



Annual Report of the Independent Monitoring Board at HMP Doncaster

**For reporting year
1 October 2019 – 30 September 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 IMB is part of the United Kingdom's National Preventive Mechanism.

2. Description of the establishment

HMP Doncaster is operated by private sector contractor Serco Limited. The establishment opened in June 1994 and underwent extensive security upgrading as per the Woodcock recommendations in March 1999. The prison downgraded to a local category B establishment in May 2003 following operational changes within the Prison Service's high security estate.

The prison's operation is defined by a contract agreed between the contractor (Serco) and the Ministry of Justice. In March 2011 Serco was awarded a 15year contract to operate the prison, with a contract start date of 1 October 2011.

The prison's role

The prison has custodial responsibility to detain people remanded into custody by the local courts and also to detain convicted and sentenced prisoners. Doncaster is now a local category B resettlement prison working in partnership with community rehabilitation company and National Probation Service providers to deliver resettlement support through the gates into the local communities.

Management

The management and control arrangement at the establishment is governed by Prison Service Instructions as in the public sector prisons; however, there are some services which are unique to a private prison such as the role of the HMPPS Controller and their contract management team to monitor the contract.

The Director

The Governor of the establishment is referred to as a Director in the private sector and is appointed under the terms of the Criminal Justice Act 1991, subject to certification as a prisoner custody officer under sections 85 and 89, and schedule 10 to the Act.

The controller

Observation of the day-to-day running of the establishment and close monitoring of the operating contract is undertaken by a Crown servant appointed by HM Prison and Probation Service known as the controller.

Population

The prison has a certified normal accommodation (CNA) of 738, revised in November 2013, however, owing to the pressure on prison places across the prison estate, its official operational capacity is 1145. In 2016 the prison received a number of prisoners convicted of sexual offences; houseblock one is dedicated to hold 390 prisoners who fall into this category and other vulnerable prisoners whose safety would be at risk within the prison's general population.

Accommodation and facilities

There are three houseblocks each with four residential wings. There is a segregation unit. Prisoners requiring a high level of support for mental health conditions or learning disabilities have separate accommodation in "the Loft" and prisoners needing social care reside in the social care unit.

The prison has a well-used gym area (weights room, cardio room) as well as a large sports hall and an artificial surfaced full-size football pitch.

There is a large spacious chapel which is used to celebrate a number of faiths; there are also rooms within the chaplaincy area for groups to study or meet.

The prison has a main kitchen where prisoners' meals are prepared and cooked, it also has a small staff bistro where prisoners work and train towards an NVQ qualification.

The prison also has a reception and discharge area and visits hall.

The prison gardens are attractive and have been recognised for their quality. Work done to assist with the improvement of the area's hedgehog population has been very successful and recognised within the prison and outside.

Virtual court centre (VCC)

The prison has developed and established a new facility for prisoners to "attend" at court by secure video link rather than in-person. This facility will have permanent benefits, but is crucial to enable essential justice to progress during Covid.

Dog section

During this year, the capacity and capability of the prison's dog section has been enhanced, with patrol dogs and both active and passive search dogs.

3. Executive summary

3.1 Background to the report

Covid

As with all prisons and all IMBs, the dominant factor during the year has been the impact of the coronavirus (Covid). The need to manage Covid risks to prisoners has very significantly affected many aspects of the prison regime, day to day life and some non-routine activities.

The IMB at HMP Doncaster has been reduced in the number of members able to visit the prison (reduced to one person for much of the period from March to September 2020) and this has had a significant effect on the board's ability to monitor.

As a board, we took a decision to concentrate on certain aspects of our monitoring and to largely suspend those aspects that could not be resourced.

Distant/virtual monitoring has been a feature of some IMBs during Covid but our board has only had very limited impact via monitoring from outside and almost all that follows in our report is the outcome of the much reduced in-person visits

Our board will seek out examples of good practice from other boards who were able to carry out more remote monitoring. In particular, to see whether some of the barriers our board encountered, such as difficulty to join meetings taking place in the prison via IT links, can be overcome by different technology and / or by improved IT skills among our team.

The areas that the Board decided to prioritise were

- individual applications (complaints to the IMB) by prisoners. These were received via written applications, requests to contact a prisoner while within the prison and via the IMB free phone (0800) line
- healthcare
- safer custody

The report is limited to those areas monitored during this period and those things not monitored (the majority of the prison's work) are not dealt with below.

Acknowledgement of professionalism and service during Covid

The Board wants to put on record its appreciation of the essential roles of all those who have worked every day during Covid to keep the prison running and to care for the men. The profile of people who work in prisons is not that of some of those essential services whose workforce was, quite rightly, recognised by the media and the public but the term 'essential workers' applies to the men and women who have served in HMP Doncaster during Covid.

New management team

The previous Director retired in April 2020. He was always accessible to the IMB and supportive of the Board's role and work and we wish him well for his retirement.

The new Director has made changes to the senior management team, including some changes in roles, capacity and priorities. Although Covid has been impactful

since he took up his post, the changes to day to day and longer term, strategic running of the prison are evident and, in the Board's opinion, positive. The Board has begun to work with the new Director and looks forward to doing so in the future

3.2 Main judgements

How safe is the prison?

The restrictions of the Covid regime have meant a significant reduction in the association of men within the prison and this has had an effect on some of the potential points of contact and prisoner-on-prisoner and prisoner-on-staff violence.

The Board is concerned about self-harm. Although self-harm is a risk that the prison has to address at all times, Covid or non-Covid, the negative impact of a restricted regime (especially reduced contact with family and friends through visits) must create additional risks. The Board is aware and supportive of work being done in the prison to identify men at risk, to engage with them to reduce risk, the recording of incidents (in a timely way) and work with men who have self-harmed.

There is drug use in the prison. This creates acute and longer-term health issues and, at its most severe, can be an immediate risk to life. Security measures are in place both routinely and targeted. The Board is aware of and supportive of the prison's drug strategy.

There were deaths in custody during the period of this report. These received immediate and longer-term "lessons-learnt" attention by the prison and have had support from safer custody colleagues from other prisons. All the deaths were subject to investigation by the Prisons and Probation Ombudsman (PPO), with final reports being issued for some. The PPO has made recommendations for action and improvement and the Board will monitor to be assured of progress to action those recommendations

How fairly and humanely are prisoners treated?

Doncaster received its last monitoring the quality of prison life (MQPL) survey in March 2020 and it is a notable improvement on the previous survey of 2015; an improved score for safety, going from a 1 to a 2 and retaining a level 3 for decency is notable, though this was before lockdown restrictions were implemented. The report does not provide any singular standout or exceptional finding that would cause concern to the management team beyond what they were already aware of and resolving.

Discrimination incident report form (DIRF)

The Board and the prison both observed that issues and complaints were being raised which included some comment by the prisoner about inequality of treatment related to a protected characteristic but that these complaints were not always made via the DIRF process and therefore not dealt with according to the DIRF protocols or timetable. Potentially useful information from DIRFs about common issues and patterns could also be missed.

The Board is pleased to see the renewed process in the prison to encourage and enable men to complete a DIRF where this is the right way to raise an issue and to investigate and reply to DIRFs within an improved timescale.

The Board predicts that for the 2020/21 year there will be more DIRFs and would regard that as a positive thing (more issues being raised and then receiving attention) rather than a negative indicator.

Use of force / ethnicity or religion

Planned and unplanned use of force is monitored and shows no patterns of concern in terms of use of force on prisoners by ethnicity or religion.

How well are prisoners' health and wellbeing needs met?

In the 2019 / 20 the Board was concerned that not all of prisoners' health needs were being met in a timely and effective manner. Our concerns applied to both physical and mental health conditions.

Complaints (applications) to the IMB included health concerns and issues raised in passing, ie when board members were out on wings talking to men. Our concerns have been shared with healthcare management and the prison's management.

Key issues were

- Capacity of mental health staffing ie the number of professional on-site staff available for prisoners in a timely manner
- Access/agency – the ability of all prisoners (including those less confident with appointment-making systems) to get the care they need when they need it. The access to healthcare is a shared responsibility ie prisoners using the appointment system effectively, officers enabling men to leave their residential wing to go for an appointment and healthcare handling the appointment. From our conversations with prisoners, it is the Board's view that not all of these worked together effectively in all cases and some men missed out on attention that they should have received.
- Complaints – in 2019/20 it was the Board's view that the prison/healthcare were not receiving all complaints about health issues that should have been made. Some prisoners were unaware of healthcare complaints procedures and some were raising complaints informally (and less effectively) eg making verbal complaints to officers. The Board is pleased to see that an improved healthcare complaints process has been established for 2020 /21 including complaints forms and healthcare complaints boxes being accessible on all wings. The Board predicts that there will be an increase in the number of healthcare complaints in 2020/21 but this (and the opportunities for informing improvements) would not be a negative.
- Prisons and Probation Ombudsman (PPO) findings in reports into deaths in custody. There have been recommendations included in PPO reports into deaths in custody during the 2019 /20 year. It is important that all learning from such findings and recommendations is taken and this has been discussed by the board with prison and healthcare senior management.

3.3 Main areas for development

TO THE MINISTER

Covid / potential future pandemics / prisoner voice

Our Board recommends that work be done to research the impact of Covid and Covid precautions on prisoners and on their families to make sure that their experiences are fully understood and their voices on the impact of Covid and Covid precautions are captured.

Our Board sees some similarities with other areas of high risk (such as hospitals) where very difficult decisions about safety and infection control have had to be made. We are not critical of those decisions, but given that Covid may be with us in some form for some time yet and there will be a risk of future pandemics, we believe that it is important that what prisoners experienced and what their families experienced needs to be recorded, understood and inform planning for any future.

We would particularly emphasise the need to understand impact on prisoners' families, for example, on limited in-person contact by children with their parent.

We believe research should include contact with a representative sample of those prisoners who have since been released from prisons.

TO THE PRISON SERVICE

We would make a similar recommendation to that above but with the scope being research with people in prisons. As mentioned above, our Board understands the very difficult decisions that have had to be made to reduce Covid spread and to keep people safe but we feel that prisoners' experiences need to be captured in a systematic manner and those findings used to inform plans for future risks

TO THE DIRECTOR

Note – the following have already been discussed with the Director and work is in hand. Further comments will be included in the 2020/21 report.

All lessons to be learnt from the findings of internal investigations and the reports of the PPO into deaths in custody to be actioned.

Improved DIRF procedures to be implemented and progress on improvement to be assured.

3.4 Progress since the last report

The action plan in response to the IMB Annual Report 2018/19 was implemented and actions completed.

4. The work of the IMB

The board at HMP Doncaster is, and has been, low in numbers. Covid led to two members being unable to visit the prison and prompted another to decide to retire from volunteering.

Two new members have been appointed and are in training but the Board remains fragile due to low numbers of volunteers

Board statistics

Recommended complement of Board members	16
Number of Board members at the start of the reporting period	4
Number of Board members at the end of the reporting period	3
Total number of visits to the establishment	128
Total number of segregation reviews attended	Not recorded

Applications to the IMB

Code	Subject	Previous reporting year	Current reporting year
A	Accommodation, including laundry, clothing, ablutions	12	10
B	Discipline, including adjudications, IEP, sanctions	12	10
C	Equality	3	8
D	Purposeful activity, including education, work, training, library, regime, time out of cell	9	7
E1	Letters, visits, telephones, public protection restrictions	4	18
E2	Finance, including pay, private monies, spends	2	5
F	Food and kitchens	5	1
G	Health, including physical, mental, social care	39	32
H1	Property within this establishment	29	17
H2	Property during transfer or in another establishment or location	9	6
H3	Canteen, facility list, catalogue(s)	6	2
I	Sentence management, including HDC, release on temporary licence, parole, release dates, recategorisation	19	14
J	Staff/prisoner concerns, including bullying	35	48
K	Transfers	9	3
L	Miscellaneous, including complaints system	0	5
	Total number of applications	193	186



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