagement with learners, the de-escalating of negative behaviours, collaborative working with specialist Special Educational Needs staff with the objective of undoing the educational harm done in schools by inappropriate behaviours.

Clearly these improvements would have augured well for both an improved take-up of education and also a more effective education delivery and it is to be hoped that the necessary hiatus caused by the pandemic can be quickly compensated for when the opportunity arises. The education provider had begun to make plans for the

introduction of the new Ofsted inspection approach of the '3 Is' *Intent, Implementation, and Impact*, which seem particularly suited to the unique demands of prison education.

Against the foregoing improvements it is necessary to record that the Board understands that an HMPPS decision that education providers could use only centrally-purchased service providers which has, the Board has been informed, revealed an unreadiness as an awarding organisation, poor data management and feedback. It is to be hoped that these are initial teething problems only and that such 'back office' service provision will be improved in the coming period. The Board will monitor this aspect of in-prison education support.

7.2 Vocational training, work

Prior to the lockdown in March 2020, the work and education places available to prisoners had been set to increase from the 739 that we reported last year to 889 and the daily scheduled attendance had risen to around 85% of those allocated. This had been achieved by hard work from all sections of the prison to ensure that prisoners attended, and that the jobs available were interesting and came with a qualification that was acceptable outside the prison. The Board will monitor this improvement in terms of completions and accreditations in the coming period.

Since the lockdown, however, most of the work places have closed. However, prisoners are still employed in the kitchens and serveries, as wing orderlies, and doing painting and decorating around the prison. Work also continues in the gardens, and a small number of prisoners in the sewing workshop now produce personal protective equipment for use in the NHS

Any wish to increase the number of prisoners being allowed release on temporary licence (ROTL) has had, of course, to be shelved during the lockdown.

7.3 Offender management, progression

The Board has noted, previously, that approximately 14% of Wayland's population (approximately 140 prisoners) comes from the local area (see also section 7.5). There are problems within the local area in obtaining information on the success, or otherwise, of prisoners once they are released. This problem becomes immense once we look at the remaining 86% who are not local. The position regarding the CRCs is due to change in 2021, and one can only hope that it comes with a programme for released prisoners which Wayland can link into, to the benefit of these prisoners, who at the end of their sentences deserve and need a more efficient system.

Each prisoner should be provided with a sentence plan, which depends upon an offender assessment (OASys). The sentence plan should detail how the prisoner should progress in the prison, building up to release. We have consistently asked that outstanding OASys assessments should be completed. Last year, there were 242 uncompleted OASys assessments (for a population of just under 1,000); this year, the number is 123, a welcome reduction, but it still means that roughly 9% of prisoners do not have an assessment.

During the year, the number of IPP prisoners reduced fractionally, from 83 to 79, but still with the vast majority well over tariff. The worst example is one prisoner who was given a tariff of one year and one month in 2006. He still remains in custody. We are well aware that, in many cases, prisoners do not help themselves and do not take up opportunities offered. In discussion with a number of these such prisoners the Board has discovered that the common complaint is that they have taken up courses and programmes previously, but nothing has come of it in parole decisions or progression and they have given up hope. Of course, such attitudes, although psychologically understandable, do not therefore demonstrate a reduction in risk. The question is open, however, as to whether enough is being done to encourage the required change and to provide the tools to achieve this. Many such prisoners do not receive family visits, and in some cases do not have any formal contact, so effectively they are institutionalised, which, by itself, makes progress even more challenging. Within its own resources, the Governor has introduced open forums for Lifer and IPP prisoners, but these are not often well attended and are sometimes intermittent. Surely, it is time for a further national review of this category of prisoner, with a view to reviewing the resources needed to progress their release?

7.4 Family contact

Prior to COVID-19, family visits had been running extremely successfully, with the appointment of two-family development officers. Their efforts had seen the waiting list for family visits go to up to four weeks, with children's visits on Mondays, and a new play area. Food was provided by prisoners working in the visits hall in the locally-named 'Barista', with the profits going into projects decided by the prison council. Previously, the food had been provided by Café Britannia from HMP Norwich, an organisation which went into liquidation in this reporting year.

Family visits are clearly crucial to many prisoners' wellbeing but the Board understands that there are significant numbers of prisoners who do not receive visits, for a variety of reasons, including distance, cost, and a lack of perceived ease in the visits hall. The Board hopes that the gradual good work of the family officers will lead to an improvement in visits take-up.

With the outbreak of COVID-19, all visits were stopped. Fortunately, the in-cell PIN telephones enabled prisoners to keep in contact with their families, with £5 donated by, we understand, BT and £3 by the prison each week.

In order to deal with the deprivation of family contact due to the pandemic, and because many prisoners' families are reluctant to visit the prison physically, the prison has introduced a video-call system during lockdown, so that prisoners can at least see and speak with their families remotely. This is particularly important for foreign national prisoners, who rarely get visits. The Board hopes that this system will be retained in the future, as Wayland is a difficult and expensive prison for families to get to at the best of times,

7.5 Resettlement planning

Preparing prisoners for re-entering society is a crucial aspect of prison life. If this is not dealt with in a successful way, reoffending rates are likely to be higher than they need be.

Making sure that prisoners have accommodation, employment and access to universal credit and bank accounts when they leave prison is of great importance if they are not going to reoffend in the future. This is even more important in the new world of COVID-19.

Getting information in this difficult period has not been easy, but HMP Wayland and the Norfolk and Suffolk CRC have provided us with some excellent, if limited, statistics, although it is nearly impossible to get useful information from CRCs outside Norfolk and Suffolk. Consequently, as the majority of prisoners return to other regions – for example, London and Essex – the evidence of satisfactory arrangements for life after release is limited.

The Norfolk and Suffolk CRC provided the following information for the year April 2019 to April 2020:

- Twenty-nine release plans were completed and the total number of discharges was 30.
- Four prisoners went into full-time employment, two went into full-time self-employment, three were unemployed but not on benefits, and 18 were registered unemployed on benefits.
- Nine prisoners went to approved premises, one went into Bail Accommodation Support Service accommodation, 10 went to friends or family (settled status), two went to friends or family (transient status), four were registered as homeless and three were rough sleeping.
- Ten prisoners had bank accounts opened.

These statistics tell us, from a limited perspective, that finding accommodation, and particularly employment, is difficult for prisoners leaving Wayland, even when moving into the local community. The Board is of the view that more must be done, both to improve the assistance available to released prisoners and to ensure accurate reporting on the result of these efforts.

From the information compiled by the Offender Management Unit of the prison, from the admittedly incomplete information available from CRCs other than Norfolk and Suffolk, all prisoners leaving Wayland, 65% were counted as unemployed, with 55% claiming universal credit. This would indicate that finding employment is still very difficult, and that if the virus has the expected effect of increasing unemployment dramatically, this problem will get worse, both in the short and long term. As employment is an important reason for reducing reoffending, this will be of some significance in the future.

Accommodation statistics compiled for local releases into the Suffolk and Norfolk areas were much better. Of the twenty-nine prisoners released with a plan, twenty-

two (76%) were released with accommodation of some sort, and seven (24%) were released with no fixed abode.

As the Board has noted in previous Reports, it does not have statistics from CRCs outside Norfolk and Suffolk, and the Board hopes that when the National Probation Service begins its cover for all prisoners in June 2021, it will be possible to get improved information about all prisoners released from Wayland.

Another major development in resettlement preparation is the greater emphasis on family liaison in the prison, and we have detailed the benefits of this innovation above (see section 7.4).

The lockdown has inevitably had a significant effect on resettlement provision, and there have been no face-to-face interviews since March 2020. Consequently, there have been no discharge boards during this period. As we understand that the regime restrictions and challenges due to the pandemic alone will be with us for some time, the Board trusts that future national resource management, especially of outside contractors, will result in a resettlement service delivery rather better than the virtual cessation of such services experienced so far.

The work of the IMB

To discharge its responsibility to monitor the treatment of prisoners in Wayland, the Board engages with prisoners in a number of ways.

During rota visits, we respond to prisoner applications, usually by visiting prisoners on the wings, to gain a better understanding of their problems, and, if appropriate, we investigate their complaints with the staff responsible. We attend meetings, both staff meetings and prisoner forums, as observers. We conduct surveys, involving questionnaires for prisoners on a variety of issues. We attend segregation/reintegration reviews and adjudications. We raise issues with the minister, if deemed necessary; we take part in regional training given by national trainers; and Governors and prison staff frequently talk to us at our Board meetings about specific issues, to increase our understanding of life in the prison.

During the pandemic lockdown, we have done what we can to do the duties above remotely, although it has been very difficult at times, with the need for serious restrictions on prisoner contact.

Board statistics

Recommended complement of Board members	15
Number of Board members at the start of the reporting period	5
Number of Board members at the end of the reporting period	7

Total number of visits to the establishment	365
Total number of segregation reviews attended	147

Applications to the IMB

Code	Subject	Previous reporting year	Current reporting year
A	Accommodation, including laundry, clothing, ablutions	4	10
B	Discipline, including adjudications, IEP, sanctions	10	10
C	Equality	6	7
D	Purposeful activity, including education, work, training, library, regime, time out of cell	17	11
E1	Letters, visits, telephones, public protection restrictions	27	23
E2	Finance, including pay, private monies, spends	29	14
F	Food and kitchens	6	5
G	Health, including physical, mental, social care	39	66
H1	Property within this establishment	43	35
H2	Property during transfer or in another establishment or location	60	50
H3	Canteen, facility list, catalogue(s)	11	15
I	Sentence management, including home detention curfew, ROTL, parole, release dates, recategorisation	50	30
J	Staff/prisoner concerns, including bullying	28	25
K	Transfers	26	17
L*	Miscellaneous, including complaints system		
	Total number of applications	356	318

**N.B. Although there are no recorded applications citing Code L (Miscellaneous, including complaints system), it should be noted that a significant majority of all complaints received by the Board mention either a lack of, or a very delayed, response to previously made complaints within the prison complaints system. Subsequent to the end of the reporting year, we understand that a new management scrutiny of the complaints system is being trialled to address these issues, and we hope to comment on this initiative in our next annual report.*



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